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South Gippsland Planning Scheme Review



Version 2
June 2026
[FINAL]

Unofficial

Planning and Environment Act 1987

Planning Scheme review pursuant to Section 12B of the Act

South Gippsland Planning Scheme

Version	Author	Issue date
1.0	Plan2Place Consulting	17 April 2026
2.0	Plan2Place Consulting	5 June 2026

Abbreviations

Table 1: Abbreviations

Abbreviation	Meaning
AEO	Airport Environs Overlay
AgVic	Agriculture Victoria
BMO	Bushfire Management Overlay
C1Z	Commercial 1 Zone
C	Council Amendment
DTP	Department of Transport and Planning
DEECA	Department of Energy, Environment and Climate Action
DDO	Design and Development Overlay
DPC	Department of Premier and Cabinet
DPO	Development Plan Overlay
DCPO	Development Contributions Plan Overlay
ESD	Environmentally Sustainable Development
ESO	Environmental Significance Overlay
EAO	Environmental Audit Overlay
EMO	Erosion Management Overlay
EPAV	Environment Protection Authority Victoria
FPSR	First Peoples State Relations
FO	Floodway Overlay
FZ	Farming Zone
GC	Group Council Amendment
GRZ	General Residential Zone
HO	Heritage Overlay
IN1Z	Industrial Zone 1
IN3Z	Industrial Zone 3
LSIO	Land Subject to Inundation Overlay
LGA	Local Government Area
LDRZ	Low Density Residential Zone
LPPF	Local Planning Policy Framework
MDFC	Ministerial Direction on the Form and Content of Planning Schemes
MPS	Municipal Planning Strategy
MUZ	Mixed Use Zone
NRZ	Neighbourhood Residential Zone
OWMS	Onsite Wastewater Management System
PG	Practitioner's Guide to Victoria's Planning Schemes
PPF	Planning Policy Framework
PPN	Planning Practice Note
PPV	Planning Panels Victoria
PUZ	Public Use Zone
PPRZ	Public Park and Recreation Zone
PCRZ	Public Conservation and Resource Zone

PO	Parking Overlay
PAO	Public Acquisition Overlay
PSR	South Gippsland Planning Scheme Review
RAP	Registered Aboriginal Party
RCZ	Rural Conservation Zone
RLZ	Rural Living Zone
RAZ	Rural Activity Zone
RO	Restructure Overlay
RXO	Road Closure Overlay
SRO	State Resource Overlay
SCO	Specific Controls Overlay
SGSC	South Gippsland Shire Council
SLO	Significant Landscape Overlay
SUZ	Special Use Zone
The Scheme, SGPS	South Gippsland Planning Scheme
TZ	Township Zone
TRZ	Transport Zone
VC	Victoria and Council Amendment
VCAT	Victorian Civil and Administrative Tribunal
VPP	Victoria Planning Provisions
Numeric Abbreviations	
ha	hectares
m	metre
m^2	metres square
%	percent
sqm	square metres
Related Legislation	
Environment Protection Act 2017 (EP Act 2017)	
Subdivision Act 1988 (Sub Act)	
Planning and Environment Act 1987 (P&E Act)	
Additional Legislation References	
Building Act 1993	
Catchment and Land Protection Act 1994	
Environment Effects Act 1978	
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	
Fire Rescue Victoria Act 1958	
Heritage Act 2017	
Native Title Act 1993 (Cth)	
Public Health and Wellbeing Act 2008	

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1. Executive summary

1.1. Why is the planning scheme being reviewed?

Council as the planning authority for the South Gippsland Planning Scheme (SGPS) is required to review its planning scheme every four years under Section 12(B) of *the Planning and Environment Act 1987 (*the Act). The review should be completed within one year of the completion of the first approved Council Plan after the election of a new Council.

Council last undertook a comprehensive review of the planning scheme in June 2023. The findings of this review were translated into the planning scheme via Amendment C129 which was gazetted on Thursday 17 October 2024.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy (MPS) and local Planning Policies to replace the former Local Planning Policy Framework. This occurred through Amendment C127 and was a policy neutral amendment undertaken by the Victorian Government.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as **Appendix 1** to this report.

1.2. Health check and findings

The SGPS was reviewed in 2023 and the recommendations provided by this review were implemented by the Council. Consequently, the planning scheme is generally sound and provides a robust policy basis for planning decision making within the Shire.

The MPS adequately describes the Shire's settlement hierarchy, landscape values, environmental management challenges, and housing and economic development goals. The Planning Policy Framework (PPF) provides local policy direction that broadly conforms with the thematic structure of the PPF and addresses key aspects of planning issues within the Shire such as rural land use, inland and coastal landscapes and natural hazards. A range of zones and overlays have also been applied to land to manage impacts of development and encourage new growth where appropriate. Operational provisions, such as incorporated documents and local referral and notice provisions are being used.

Having said that, there are aspects of the scheme that need review and correction. There are a range of zone and overlay schedules which are not formatted in accordance with the Ministerial Direction on Form and Content of Planning Schemes (MDFC). Most of the changes are minor and corrective in nature. Some require rewording for improved clarity and editing to elevate issues that are of a shire-wide application. Other provisions, such as overlay schedules, require complete rewriting to streamline the excessive numbers of objectives, remove redundant requirements or reword requirements for clarity.

Another key issue for the scheme is the amount of relatively minor applications being triggered for building and works within the environmental overlays and within the rural zones. These types of applications constitute a significant share of the overall permit applications received by Council and are resulting in significant referral to external authorities to support decision making.

In terms of planning permit assessments, this review finds that South Gippsland has less applications being determined within statutory timeframes than similar sized councils in its region, although the number of applications being determined within the statutory timeframe has increased by 20 per cent

over the review period to 53 per cent. Further improvements in streamlining of assessments processes should be explored so that Council's performance moves closer to the state average of 70 per cent.

In terms of strategic planning, there are several key issues that require progressing by Council. Some relate to projects that were identified under the previous review and included in the schedule to clause 74.02 Further strategic work in 2023. Implementing coastal planning measures is one such key strategic priority for council, although the influence of any state government directions on how to address this issue would be instrumental in this work.

A review of rural land use policy, potentially via a new rural land strategy, is also a key strategic project that should be progressed to assist with improved policy clarity when assessing proposals for additional dwellings in rural areas. In terms of urban growth within the Shire, implementing strategic planning for Nyora and developing a Development Contributions Plan for the Shire's growing townships are the key issues.

Additionally, review of the Environmental Management Overlays and the permit triggers for buildings and works applications in rural zones should be undertaken to determine if minor applications can be further reduced or streamlined via rewording of permit exemptions or creation of VicSmart permit categories which would assist with improving overall application assessment performance.

1.3. Top priorities for Council

The review has identified the following priorities for Council over the next four years:

- Review the clarity of purpose and scope of permit triggers within the Environmental Management Overlays, such as the Environmental Significance Overlays (ESOs) and the Significant Landscape Overlays (SLOs) to determine the effectiveness of these controls and the administrative burden generated by minor works applications being triggered by them.
- Review the Rural Land Use policies within the PPF and Council's strategic policy direction for housing outside of settlements and within rural and remote areas and determine if an updated Rural Land Use Strategy is required to coordinate this reform.
- Resolve coastal planning policy approaches and VPP responses, as per the recommendations of the adopted Coastal Strategy.
- Review the implications of the Victorian Government's housing targets and housing capacity with the Shire, particular in terms of growth planning for Nyora.
- Review the ability to streamline application assessments (including potential local VicSmart provisions) and assessment processes for the Statutory Planning team to achieve parity with state average assessment timeframes within the next four years.

1.4. Consolidated recommendations

This section of the report outlines the recommendations and next steps for this planning scheme review. Recommendations are grouped as follows:

- Planning scheme amendment recommendations
- Further strategic work recommendations
- Process improvement recommendations
- Advocacy recommendations
- Minister for Planning recommendation

1.4.1. Planning scheme amendment

These recommendations relate to the planning scheme amendment that should be progressed to implement the findings of this review relating to administrative matters or to incorporate Council or State adopted strategic planning work into the scheme.

The planning scheme review has identified many policy-neutral changes that should be made to the planning scheme to bring it into alignment with the MDFC. These are administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the MPS to bring it up to date with the most recent ABS and economic data, and the Council Plan.

Also, the planning permit audit and consultation with referral authorities and Council staff identified a range of concerns including interpretation of rural land policies, missing information in zone schedules, the breadth and scope of permit triggers and exemptions in ESOs and SLOs, and unnecessary or vague referral requirements relating to ESOs.

An audit of local and regional strategies and policies prepared since the previous planning scheme review has been completed, and relevant policy directions from these strategies have been incorporated into the planning scheme to a certain extent. The working documents that were used to undertake the analysis have been provided to Council officers for reference and a summary is included in chapter 7. These changes have been included in the supporting marked up Ordinance at **Appendix 1**.

Recommendation:

It is recommended that Council:

1. **Prepare a planning scheme amendment or amendments using the marked-up ordinance at Appendix 1 to:**
    a) **Incorporate the policy neutral changes identified in Chapter 5 to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.**

1.4.2. Further strategic work

Appendix 2 of this report outlines the further strategic planning work that has been identified through this planning scheme review.

Through the review process, the highest priority tasks for Council to undertake over the next four years to improve the planning scheme have been identified and are included in the recommendations below. A number of existing and new items of further strategic work have been identified through this review and are there included in **Appendix 2**. The list below represents the further strategic work that is likely to result in the most positive impact for the municipality, the community and the efficient functioning of the planning service.

Only work that can be completed in the next four years should be included in Clause 74.02 of the planning scheme. A recommended Clause 74.02 is included in the marked-up ordinance at **Appendix 1 and at Appendix 2**. This should be considered by Council to ensure that the work is reasonable to complete over the next four years and, if not, what the priority projects that should be included in Clause 74.02 are for Council. Some of these priorities will evolve depending on budget cycles and potential funding and regional partnership opportunities that may emerge.

Recommendations:

It is recommended that Council:

2. **Prepare the following further strategic work over the next four years to:**
    a) **Apply planning controls that address land use risk from climate change in coastal areas and coastal townships, as required by the South Gippsland Coastal Strategy 2023. This may result in an update to the Housing and Settlement Strategy and the strategic directions of the PPF.**
    b) **Plan Nyora's growth and infrastructure to orderly accommodate the expected intensification of density and growth in the area, including a review of the Housing and Settlement Strategy, implementation of the Nyora Development Strategy 2016 and consideration of further development overlays and flood risk controls.**
    c) **Prepare a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the DTP on key transport infrastructure issues.**
    d) **Prepare a Rural Landscapes Assessment and review the South Gippsland Rural Land Use Strategy 2011 to align planning controls with adopted policy to protect the Shire's rural hinterlands and tourism routes from inappropriate development. This should provide further policy clarity on identification and protection of significant landscapes, preservation of agricultural land and dwellings within rural areas.**

1.4.3. Process improvements

The review has identified that the performance of Council's planning scheme and planning functions are generally on par with those of similar councils within the Gippsland region and the assessment timeframes These recommendations are drawn from both the analysis of the planning scheme and consultation with Council staff and referral authorities.

The recommendations relate to improvements that could be made to the processes associated with collection and analysis of data (such as planning permits), processing and referral of applications, and communication. Process improvements may apply to Council, the Victorian Government or referral agencies.

Recommendations:

It is recommended that Council:

3. **Undertake the following process improvements:**
    a) **Review necessity of referral agency responses required under clause 66.04 with particular focus on referrals triggered under the Environmental and Landscape Overlays.**
    b) **Review the potential for the creation of local categories of VicSmart applications where planning matters are relatively uncontroversial and application requirements can be reasonably pre-determined, to support further improvements in assessment timeframes.**
    c) **Identify resources required to complete further strategic work items listed above within the next four years.**

1.4.4. Advocacy

These recommendations are generally beyond the scope of what Council can achieve in its planning scheme under the current Victoria Planning Provisions (VPP) or scope of the Planning and Environment

Act 1987. They are matters that Council may wish to discuss with the Victorian Government to highlight the issue and advocate for change.

Recommendations:

It is recommended that Council:

4. **Undertake the following advocacy actions:**
    a) **Continue to seek funding and support from the Victorian Government to implement planning scheme amendments to improve planning scheme responses to land use planning risks such as bushfire and coastal climate change, in recognition that rural councils face higher environmental risks and are less capable of funding complex implementation processes.**
    b) **Continue to advocate for improved direction from the Victorian Government on implementation of Coastal Strategy outcomes and identification of coastal inundation risk within the planning scheme.**

1.4.5. Minister for Planning

South Gippsland Shire Council, with funding from DTP and assistance from Plan2Place Consulting has prepared a planning scheme review as required by section 12B(1) of the *Planning and Environment Act 1987* (the Act).

In accordance with section 12B(3) of the Act, this review identifies opportunities, set out in this report, enhances the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria and the objectives of the planning framework established in the Act.

In accordance with section 12B(4) of the Act, the review evaluates the planning scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

Recommendation:

It is recommended that Council:

5. **Accept this Planning Scheme Review and forward it to the Minister for Planning as evidence South Gippsland Shire Council, as the planning authority for South Gippsland Planning Scheme, has met its obligations in accordance with Section 12B of *the Planning and Environment Act 1987* to review the planning scheme every four years.**

2. Introduction

2.1. Purpose

Council as the planning authority for the SGPS is required to review its planning scheme every four years under Section 12(B) of the Act.

The scope of a planning scheme review is established under Section 12(B) and planning scheme reviews should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the MDFC.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to:

- Align Council's policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

Council last undertook a comprehensive review of the planning scheme in 2023. The findings of this review were translated into the planning scheme via amendment C129 which was gazetted on Thursday 17 October 2024.

Amendment C129 introduced new and revised local content in the MPS and the PPF, revised Schedule 1 to Clause 35.03 (Rural Living Zone), inserted new Schedules 2 and 3 to the Rural Living Zone (RLZ), amended the zone maps to designate all RLZ land as either RLZ1, 2 or 3 and removed onerous permit triggers in the rural zone schedules. It also amended the Schedule to Clause 72.02 to include land located outside the municipality as part of the area covered by the scheme, included several new background documents in the Schedule to Clause 72.08 and updated the list of Further Strategic Work in the Schedule to Clause 74.02.

In May 2022 the planning scheme was restructured to insert a new MPS and local planning policies to replace the former Local Planning Policy Framework (LPPF). This was undertaken via Amendment C127 as a policy neutral amendment undertaken by the Victorian Government. The changes implemented through Amendments C129 and C127 significantly restructured and updated the SGPS. This review does not seek to overturn any of this work but to refine and build on the policy framework that has been implemented.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as **Appendix 1** to this report. Council has the option to use the marked-up ordinance as a basis to prepare a 'policy positive' planning scheme amendment if it wants to make changes to the planning scheme that are more significant and require formal exhibition. Undertaking a policy positive amendment is a significant undertaking and will require funding, however it will provide more operational benefits and efficiencies and allow Council to resolve more complex changes required to some of its local provisions and Incorporated documents.

2.2. Methodology

A six-stage methodology has been developed by DTP to undertake planning scheme reviews as shown in **Figure 1**.

The methodology is supported by the 'Good Practice Guide to Planning Scheme Reviews' and templates that have been developed to assist with each stage of the process.

Plan2Place Consulting was engaged by DTP to conduct Stages One to Four for the South Gippsland Shire Council.

Stage Five will involve a round of public consultation led by Council. Feedback from this consultation will support the motion to adopt the final form of the revised scheme ordinance. Stage Six will involve the submission of the proposed changes to the Minister for authorisation to prepare a planning scheme amendment. The community will also be consulted through the amendment exhibition process with submissions being invited from the public in accordance with the requirements of the *Planning and Environment Act 1987*. If submissions cannot be resolved, Council is obliged to ask the Minister for Planning to appoint an independent Planning Panel to consider submissions and make recommendations to the Minister.

Figure 1: Planning scheme review methodology



The timing for the project is:

Stage	Timing
Initiate	October 2025
Analyse	January 2026
Engage	January - March 2026
Report	April - May 2026
Consult and implement	From July 2026

This planning scheme review has been prepared in consideration to the following directions and guidance provided by DTP as well as those detailed, where relevant, in **Appendix 3**).

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes (MDFC).
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes, advisory notes and further advice:

- A Practitioner's Guide to Victoria's Planning Schemes.
- PPN – 46 Strategic Assessment Guidelines.
- PPN32 – Review of planning schemes.
- Advisory Note, Planning Scheme Reviews, March 2026.

2.3. South Gippsland Context

South Gippsland Shire is a large rural municipality in southeast Victoria with a population of approximately 30,000 people spread across 26 settlements and 41 localities. The municipality's estimated resident population of 30,577 is projected to grow to 33,930 by 2036. The Bunurong and Gunaikurnai people are the traditional inhabitants and custodians of the land and the two Registered Aboriginal Parties (RAP) associated with the municipality.

The largest town in South Gippsland Shire is Leongatha, located in the central north of the municipality, which serves as the municipal centre. South Gippsland is largely bounded by the Strzelecki Ranges in the north and the coast in the south. The north-western area of the Shire is located approximately 100 kilometres south-east of Melbourne, and the south-east border is approximately 20 kilometres from Yarram.

The municipality's main industries are agriculture, alongside its associated industries including value-adding, food processing and dairying industries. Impacts of climate change over time will place added significance on the Shire's agricultural land resources, which are predicted to benefit from comparatively secure annual rainfall. South Gippsland supports 11,157 jobs and generates an annual economic output of $4.1 billion, with the Agriculture, Forestry and Fishing industry contributing the greatest share of economic output and employment.

Tourism in South Gippsland is mainly driven by the region's outstanding natural and coastal environments, landscapes, and food and arts culture. Major attractions include Wilsons Promontory National Park, Corner Inlet, Shallow Inlet, Nooramunga Marine and Coastal Parks, and Cape Liptrap Coastal Park, all of which enhance South Gippsland as an appealing regional destination for tourism industry.

The context for the South Gippsland Shire Council (SGSC) Local Government Area (LGA) is shown in **Figure 2**.

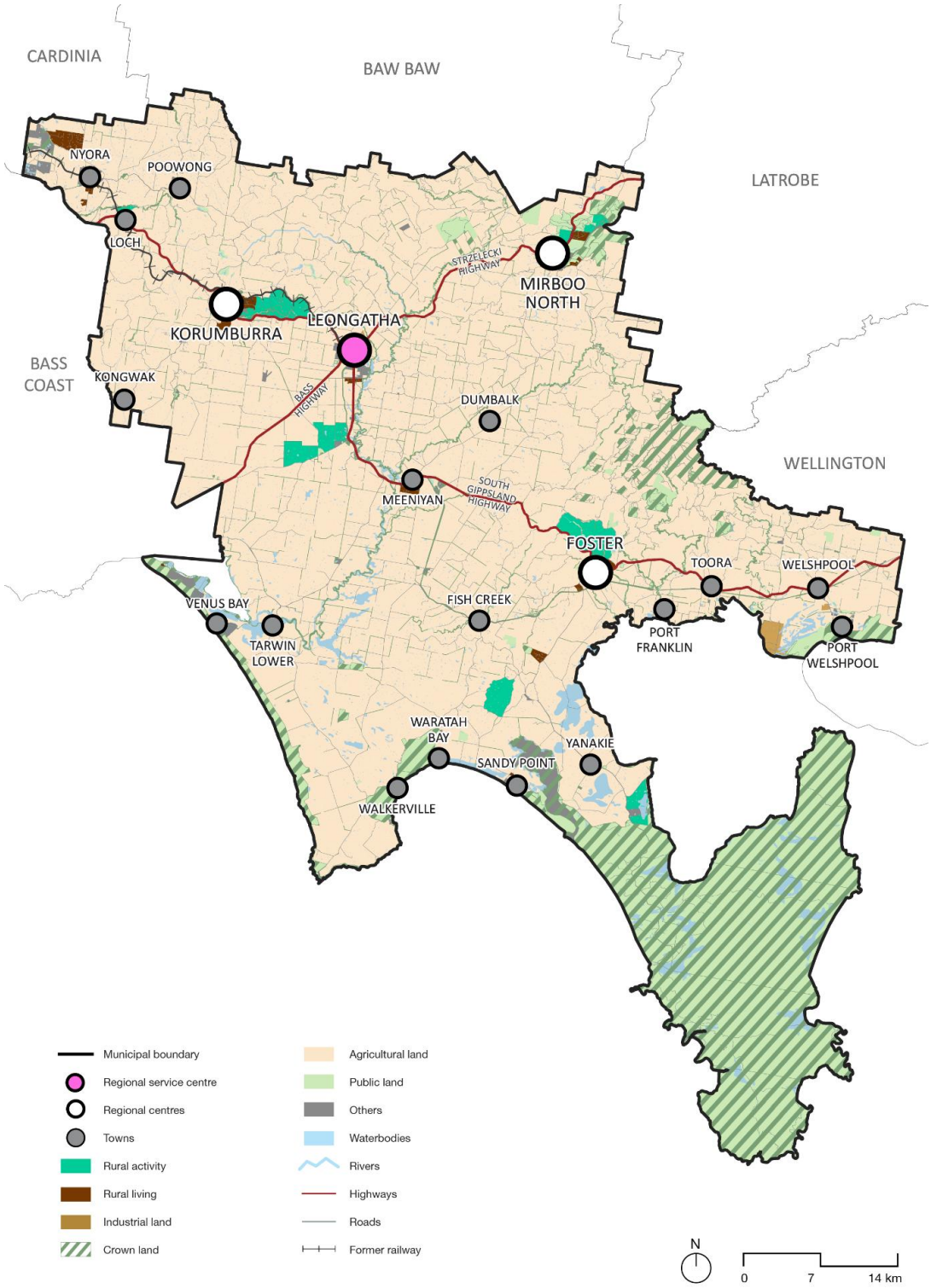


Figure 2: South Gippsland Shire Council Context

2.4. Existing Zones and Overlays applied in the South Gippsland LGA

The existing zones and overlays applied in the South Gippsland Local Government Area (LGA) that are currently included in the South Gippsland Planning Scheme (SGPS) and subject to this review are shown in **Figures 3 and 4**.

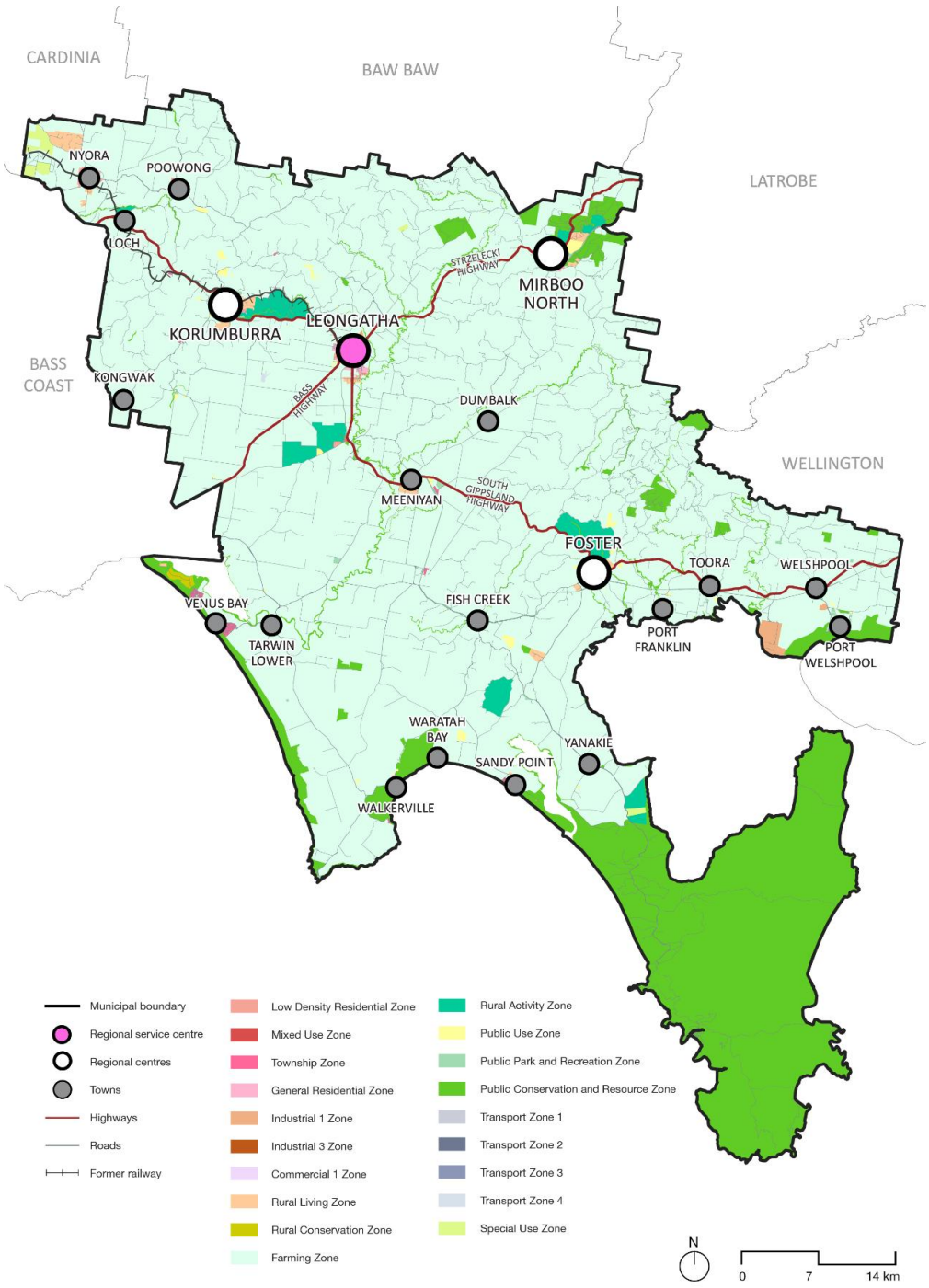


Figure 3: South Gippsland Planning Scheme – Zones

Zones within the South Gippsland LGA

There is a total of 16 zones in the South Gippsland Planning Scheme containing 24 separate schedules, as follows:

- Low Density Residential Zone (LDRZ - 1 schedules).
- Mixed Use Zone (MUZ - 1 schedules).
- Township Zone (TZ- 1 schedule).
- General Residential Zone (GRZ - 1 schedule).
- Industrial 1 Zone (IN1Z - 1 schedule).
- Industrial 3 Zone (IN3Z - 1 schedule).
- Commercial 1 Zone (C1Z - 1 schedule).
- Rural Living Zone (RLZ - 3 schedule).
- Rural Conservation Zone (RCZ - 1 schedules).
- Farming Zone (FZ - 1 schedule).
- Rural Activity Zone (RAZ - 1 schedule)
- Public Use Zone (PUZ - 1 schedule).
- Public Park and Recreation Zone (PPRZ - 1 schedule).
- Public Conservation and Resource Zone (PCRZ - 1 schedule).
- Transport Zone (TRZ - no schedule).
- Special Use Zone (SUZ - 8 schedules).

Overlays within the South Gippsland LGA

There is a total of 16 overlays in the South Gippsland Planning Scheme, with 46 schedules, as follows:

- Environmental Significance Overlay (ESO - 7 schedules).
- Significant landscape Overlay (SLO – 3 schedules)
- Heritage Overlay (HO - 1 schedule, covering 106 listed heritage places).
- Design and Development Overlay (DDO - 13 schedules).
- Development Plan Overlay (DPO - 11 schedules).
- Erosion Management Overlay (EMO - 1 schedule).
- Land Subject to Inundation Overlay (LSIO - 1 schedule).
- Bushfire Management Overlay (BMO - 2 schedules).
- State Resource Overlay (SRO – 2 schedules)
- Public Acquisition Overlay (PAO - 1 schedule).
- Airport Environs Overlay (AEO - 1 schedule).
- Environmental Audit Overlay (EAO - no schedule).
- Road Closure Overlay (RO – no schedule)
- Restructure Overlay (RXO – 1 schedule)
- Parking Overlay (PO – 1 schedule)
- Specific Controls Overlay (SCO - 1 schedule).

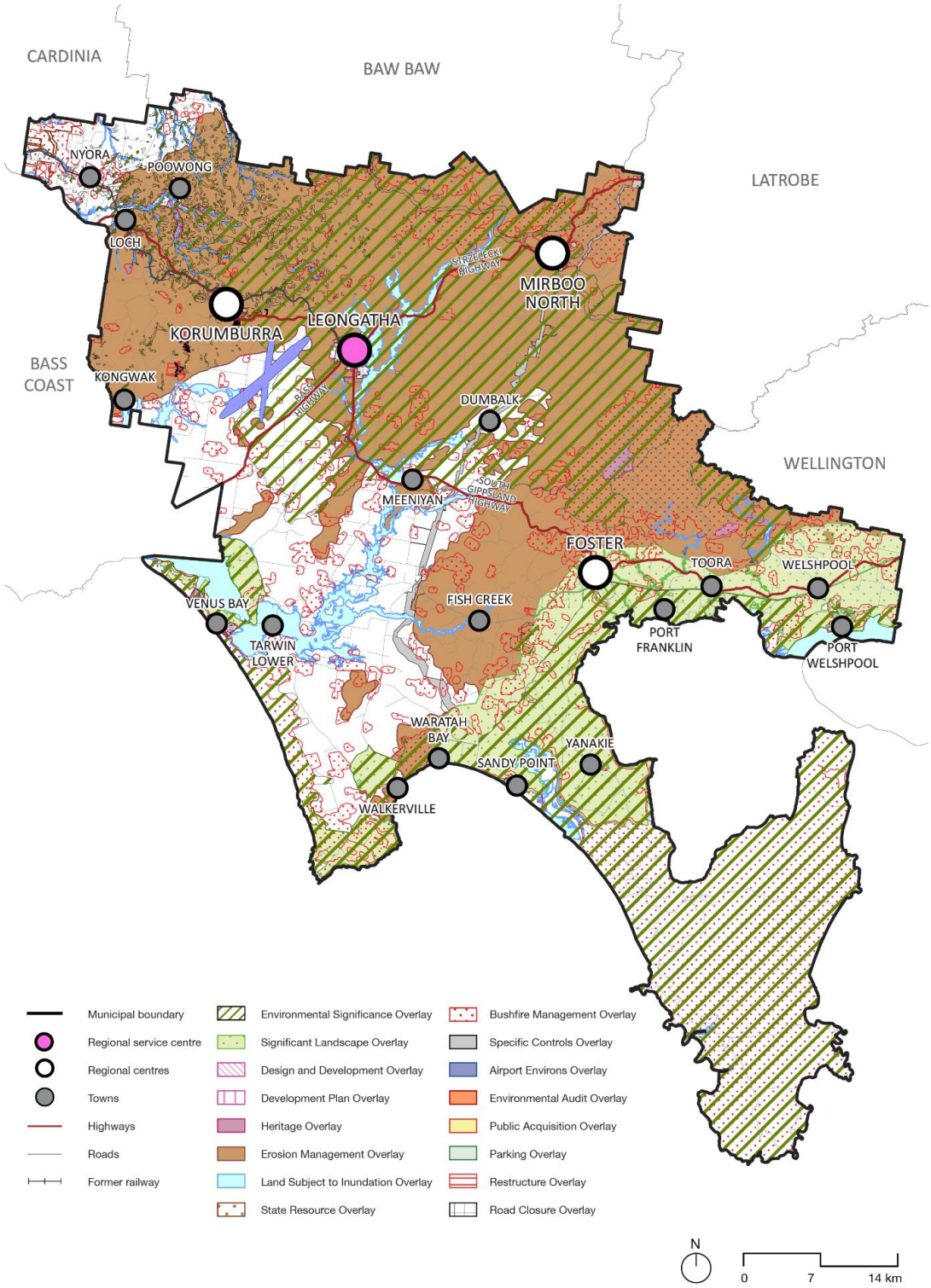


Figure 4: South Gippsland Planning Scheme - Overlay

3. What's driving change

3.1. Population, growth, and economy

The current resident population of the Shire is 30,577 people with a forecast population in 2036 of 33,930 people, an increase of approximately 3,350 additional residents. The population is dispersed across 26 settlements and 41 localities in a low-density, dispersed settlement pattern. Urban growth is steady and is primarily occurring in Leongatha, the regional service centre, and Nyora, an emerging growth district. The Shire's proximity to Melbourne is the primary driver for lifestyle migration and gradual population growth. Growth is projected to be steady and manageable, reinforcing the Shire's role as a productive agricultural region and lifestyle destination rather than a high-growth metropolitan fringe municipality. This is in part driven by the relocation of agricultural businesses from former rural land on Melbourne's urban fringe to the Shire's rural areas.

The Shire supports 11,157 jobs with an annual economic output of $4.1 billion. The primary economic driver is agriculture, which includes forestry and fishing. As well as being the largest employment sector, agriculture is the largest contributor to economic output. The dairy industry is particularly significant as are various value-adding and food processing subsectors. Supply chain and service industries are also significant. Climate change projections indicate that South Gippsland's comparatively reliable annual rainfall may enhance the long-term value of its agricultural land, increasing its strategic importance within Victoria.

Tourism is a growing and important economic contributor, based on coastal and marine environments, national parks and rural landscapes which accommodate food, arts and cultural experiences. Key tourism assets include Wilsons Promontory National Park, Corner Inlet, Shallow Inlet, Nooramunga Marine and Coastal Park, Cape Liptrap Coastal Park. Tourism leverages the Shire's natural coastal environments and scenic hinterland landscapes.

3.2. Climate change and other environmental risks

South Gippsland is highly exposed to climate-related risks due to its extensive coastline, low-lying coastal inlets, its agricultural land base, its dispersed rural settlements and its bushfire-prone forested areas such as the Strzelecki Ranges. Projected climate impacts include, sea-level rise, coastal inundation and storm surge, increased erosion of beaches and dunes and cliff instability, increased bushfire risk, reduced water security and changing rainfall patterns and a greater frequency of extreme weather events, including highly destructive windstorms.

Some of the Shire's significant environmental assets are also climate-sensitive areas, such as Wilsons Promontory National Park, Corner Inlet, Shallow Inlet, Nooramunga Marine and Coastal Park, Cape Liptrap Coastal Park. The Shire's coastal settlements face sea level rise impacts, inundation risk, damage to marine and port infrastructure, and degradation of Ramsar wetlands and marine ecosystems. South Gippsland benefits from comparatively reliable annual rainfall while other regions experience increasing water scarcity, the Shire's productive land may grow in strategic importance. However, agriculture remains vulnerable to disrupted rainfall patterns, extreme wind and weather events, soil degradation and catchment scale impacts.

Key environmental pressures include habitat fragmentation, land and water degradation, soil erosion, pest species, declining water quality and salinity. Environmental risks are compounded by historic vegetation loss with only approximately 15% of pre-1750 native vegetation remaining and much of the Shire's remaining biodiversity occurs on private land, making land management critical. Planning for the Shire indicates that high-quality agricultural land should be protected to ensure long-term food

production and economic resilience and that development in high-risk coastal and rural areas should be avoided.

3.3. Productive Agricultural Land

South Gippsland features some of Victoria's most productive areas of agriculture, especially regarding milk production but also beef, lamb and vegetables. This is largely due to the Shire's rich agricultural soils, high rainfall and its relative proximity to Melbourne. Agricultural activity, including associated processing and service industry are the basis of the Shire's economy. The future supply of high-quality agricultural land in the Shire must be carefully managed as this type of land is likely to be increasingly in demand. This is likely to be due to climate change impacts detrimentally affecting other areas of the state which may in turn impact the expansion of local agricultural uses through the supply of more viable undeveloped farming land.

The Shire's rural landscapes are generally comprised of multi-lot farms, and this type of land tenure can support commercially viable production through the aggregation of smaller lots into larger agricultural operations. The presence of small lots within these rural locations however also invites competing interest from demand for rural dwellings. The Shire's significant environmental and landscape assets make the area attractive for rural residential lifestyles and the competition from land uses that are often not compatible with intensive farming activities. The proliferation of inappropriate small lot subdivisions creates a constant challenge for land use planning to prevent the loss of productive agricultural land to rural residential development and agritourism.

3.4. Victorian government amendments and advice

The Victoria Planning Provisions are constantly being reviewed and updated at a state level with numerous VC and GC amendments occurring each year. The State also provides advice to planners in the form of updates to the Practitioner's Guide and new planning practice notes. The full list of Victorian and Regional amendments that have been gazetted, and practice notes that have been released since the last review are included in **Appendix 3**.

A summary of recent key VC Amendments is provided in **Table 1** below. The way in which the SGPS through this review should respond and consider VPP changes at the local level is discussed below and in Appendix 3.

Table 1: Recent Significant VC Amendment - Summary

Amendment #	Gazettal Date	Summary of Amendment
Amendment VC242	September 2023	Introduced two new particular provisions to facilitate significant residential development and significant economic development through clauses 53.22 and 53.23 with the Minister for Planning as the responsible authority.
Amendment VC243	September 2023	Introduced state-wide changes to all planning schemes to codify residential development standards, implement the Future Homes project across Victoria, remove permit requirements for single dwellings on lots of 300 square metres or more and introduce VicSmart permits for single dwellings on lots less than 300 square metres
Amendment VC253	December 2023	Introduced a new land use term and siting, design and amenity requirements for a 'small second dwelling' into a range of residential and rural zones across Victoria. This replaced the land use term 'dependent person's unit' and made the planning provisions more consistent and easier to build a small second

		dwelling of 60 square metres or less that meets specified requirements.
Amendment VC257	February 2025	Introduced Clause 32.10 Housing Choice and Transport Zone (HCTZ) and Clause 43.06 Built Form Overlay (BFO) to support housing growth in and around activity centres and other well-serviced locations in line with Victoria's Housing Statement, The Decade Ahead 2024-2034.
Amendment VC267	March 2025	Implemented new residential development planning assessment provisions to boost housing construction to meet future housing needs. Deemed to comply provisions were included in the residential standards at Clause 55 of all planning schemes statewide for the assessment of multi-residential developments of three storeys or less. Deemed to comply standards promoted faster and more certain permit processes exempt from third party appeal.
Amendment VC276	April 2025	Removed most local variations from residential zone schedules across planning schemes state-wide including landscaping, permeability, side and rear setbacks and walls on boundary. Local variations now limited to minimum street setback, site coverage, private open space and front fences and these can only be made more restrictive.
Amendment VC282	August 2025	Introduced state-wide changes to all planning schemes to revise and codify residential development standards for single dwellings on lots less than 300 square metres aligned with Amendment VC267.
Amendment VC283	September 2025	Introduced the *Plan for Victoria* into all Victorian planning schemes with significant changes to stage and regional planning policies for settlement and regional planning. Regional Growth Plans are now just planning scheme background documents.
Amendment VC288	September 2025	Introduced state-wide changes to all planning schemes to codify residential development for two dwellings and their subsequent subdivision and for applications to be assessed via VicSmart.
Amendment VC300	March 2026 (operational 16 April 2026)	Implements the Mid-Rise Code into all planning schemes to introduce new deemed to comply assessment provisions for four to six storey residential development in residential zones.

Planning for Housing

The introduction of more sophisticated schedules to the residential zones (through Amendment VC169), including the ability to include place-based objectives (essentially through preferred neighbourhood character statements), provides an opportunity for Council to introduce controls to manage built form in residential areas more effectively. Planning Practice Notes 90 – Planning for Housing and 91 – Using the Residential Zones provide the advice about how this should be done.

This will assist with achieving sustainability and neighbourhood character objectives, although it is noted that the role of neighbourhood character in determining residential development outcomes has been recently reduced through PPN90. Council has already identified that undertaking structure planning for the key townships is a priority, and the implementation of this work presents a good opportunity to take advantage of the flexibility afforded by the planning for housing reforms.

Plan for Victoria

The Victorian Government released Plan for Victoria in 2025 and implemented it into every planning scheme through Amendment VC283.

The Plan is structured around five pillars:

- Self-determination and caring for Country: underpinning and informing the other pillars.
- Housing for all Victorians: delivering sufficient affordable homes for all Victorians.
- Accessible jobs and services: making sure you have good access to facilities and good jobs.
- Great places, suburbs and towns: creating thriving places that are attractive, safe and welcoming for everyone.
- Sustainable environments: preserving the natural values of Victoria and addressing climate change.

The plan sets out housing targets for every local government area across Victoria, specifying their share of the extra 2.24 million homes that are forecast. The housing target that has been set for South Gippsland is an additional 8,000 dwellings by 2051. The plan also seeks to deliver more jobs near homes by planning for, protecting and readying commercial and industrial land for development in locations well-serviced with jobs, shops, public transport and community facilities and services.

As part the 2.24 million homes needed in Victoria by 2051, the Victorian Government has set a target to build 425,600 of those homes across the regions. There is a new $1 billion Regional Housing Fund to deliver more than 1,300 new homes across regional Victoria. The new homes will include a mix of social and affordable housing. There is also a $150 million Regional Worker Accommodation Fund to provide new housing options for regional communities to support key workers to find affordable places to live.

Housing Capacity Assessment Platform (HCAP)

DTP's HCAP is being delivered to support planning authorities with gauging housing capacity under different residential zoning scenarios and will inform the extent to which municipalities have achieved the housing target specified in the PPF and Plan for Victoria. HCAP incorporates the Access to Opportunities and Services (ATOS) tool which provides information about public transport access and the location of jobs and community facilities and services to identify areas where housing change is to be prioritised. Using HCAP will ensure a consistent approach to measuring planning scheme housing capacity across municipalities and this is expected to inform future settlement planning within South Gippsland. Council has sufficient land within our currently identified township boundaries to meet our HCAP target and 2051 housing target of 8,000 new dwellings.

Applying the Buffer Area Overlay

Amendment VC175 introduced the Buffer Area Overlay (BAO) into the VPP. The BAO is an amenity buffer planning tool that is designed to make sure sensitive land uses, such as schools and residences, are not affected by odour or dust from industries operating nearby. This control may be suitable for application around a range of infrastructure assets in the Shire, including wastewater treatment plants. This work is best led by the owners of those assets.

There may be other uses in the municipality where the BAO may be appropriate, such as mining operations, however no obvious ones were identified in this planning scheme review.

4. Previous planning scheme review

4.1. Previous planning scheme review

Council last undertook a comprehensive review of the planning scheme in 2023. The findings of this review were translated into the planning scheme via amendment C129 which was gazetted on Thursday 17 October 2024.

The review found that:

- South Gippsland Shire's planning scheme is mature, and the organisation is aware of the significant challenges that face the municipality as the impacts of climate change become more pronounced, and the population continues to grow sharply due to regional migration that has occurred since COVID-19.
- This growth has perhaps been a bit unexpected and one of the key findings of this review is that the resourcing of the statutory planning function should be reviewed considering the findings that permit applications have increased significantly (by 30%) and processing times have dramatically increased.
- The three most significant planning challenges facing the municipality related to coastal planning, rural planning and managing the growth of Nyora as it transitions to a higher order township.

The previous review recommended 12 priority actions, most of which were address via Amendment C129. The review did however identify a significant amount of further strategic work, which continue to be implemented progressively and evolve depending on available resources, priorities, budget cycles and potential funding and regional partnership opportunities.

4.2. Progress since last review

4.2.1. Completed projects

Council has implemented the recommendations from the last review through Amendment C129, which was gazetted on 17 October 2024.

Amendment C129 introduced new and revised local content in the MPS and the PPF, revised Schedule 1 to Clause 35.03 (Rural Living Zone), inserted new Schedules 2 and 3 to the RLZ, amended the zone maps to designate all RLZ land as either RLZ1, 2 or 3 and removes onerous permit triggers in the rural zone schedules. It also amended the Schedule to Clause 72.02 to include several new background documents in the Schedule to Clause 72.08 and updated the list of Further Strategic Work in the Schedule to Clause 74.02.

Specifically, the amendment implemented the following actions recommended under the previous review:

1. Implemented the land use and development directions of Council's adopted strategies and documents, including:
    - Council Plan 2022-2026 (South Gippsland Shire Council (SGSC), 2022)
    - South Gippsland Community Vision 2040 (SGSC, 2022)
    - South Gippsland Economic Development Strategy 2021-2031 (SGSC, 2021)

- South Gippsland Environmental Sustainability Framework 2021 (SGSC, 2021)
- South Gippsland Social and Affordable Housing Strategy 2022 (Horsnby & Co, 2022)
- South Gippsland Visitor Economy Strategy 2021-2031 (SGSC, 2021)
- Gippsland Regional Plan 2020-2025 (Gippsland Regional Plan Leadership Group 2020).

2. Clarified and improved the style, format, language or grammatical form of content in accordance with the requirements of the MDFC and principles set out in A Practitioner's Guide to Victoria's Planning Schemes, June 2024 where the intended effect of that clause was not changed.
3. Updated clause references, department names, legislation names, document references, terminology and statistical data.
4. Deleted or adjusted content that conflicted with State planning policy and the VPP.
5. Removed repetitive content.
6. Removed or updated outdated content.
7. Reinstated policies that were lost through the PPF translation process for rural planning, localities and strategic framework plans.
8. Changed the designation of Nyora from 'Small town' to 'Emerging district centre' and updated the description of Nyora's future role at Clause 02.03-1 (Settlement).
9. Included policy at Clause 13.02-1L (Bushfire Planning) to improve the safety of development.
10. Deleted the words 'non-residential zones' from the heading of ESO3, as the control relates to both residential and non-residential areas.
11. Moved referral requirements to Clause 66.04s rather than being distributed through the ordinance.
12. Included an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of the review.

Council also implemented the following resourcing related action form the previous review:

- Review the resourcing of the statutory planning function to ensure that adequate resources and systems are available to deal with the significant increase in planning permit applications over the last four years (30% increase), and address the steadily declining performance of the Council in meeting statutory processing timeframes for planning permit applications (target reduction is from 99 days to the statutory 60 days).

4.2.2. Projects underway

Council is currently undertaking the following strategic projects, which were not identified under the previous review:

- Regional Precinct and Partnership Plan – focus on Leongatha, Foster and the Barry Beach Marine Terminal and its locality.
- Waratah Bay Coastal Hazard Assessment
- Foster Structure Plan (on hold for completion of flood amendment C135)
- Mirboo North Bushfire Assessment and Structure Plan Implementation.
- Heritage Precinct Project – Loch, Korumburra, Fish Creek and Toora.

- Implementation of 10 completed flood studies by Amendment C135.
- South Gippsland Coastal Strategy planning controls implementation project.
- Nyora North LDRZ precinct development intensification investigation.

4.3. Outstanding work since last review

Items that remain outstanding from the last planning scheme review are:

1. Reduce the design objectives for DDO3 Sandy Point, DDO4 Waratah Bay, DDO5 Venus Bay, DDO6 Tarwin Lower and relocate buildings and work requirements.
2. Remove the subdivision permit trigger from DDO8 – DDO11 as it is not necessary to consider subdivision under the control.
3. Apply planning controls that address land use risk and climate change in coastal areas, including townships, as part of the Coastal Strategy. This may result in an update to the Housing and Settlement Strategy.
4. Review controls on residentially zoned land and, where necessary, undertake character assessments to inform new planning controls to manage development, considering the full suite of residential zones.
5. This should include:
    - Guidance about development on laneways, particularly in Korumburra and Leongatha relating to infill subdivision and development proposals.
    - Review of the existing ESOs and DDOs to ensure they are achieving what is expected from them, are applied at the right scale, have the correct permit triggers in them and sufficient detail to better aid applicant and decision makers.
    - Clearer urban design guidance to assist with balancing the tension between competing objectives and outcomes for the siting and design of buildings and works.
6. Prepare a Rural Landscapes Assessment and review the South Gippsland Rural Land Use Strategy 2011 to check that planning controls are protecting inland and rural hinterlands and transport / tourism routes from inappropriate development. This should address identification and protection of significant landscapes, preservation of agricultural land, and guidance for achieving development outcomes in keeping with scope of agricultural use.
7. This should include:
    - Review rural dwellings and subdivision policy requirements to ensure consistency with State Planning Policy and protection of local values with input from the community.
    - Review ESO1 Areas of Natural Significance and prepare a detailed statement of significance and reduce the objectives to one. This may require splitting the existing ESO1 into finer grained ESOs to address the specific issues of environmental significance or consider the benefits of translating to the SLP.
    - Review whether the S173 Agreement requirements detailed in the South Gippsland Rural Strategy 2011 can be incorporated into the planning scheme and if not, undertake further strategic work to identify other controls to address dwelling density in rural areas.

- Review rural dwellings and subdivision policy requirements to ensure consistency with State Planning Policy and protect local values, with input via community consultation.
- Finalise and implement Council's current review of planning permit triggers in the Shire's rural areas.

8. Plan Nyora's growth and infrastructure to accommodate the expected growth in the area and transition it successfully to a higher order town in South Gippsland Shire. This will require a minor review of the Housing and Settlement Strategy, implementation of the Nyora Development Strategy 2016 and may include urban character and flood risk controls.
9. Facilitate the development of a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the Department of Transport on key transport infrastructure issues.
10. Prepare the industrial land use strategy to ensure a sufficient, appropriately located supply of industrial land, particularly considering the impacts of offshore energy generation, and the changing needs of the agricultural industry.
11. Implement the 'Flood & Drainage Study for Foster and Surrounding Catchments – July 2019' in partnership with the West Gippsland Catchment Management Authority.
12. Update the 2004 South Gippsland Heritage Study as necessary and to apply the Heritage Overlay to all heritage places and precincts of local heritage significance.
13. Apply the Environmental Audit Overlay to known sites of land contamination in accordance with previous Council initiative.
14. Convert ESO4 Sewer Treatment Plants and Environs and ESO8 Manufacture of Milk Products Amenity to the Buffer Area Overlay (BAO).
15. Update Clause 15.01-1L-02 (Signage) to provide clearer guidance in relation to the specific outcomes that are sought be achieved in relation to signage within the Shire, to provide clarity for the community and to help Council to refuse inappropriate proposals.

4.4. Obsolete recommendations

Some recommendations from the last review are obsolete or no longer supported. These include recommendations relating to:

1. Apply the Environmental Audit Overlay to known sites of land contamination in accordance with previous Council initiative.
2. Convert ESO4 Sewer Treatment Plants and Environs and ESO8 Manufacture of Milk Products Amenity to the Buffer Area Overlay (BAO).
3. Various drafting changes to SUZ4 and SUZ7, ESO2, ESO7 Coastal settlements and the Parking Overlay.
4. Develop an offset framework to enable appropriate relocation or replacement of habitat of the Giant Gippsland Earthworm resulting from planning decision and determine whether the impacts of hydrology changes on colonies and habitat should be undertaken as part of the assessment process to strengthen 42.01 ESO9 Giant Gippsland Earthworm and Habitat Protection.
5. Seek advice from DELWP about the appropriate tool to manage Special Water Catchments (ESO2).

6. Notify parties that strategic justification is required to facilitate the rezoning of land for future expansion of the Mirboo North Town Centre.

4.5. Findings

While the key priority actions under the previous review were addressed under Amendment C129, there remain are several key strategic projects that still need to be initiated from the last review. It noted that due to the timing of this review that only two years has elapsed between the adoption of the previous review and this one.

Developing a prioritised list of projects to progress through a risk management and community benefit lens will be beneficial to Council and will assist Council in allocating sufficient resources to deliver these projects in a timely way to maintain the useability and responsiveness of the planning scheme.

Several unactioned items from the last planning scheme review, indicated above, are no longer a priority for Council and these should be removed from the list of further strategic work if they no longer serve a purpose.

Findings:

Council should progress the following pieces of further strategic work as a priority:

- **Apply planning controls that address land use risk from climate change in coastal areas and coastal townships, as required by the Coastal Strategy. This may result in an update to the Housing and Settlement Strategy and the strategic directions of the PPF.**
- **Plan Nyora's growth and infrastructure to accommodate the expected growth in the area and transition it successfully to a higher order town in South Gippsland Shire, including a review of the Housing and Settlement Strategy, implementation of the Nyora Development Strategy 2016 and consideration of further development overlays and flood risk controls.**
- **Prepare a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the DTP on key transport infrastructure issues.**
- **Prepare a Rural Landscapes Assessment and review the South Gippsland Rural Land Use Strategy 2011 to align planning controls with adopted policy to protect the Shire's rural hinterlands and tourism routes from inappropriate development. This should provide further policy clarity on identification and protection of significant landscapes, preservation of agricultural land and dwellings within rural areas.**

5. Audit and assessment of current scheme

5.1. Methodology

An audit of each local provision (policies and schedules) in the planning scheme has been undertaken. This audit has compared the drafting and application of each local provision against the MDFC, *A Practitioners' Guide to Victorian Planning Schemes* (August 2025) and relevant planning practice notes.

Each provision has also been assessed with consideration to the work it is doing in achieving the strategic objectives that are set out in the State, regional and local planning provisions.

The detailed outcomes of the audit have been provided to Council officers, and changes that can be made without further strategic work have been made to the ordinance at **Appendix 2**.

Findings on improvements that could be made are listed below. Some of these can occur as part of a planning scheme review based on the findings in this report and are included in the marked-up ordinance at **Appendix 2**. Others require further strategic work to justify the change and are listed as findings.

5.2. Municipal Planning Strategy

As well as the assessment outlined above, the MPS was cross referenced against all the other local provisions in the scheme to ensure that there is a link to all local policies in the MPS.

Clause no and name	Compliance or changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
Word count (5000 or less)	The MPS currently comprises 4,845 words and revisions proposed through the PSR will not increase the MPS above the 5000-word limit.	PSR complies
02.01 Context	As ABS 2021 is outdated and ABS 2026 is currently underway, the data should comply with Council Plan 2025-2029 to reflect the municipality's latest Census data. Make minor amendments to the Context (02.01) to update population and employment data. Update Census data source.	PSR policy neutral amendment

Clause no and name	Compliance or changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
02.02 Vision	Update the Council Plan from 2022-2026 to 2025-2029 as following: "South Gippsland: celebrating our First Peoples, diverse populations, culture, heritage, environment, agriculture and industries. We support and empower positive change through education and action. We sustainably adapt to protect and enhance our unique natural environment, towns and villages through community-led planning and initiatives. We're an inclusive community, a place where people come to visit and want to stay."	PSR policy neutral amendment
02.03 Strategic directions		
02.03-1 Settlement	Add comma before 'particularly': 'Housing growth is mostly occurring in settlements near the South Gippsland Highway**,** particularly Leongatha, Korumburra and Nyora.' Delete '-'in 'un-serviced': Revise to: 'The Shire includes fully serviced, partly serviced and un-serviced settlements.' Under settlement hierarchy, replace 'have been' to 'are". Adjustments to settlement hierarchy as per Plan for Vic: • Leongatha is a 'regional service centre'. • Include a reference to the housing target for 11,000 dwellings to be delivered in the shire by 2050 Include as per Plan for Victoria: • Facilitate housing growth within established settlements to support achieving the municipal housing target of 11,000 dwellings by 2051.	PSR policy neutral amendment

Clause no and name	Compliance or changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
02.03-2 Environmental values and landscapes	Complies, no change required.	PSR complies
02.03-3 Environmental risks and amenity	Add comma after 'which': 'South Gippsland relies on key industries such as agriculture and tourism, which are particularly vulnerable to climate change impacts.'	PSR policy neutral amendment
02.03-4 Natural resource management	Complies, not change required.	PSR complies
02.05 Built environment and heritage	Complies, not change required.	PSR complies
02.03-6 Housing	Under strategic directions, the following should be revised from 'Continuation of commercial agricultural in rural areas' to 'The continuation of commercial agriculture in rural areas'. Council has a Social and Affordable Housing Strategy 2022. However, the scheme does not have an objective to achieve affordable and social housing delivering in the municipality. Therefore, add new strategic directions: • Support affordable and social housing being delivered in towns with good access to opportunities and services. • Ensure affordable and social housing stock meets community needs.	PSR policy neutral amendment

Clause no and name	Compliance or changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
02.03-7 Economic development	Correction: 'Value-adding manufacturing and processing plays an important part in the future economic growth opportunities in the Shire. The lower operational costs for businesses and the unique lifestyle that the Shire offers should be promoted to attract new employment opportunities and population growth.' Add comma before 'while': 'Growth opportunities exist in eco-tourism, while agricultural and farming activities can service the industry through the development of agri-tourism.'	PSR policy neutral amendment
02.03-8 Transport	Complies, no change required.	PSR complies
02.03-9 Infrastructure	Add comma before 'as well as' after 'improvements': 'The location and management of waste disposal facilities, as well as the provision of reticulated water and sewerage services and stormwater drainage improvements, are necessary to minimise impacts on the environment and accommodate future population growth.'	PSR policy neutral amendment
02.04 Strategic framework plans	Currently, the mapping only shows the context of the LGA and does not set or display the strategic framework plan. The town hierarchy in the Framework Plan map does not comply with those in the Settlement section in clause 02.03-1. (e.g. the framework plan map only shows regional centres and towns, while clause 02.03-1 details a hierarchy of towns with principal centre, large district centre, emerging district centre, district towns, small towns, villages, coastal villages, hamlets and localities.)	PSR Policy neutral amendment

5.3. Planning Policy Framework

All the Local PPF policies that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
SETTLEMENT		
11.01-1L-01 Leongatha	**Leongatha Framework Plan:** The plan needs to label and establish the extent of the Southern Leongatha growth area, since the map is referenced later in Clause 11.01-1L-02. **Settlement policy guidelines**: The first Settlement policy guideline contains two verbs while defining a future strategic action. 'Zoning' is also not in the approved list of verbs from the practitioner's guide. Replace 'Encouraging the rezoning of' with 'Support the development of.' Also, if rezoning is desired this should be put in as future strategic work in Clause 74.02. **Settlement policy guidelines**: The third policy guideline duplicates the DPO provisions. Policy guidelines also cannot define procedures or future actions. Consider turning this policy guideline into a strategy that states the following: 'Encourage new residential estates to be integrated with existing residential areas and provide active transport connections to the town centre and amenities.' Such a strategy can form the basis for a DPO. Consider future work that applies the DPO to all areas identified as 'urban residential expansion areas' in the framework plan. **Economic Strategies**: This phrase in the 5th strategy contains two ideas. Split this strategy into two separate strategies: 1.) 'Establish a bulky goods retail precinct on the western side of the South Gippsland	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Highway, towards the southern entry of the township' and 2.) 'Establish a commercial use precinct at the southern entry of the town, along the eastern side of the South Gippsland Highway, for uses that should be located away from the town centre.' **Economic strategies:** The 7th strategy contains two verbs: '*Promote* the *expansion* of industrial uses into the land north and west of the golf course recreation reserve while integrating the potential for heavy vehicle connectivity to the South Gippsland Highway.' Replace 'promote the expansion of' with 'direct'. **Infrastructure strategies:** In the first strategy, 'strong' should be removed since it does not signify a clear desired outcome. It may also be useful to name the specific community assets. **Infrastructure strategies**: The second strategy has been duplicated in other settlement policy frameworks like the one in Korumburra. Consider making this strategy as one that applies for the entirety of the Shire and relocate the strategy to a new local policy under Clause 18.01-1S: Land Use and Transport Integration.	
11.01-1L-02 Southern Leongatha growth area	**Bulky goods retail area & Highway frontage commercial area policy guidelines:** Land-use related policy guidelines for both areas should be implemented through zoning instead (i.e. C1Z, C2Z) via a future PS amendment related to the Southern Leongatha Growth Area – could be put in Clause 74.02- Future Strategic Work. Bulky goods retail area strategies: Amend these strategies:	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Encourage large floor-plate developments/uses defined as Restricted retail premises to the Bulky Goods Area. *Discourage commercial or community uses that may detract from the primacy of the Town Centre.* *Discourage uses, such as industrial uses, that may detrimentally affect the amenity of surrounding sensitive land uses.* **Bulky goods retail area strategies**: Also remove phrase 'such as industrial uses' from third strategy. A proposed commercial area, implemented through zoning, should preclude industrial uses on its own. A commercial zone has yet to be applied as of now so this should be included as future strategic work. **Urban expansion areas strategies:** The wording of the third strategy is unclear. Change to: 'Avoid the creation of residential lots in the Coalition Creek flood plain, unless the proposed development and any proposed accessways are above the flood level.' Strengthen the meaning of the fourth strategy: 'Avoid residential lots with boundaries adjoining the highway frontage commercial uses.' **Landscape and built form policy guideline:** The second policy guideline could be achieved by selecting a residential zone with an appropriate maximum height or allows for a schedule that specifies a maximum height or via a built form overlay. This policy should be removed, and the desired outcome should be achieved through future strategic work.	

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Infrastructure strategies: Clarification of wording also needed in the 7th strategy.' Split into separate directions: "Ensure reticulated sewerage assets are provided to allow for the (full / final / complete) development of surrounding land so that asset duplication and incremental upgrades are avoided." **Infrastructure policy guidelines:** Both policy guidelines could be achieved with a DPO that requires applications for subdivisions to provide open space with the prescribed specifications. These policies should be removed, and the desired outcome should be achieved through future strategic work.	
11.01-1L-03 Korumburra	**Settlement strategies:** The first strategy presumes an action/measure (re-zoning) that should be implemented through further strategic work. Since mention of the 15-year supply is used to justify the rezoning, this justification should also be removed. Reword to: 'Manage the availability and development of residential land by directing development to areas identified in the Korumburra Framework Plan.' If rezoning is desired this should be put in as future strategic work in Clause 74.02 **Settlement strategies:** The second strategy can make use of bullet points, as below: 'Encourage new residential developments to: - Be integrated with existing residential areas and infrastructure. - Provide pedestrian and cycling connectivity to the Town Centre and key community features. - Protect the environmental values of the land, especially the waterways.'	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Settlement strategies: Adjust wording in third strategy: 'Promote higher density residential development and retirement living on land within inner township residential areas *that have* convenient pedestrian access to the Town Centre.' **Settlement strategies:** Clarify what the 'the "manufacture of milk products" operations' is in the 6th strategy (i.e. naming it 'the dairy factory' as this is what's written on the framework plan). **Landscape and built form strategies**: The first strategy should be relocated to Clause 15.01-1L-01. **Infrastructure strategies**: identify and name the community assets stated in the first strategy to provide greater specificity or delete strategy. **Infrastructure strategies**: Remove second strategy (see comments for similar strategy in Leongatha)	
11.01-1L-04 Korumburra Town Centre	**Economic strategies:** It is unclear as to what 'active retail uses' mean in the second strategy. This should be removed. **Economic strategies**: In the third strategy, the strategic justification to accommodate large floor space developments is unclear. There are state policies that support the consolidation of commercial areas but not the consolidation of commercial lots. Reword to "Support consolidation of sites to accommodate a Preferred Major Retail Use as indicated on the town centre strategic map." **Landscape and built form strategies:** More concise wording is needed for the first bullet point of the second strategy. Remove 'fine grain'. Reword to: 'Provide smaller specialty retail shops and active, pedestrian-friendly frontages along Commercial Street.'	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Remove duplication of intent regarding maintenance of views in the 4th under strategy / 2nd dot point. Intention of the 4th strategy is unclear. The significance of the Bridge/Commercial Street site is not highlighted within the framework plan, zoning nor any overlay. This strategy should be removed unless the significance of the location can be justified. **Infrastructure strategies:** The first strategy is too long. Reword to: 'Encourage developments to provide passive surveillance to public open spaces and identified pedestrian access routes to enhance pedestrian safety.' The second strategy should be reworded for clarity. Remove railway underpass strategy as no longer relevant. **Infrastructure policy guideline:** Remove strategy and reference the existing 2013 parking strategy ort flag a revised parking strategy for Korumburra Town Centre as part of future strategic work and add to Clause 74.02. Korumburra Community Hub strategies: Remove all hub strategies. **Korumburra Town Centre Strategic Framework Plan:** The Framework plan is incorrectly referred to across the clause, should be referred to as 'Korumburra Town Centre Framework Strategic Plan' instead. Rename plan "Korumburra Town Centre framework plan"	
11.01-1L-05 District towns – Foster and Mirboo North	**General strategies:** Remove the first and second strategies given that it does not expand on state level policy nor the MPS. **General strategies:** The fourth strategy contains two ideas: densities and	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	development staging. Split this into two separate strategies. **General strategies:** The fifth strategy should be relocated to a new local policy under Clause 19.02-6S: Open Space. **Foster strategies:** The second strategy is unclear. 'Areas close to the township' may be interpreted as areas located immediately outside of the settlement boundary or areas contiguous from the TZ. Reword for clarity. Relocate 3rd strategy to 15.01-3L: subdivision design. Relocate 6th strategy to 17.04-1L: Tourism – South Gippsland as a locally specific strategy. **Mirboo North economic strategies**: Relocate 4th strategy to 17.04-1L in Tourism- South Gippsland. **Mirboo North access strategies**: Relocate 1st strategy to Clause 15.01-3L Subdivision design – South Gippsland. **Mirboo North access strategies**: Relocate 2nd strategy to a new local policy under 18.01-2S: Transport System. **Mirboo North access strategies**: Relocate 3rd strategy to a new local policy under 18.01-3S: Sustainable and safe transport **Mirboo North landscape and built form strategies**: Relocate the first strategy to 15.01-2L-01 Building design – residential. Delete first strategy Relocate the second, third and fourth strategies to Clause 15.01-1L-01 Urban Design. For the third strategy, consider replacing term 'high-quality' with something more specific (e.g. walkable, amenable, compact).	

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Mirboo North landscape and built form strategies: Relocate the last strategy to 12.01-1L: Biodiversity or delete strategy. **Mirboo North Open space strategies:** Remove the first strategy since it does not expand on any state level policies. **Mirboo North Open space strategies:** The second strategy should be relocated to a new local policy under Clause 19.02-6S: Open Space or delete strategy in favour of state policy directions. **Mirboo North Open space policy guideline:** Move policy guideline to Clause 19.02-6S: Open Space or delete strategy in favour of state policy directions.	
11.01-1L-06 Small towns – Fish Creek, Loch, Meeniyan, Nyora, Poowong and Toora	**General strategies:** Relocate the first strategy to Clause 19.03-2L: Infrastructure design and provision – South Gippsland. **General strategies**: Remove the second strategy given that it does not expand on the MPS or any state strategy. **General strategies**: Delete 12th as this duplicates previous strategies. **General strategies**: Reorder strategies so that all use strategies all environmental strategies and all infrastructure strategies are grouped and can be read sequentially. **Loch Strategies:** The first dot point of the second strategy duplicates direction under 19.03-2L Infrastructure design. The second bullet point of the second strategy invokes the need for future strategic work which should be relocated to Clause 74.02: Future Strategic Work. **Meeniyan strategies:** The 2nd strategy refers to a 'town centre precinct' which is not defined on the framework plan. Additionally, this direction corresponds with the allocation of the C1Z	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	and therefore is somewhat redundant. The Third strategy does not define what are 'appropriately zoned locations on the South Gippsland Highway' – Delete. **Nyora strategies:** 1st dot point under 1st strategy duplicates direction under 19.03-2L Infrastructure design. 3rd bullet point under 1st strategy: Policy cannot define procedures or application requirements. This sentence invokes a requirement to provide a 'comprehensive assessment, feasibility study and costing' should be removed. **Nyora strategies:** Fourth and fifth bullet point under first strategy: invokes the need for future strategic work. Implementation of a DPO in places where they have not been applied yet, should be added to Clause 74.02. Implementation of a DCPO should also be added as future strategic work. The two sentences regarding the DCPO and DPO should be removed since it pre-empts future strategic action. **Nyora economic strategies:** Fix grammar and simplify the sentence of the first strategy. Reword to: 'Encourage light industry to be located within the designated industrial area *on* Watts Road.' **Nyora economic strategies:** The fifth strategy specifies a procedure on approving subdivision proposals that is counter to the operation of the zone as subdivision can be approved separately from development. Delete. **Nyora infrastructure strategies:** Policy documents are mentioned in the first strategy are either not incorporated or are not background documents (Council's Paths and Trails Strategy and Melbourne Water's Shared Pathway Guidelines (January 2009)).' Include these documents as policy guidelines.	

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Nyora town centre strategies: For the second bullet point under the first strategy, replace 'appear low rise' with 'a low-rise appearance'. **Nyora town centre strategies:** For the third bullet point of the 4th strategy, 'integrate' should be past tense. **Nyora town centre strategies:** For the fourth bullet point of the 4th strategy, rephrase to: 'Located on building frontages and verandahs, where protrusions above verandahs, roof lines or parapets are avoided.' **Nyora town centre strategies:** For the final strategy, remove capitalisation for sign types. **Poowong strategies:** Remove 'the' before 'Poowong Ranceby Road' in second strategy **Toora strategies:** In the last strategy, replace the first 'the' with 'its'.	
11.01-1L-07 Villages – Koonwarra and Welshpool	**Welshpool strategies:** Rephrase third strategy to refer to character, not image.	PSR policy neutral amendment
11.01-1L-08 Coastal Village – Port Welshpool, Sandy Point, Tarwin Lower, Venus Bay, Walkerville, Waratah Bay and Yanakie	Add an 's' to the end of 'village' in the title of strategy. **General strategies:** First strategy: meaning of 'low-scale' unclear- Low density? Low building height? Small building mass? Consider "Maintain the low-density scale by discouraging further subdivision". **General strategies:** Fourth strategy: rephrase to: 'Design development to minimise impact on the viewshed of key viewing locations, particularly town approaches and areas of higher elevation in the coastal landscape.' **Port Welshpool strategies:** Second strategy can benefit from clearer wording. Rephrase to: 'Encourage medium-scale tourism that is compatible with any environmental	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	constraints in the tourism area identified in the Port Welshpool Framework Plan.' **Tarwin Lower strategies:** Remove 'the' from the final strategy. **Venus Bay strategies:** Remove 'projected' from the first strategy **Venus Bay strategies:** The second strategy mentions that commercial development should be in accordance with the 'Venus Bay Tourism Precinct Plan'. Consider implementing directions from the Precinct Plan as policy guidelines for Venus Bay, adding the Plan as a policy document, and removing reference to the plan from the strategy. The 'Commercial 1 Zone Investigation Area' should also be identified in the Venus Bay Estate 1 Framework Plan. Once identified, the strategy should be rephrased to: 'Direct commercial services and facilities to the Commercial 1 Zone and the Commercial 1 Zone Investigation Area identified in the Venus Bay Estate 1 Framework Plan.' Or Include reference to the 'Venus Bay Tourism Precinct Plan (South Gippsland Shire Council, June 2020) as a policy guideline. **Venus Bay Strategies:** Delete the fourth strategy as it is not clear 'what kinds of style are each estate supposed to have?' Venus Bay Estate 1 framework plan: Make the change suggested above. **Walkerville strategies:** For the second strategy, add a comma after 'Walkerville South', replace the first 'which' with 'that' and remove the second 'which'. Consider using better wording to explain what '(non-retail commercial facilities that can) be readily confined to a house or residential property' means. IF this means home based business then delete as this is a use allowed under the zone.	

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Walkerville strategies: Add 'the' behind 'flora and fauna' for the third strategy. **Walkerville strategies:** Fourth strategy: Add 'that' after 'ensure' and remove 'is controlled to'. In subsequent bullet points update verb conjugation (e.g. change 'minimise' to 'minimises') **Walkerville strategies:** Delete – what kinds of style are each estate supposed to have? **Waratah Bay strategies:** replace reference to 'hamlet' with 'village'. Fifth strategy: insert a reference to "Coastal Spaces Landscape Assessment Study (Planisphere, December 2006)". **Yanakie strategies:** Remove 'the' before 'Meeniyan Promontory Road'	
11.01-1L-09 Hamlets – Bena, Buffalo, Dumbalk, Jumbunna, Kongwak, Mirboo, Port Franklin, Ruby and Stony Creek	**Stony Creek strategies**: For the first strategy, replace 'proliferation of rural dwellings' to 'rural dwelling developments'. Remove 'where'. Noting that there are no strategies for 'Ruby' although there is a Framework Plan.	PSR policy neutral amendment
11.01-1L-10 Localities – Agnes, Arawata, Darlimurla, Hedley, Kardella, Nerrena, Strzelecki	**All localities strategies:** All four strategies should be removed since it does not expand on the state level settlement strategy nor the MPS. **Arawata, Darlimurla, Hedley, Nerrena & Strzelecki strategies**: Regarding the strategy: *'Encourage multiple uses of community facilities to maximise efficient use of the asset',* it is better to specify the exact community facility the strategy is referring to so that the strategy can expand on state policy. Consider moving this strategy to 'all localities strategy' given the number of duplications. **Darlimurla & Hedley policy guidelines**: Directly state the relevant strategy/direction on parcel consolidation from the restructure	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	plan – i.e. "Support consolidation of small Crown lots." **Hedely strategies:** the lots must be in proximity to the rail trail as it is currently or as it is proposed. **Arawata & Kardella Strategies:** Remove the strategies regarding the Giant Earthworm since it duplicates the strategy in Clause 12.01-1L.	
11.01-1L-11 Other localities	**Settlement strategies:** Both strategies should be removed since it does not expand on the state level settlement strategy nor the MPS. Replace the reference to 'sense of place' with 'Enhance the sense of arrival at' – for consistency of intent across all localities. **Landscape and built form strategies:** Rephrase the second strategy to 'Promote ecologically sustainable, sympathetically designed and well-located development that complements the environmental, topographical and landscape values of the surrounding area.' **Environmental strategies:** Remove the first strategy since it duplicates the strategy in Clause 12.01-1L. **Infrastructure strategies:** The strategy should be removed since it does not expand on the state level settlement strategy nor the MPS.	PSR policy neutral amendment
ENVIRONMENT VALUES AND LANDSCAPES		
12.01-1L Biodiversity	The strategies, 1.) 'Retain and enhance areas of remnant vegetation within urban areas' and 2.) Protect and enhance areas of indigenous and native vegetation where possible in development can be combined into one strategy. Combine the two strategies to: 'Retain and enhance areas of remnant and native	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	vegetation within existing urban areas and in future development sites'.	
12.05-2L-01 Coastal and hinterland landscapes	Complies, no change required.	PSR complies
12.05-2L-02 Significant landscape character area	Complies, no change required.	PSR complies
ENVIRONMENTAL RISKS AND AMENITY		
13.01-1L Natural hazards and climate change – South Gippsland	Complies, no change required.	PSR complies
13.02-1L Bushfire Planning – South Gippsland	Complies, no change required.	PSR complies
13.07-1L Land use compatibility – South Gippsland	Complies, no change required.	PSR complies
NATURAL RESOURCE MANAGEMENT		
14.01-1L-01 Rural dwellings	The sentence 'The dwelling is necessary for the operation of and secondary to the use of the land for agriculture.' duplicates the meaning of a part of another strategy - 'The dwelling is proposed in association with agriculture, is genuinely required to carry out a long-term agricultural activity on the land and will provide a net benefit to agricultural productivity.' In policy guidelines, the first dot point is contrary to the objective of the clause in specifying a rural residential lot of 4.1 hectares and should be reviewed and/or deleted. Delete the following strategies that are duplicated above:	PSR further strategic work

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Avoid dwellings in association with agricultural uses (other than Grazing animal production or calf rearing) unless: ▪ *The dwelling is necessary for the operation of and secondary to the use of the land for agriculture.* ▪ *Any proposed agricultural use does not compromise the operation of adjacent or nearby agricultural activities.* ▪ *The agricultural use cannot be reasonably managed from an off-site location.* Incorporate the last dot point into the first strategy: *Avoid dwellings unless:* ▪ *The agricultural activity requires the presence of a resident land manager and cannot be reasonably managed from an off-site location.* **Policy Guidelines:** Reword 2nd dot point to align with definition used in clause 14.01-1L-03: A lot that is predominantly occupied by remnant native vegetation is a lot that is at least 50 per cent covered by remnant native vegetation or regrowth over 15 years old. Revise clause with new Rural Land Use Strategy.	
14.01-1L-02 Second and subsequent dwellings in rural areas	Revise clause with new Rural Land Use Strategy through further strategic work.	PSR complies
14.01-1L-03 Rural dwellings on lots with remnant native vegetation	Revise clause with new Rural Land Use Strategy through further strategic work.	PSR complies

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
14.01-1L-04 Land use and dwellings in the Rural Activity Zone	Planners feedback indicates there is conflicting direction within this policy. Review whether policy guidelines are allowed to specify which use should be encouraged or discouraged in the RAZ. Verify whether the clause aligns with the objectives of the RAZ. The list of land use encouraged and discouraged sometimes conflicts with the section 1, 2 and 3 uses within the RAZ provisions. Cattle feedlot is discouraged in the strategy but feedlots with less than 1000 cattle are a section 1 use. Check all land uses to see if any more conflict based on more recent VC Amendments. Consider whether specifying a rural residential lot of 4.1 hectares is appropriate in the RAZ. Revise with new Rural Land Use Strategy through further strategic work.	PSR further strategic work
14.01-1L-05 Subdivision in the Farming and Rural Activity Zones	The following bullet pointed sentence is too long and also is confusing: '(If) it is a re-subdivision of existing land titles where that potential exists. Land from former road reserves, lots under the minimum lot size specified under the schedule to the zone created by consolidation or other subdivision process and historic lots on former inappropriate Crown settlements and townships cannot be used for this purpose.' Recommend these caveats be deleted as it is not clear why any land, as described above, cannot be used for a boundary realignment / re-subdivision, as this would create larger lots without dwellings for agricultural purposes as is supported in the strategy below. Further justification for this is needed.	PSR further strategic work

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Consider whether specifying a rural residential lot of 4.1 hectares is appropriate in the FZ and RAZ. Revise with new Rural Land Use Strategy through further strategic work.	
14.01-2L-01 Sustainable agricultural land use – South Gippsland	Complies, no change required.	PSR complies
14.01-2L-02 Marine industry and farm forestry	Duplicate verbs - 'support' and 'facilitate' both used in each strategy. Select one only. Minor wording changes for clarity: Support the development of farm forestry in appropriate locations, such as land which is less suited to higher value agricultural production, including diary and crop raising.	PSR policy neutral amendment
BUILT ENVIRONMENT AND HERITAGE		
15.01-1L-01 Urban design	Remove the last strategy as it duplicates the 2nd strategy.	PSR policy neutral amendment
15.01-1L-02 Signs	Reword 1st strategy: Discourage signs, such as third-party promotion signs, that do not relate to the use or development of the land on which they are sited.	PSR policy neutral amendment
15.01-2L-01 Building design - residential	Complies, no change required.	PSR complies
15.01-2L-02 Industrial development design	Strategies 1st strategy is quite general – repurpose this as a new objective. 3rd strategy is confusing – how would height and bulk of the development enhance amenity? Rephrase this strategy to preserve or not impact the amenity. Provide a new strategy discouraging fences along site frontages. The policy guideline 'Siting and designing buildings to maximise the use of natural	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	light and solar energy' functions better as a strategy. The policy guideline 'Encouraging north-facing windows to maximise solar efficiency' should use a clearer verb such as 'utilise' so as to read 'Utilise north-facing windows to maximise solar efficiency'. The following policy guidelines are counter to other direction within the PPF on maximising ground water penetration and site permeability: ▪ Sealing car parking and access areas, including loading & unloading areas, with an all-weather surface, such as asphalt, concrete or brick pavement. ▪ Surfacing external storage areas in either a gravel or all-weather surface such as asphalt or concrete. Recommend these be deleted.	
15.01-3L Subdivision design – South Gippsland	'Restructure' is not an approved verb in the practitioner's guide. Change to 'Facilitate the restructuring of…' or choose another approved verb like 'consolidate'.	PSR policy neutral amendment
15.01-6L Open farmed landscapes	This clause may benefit from an 'application' section (i.e. all land in the FZ and RAZ). Delete 1st strategy as it is not definable or measurable.	PSR policy neutral amendment
15.03-1L Heritage	Remove reference to alternative uses only being allowed where permitted by the zoning or the schedule – this is unnecessary and the schedule only refers to 'prohibited' uses not 'alternative' ones.	PSR policy neutral amendment
HOUSING		
16.01-1L Housing supply in South Gippsland	Strategies: Remove unnecessary qualification in the 4th strategy "for diverse and special household needs (including low-income households, people with disabilities)".	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Remove unnecessary qualification in the 5th strategy "for younger people". Update 'nursing home accommodation' to 'residential aged care facility' to align with land uses in Clause 73.03 in 6th strategy and remove confusing reference to 'aged care services' and replace with 'community' services. In 6th strategy update terminology on settlement hierarchy to align with the strategic framework plan. In 7th strategy update reference to 'hostel accommodation' to 'rooming houses' as per clause 73.03. Policy guideline is essentially a restatement of the 2nd strategy – incorporate within strategy.	
16.01-2L Housing affordability – South Gippsland	The clause doesn't expand on the parent provision. The clause should be kept only if the strategies provide more specificity (i.e. provide affordable and social housing within walking distance of identified commercial or civic areas of each town). Consider whether further details from the referenced policy document could be provided as strategies within this clause.	PSR further strategic work
ECONOMIC DEVELOPMENT		
17.01-1L Diversified economy – South Gippsland	The following strategy can benefit from greater specificity: 'Encourage opportunities for the expansion of industry and the provision of related infrastructure.' Is the provision of related infrastructure linked to the expansion of industry? Which areas or places should expansion of industry be encouraged in? This also somewhat conflicts with the direction to 'Direct industrial uses to within existing industrial precincts'. Both of these strategies do not appear to offer much	PSR further strategic work

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	value above and beyond the allocation of the Industrial Zone – recommend deletion. New Industrial Land Use Strategy Needed.	
17.02-1L Commercial, office and retail uses	Repurpose the policy guideline as an objective and remove the second 'supply'. Does the following provision: 'encourage the redevelopment of existing retail facilities within town centres' expand on any existing state provisions? Consider defining 'town centre' as 'commercial or town centre areas identified in settlement framework plans'.	PSR policy neutral amendment
17.03-1L Industrial land supply	Repurpose the policy guideline. Clarification needed on the term 'value add industries'. Consider stating the exact type of industry encouraged (e.g. 'food processing industries'), otherwise it is best to remove this reference. Remove reference to 'dairy and value add' replace with more general wording. '	PSR policy neutral amendment
17.04-1L Tourism – South Gippsland	Consider whether other strategies from Clause 11.01-1L should be included in this clause. Add generic tourism strategies from 11.01-1L-05	PSR policy neutral amendment
TRANSPORT		
18.02-1L Walking – South Gippsland	Objective added. Consider whether other strategies from Clause 11.01-1L should be included in this clause. Add generic access related strategies from 11.01-1L-05	PSR policy neutral amendment
18.02-4L Road system – South Gippsland	Consider whether other strategies from Clause 11.01-1L should be included in this clause. Rail strategies from 11.01-1L-01 and 11.01-1L-03 added.	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
18.02-6L Ports – South Gippsland	Complies, no change required.	PSR complies
18.02-7L Leongatha Aerodrome/Airport	Complies, no change required.	PSR complies
INFRASTRUCTURE		
19.01-2L Alternative energy sources – South Gippsland	The meaning and application of 'character' in the first strategy is unclear. Presuming that the term is referring to landscape character, it may be helpful to define the kinds of places which the character of the area can be detrimentally affected by renewable energy structures, such as in view corridors or ridgelines. Consider integrating the following two strategies: 1.) 'Discourage structures associated with alternative energy production that detrimentally affect the character of the area' and 2.) 'Discourage tall structures on ridgelines or in view corridors.'	PSR policy neutral amendment
19.02-1L Health facilities – South Gippsland	Duplicate verbs - 'support and promote'. Delete promote. Delete policy document reference to now expired Municipal health and wellbeing plan	PSR policy neutral amendment
19.02-2L Education facilities – South Gippsland	Complies, no change required.	PSR complies
19.02-4L Community facilities – South Gippsland	Complies, no change required. Consider whether other strategies from Clause 11.01-1L should be included in this clause.	PSR complies
19.03-2L Infrastructure design and provision – South Gippsland	Consider expanding on the meaning of a 'consistent approach'. Include sewerage system strategy from Clause 11.01-1L-06.	PSR policy neutral amendment

Clause no. and name	Changes required	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Reference to Infrastructure Design Manual (Local Government Infrastructure Design Association, 2022) – does this version need to be '(as amended)' as per other instances such as in overlay schedules or updated to 2025?	
19.03-3L Integrated water management – South Gippsland	Consider referencing the settlement hierarchy in the following strategy to provide more specificity: 'Support provision of reticulated sewerage to un-serviced townships.' Unclear what 'new technology' means in the following strategy: 'Promote the use of new technology in wastewater system design, testing and management.' Delete the first and third strategies: Support provision of reticulated sewerage to un-serviced townships. Promote the use of new technology in wastewater system design, testing and management.	PSR policy neutral amendment
19.03-4L Telecommunications conduits – South Gippsland	Complies, no change required.	PSR complies
19.03-5L Waste management – South Gippsland	Complies, no change required.	PSR complies

5.4. Zones

All the zone schedules that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
RESIDENTIAL ZONES		
32.03s1 Low Density Residential Zone	Complies, no change required.	PSR complies
32.04s1 Mixed Use Zone	Complies, no change required.	PSR complies
32.05s1 Township Zone	Complies, no change required.	PSR complies
32.08s1 General Residential Zone	Complies, no change required.	PSR complies
INDUSTRIAL ZONES		
33.01s Industrial 1 Zone	Complies, no change required.	PSR complies
33.03s Industrial 3 Zone	Complies, no change required.	PSR complies
COMMERCIAL ZONES		
34.01s Commercial 1 Zone	Complies, no change required.	PSR complies
RURAL ZONES		
35.03s1 Rural Living Zone	The maximum floor area for extension of a building used for agriculture is not specified – consider specifying an area (greater than 100 sqm) to activate this exemption for smaller extensions. Consider providing minimum setback distances for the following: ○ The setback from any other road or boundary specified in the schedule to this zone. ○ The distance from a dwelling not in the same ownership specified in the schedule to this zone. These must be provided within the schedule as the template does not provide this minimum default setback. Consider replicating the Farming Zone schedule: Any other road: 20 metres	PSR further strategic work.

Clause no. and name	Changes required (if relevant)		Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Any other boundary	5 metres	
	Any dwelling not in the same ownership	100 metres	
35.03s2 Rural Living Zone	As above		PSR further strategic work.
35.03s3 Rural Living Zone	As above		PSR further strategic work.
35.06s1 Rural Conservation Zone	In column 2 under clause 1.0 '150 square metres', and '200 square metres' need to be moved to the third column – area/dimensions/number. Insert a description of the land subject to these requirements or insert 'all land'. The maximum floor area for extension of a building used for agriculture is not specified – consider specifying an area (greater than 100 sqm) to activate this exemption for smaller extensions.		PSR further strategic work.
35.07s1 Farming Zone	Consider applying a maximum area for which no permit is required for timber production – this issue has been raised in the survey comments as a concern relating to future fire risk to townships. Note that 40ha is used under the RAZ where an SLO applies. As per MDFC - Need to add the section 'Minimum setback from a waterway, wetlands or designated flood plain (metres)' into the schedule with 'None specified' included. The maximum floor area for extension of a building used for agriculture is not specified – consider specifying an area (greater than 100 sqm) to		PSR further strategic work.

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	activate this exemption for smaller extensions.	
35.08s1 Rural Activity Zone	As per MDFC - Need to add the section 'Minimum setback from a waterway, wetlands or designated flood plain (metres)' into the schedule with 'None specified' included.	PSR policy neutral amendment.
PUBLIC LAND ZONES		
36.01s Public Use Zone	Complies, no change required.	PSR complies
36.02s Public Park and Recreation Zone	Complies, no change required.	PSR complies
36.03s Public Conservation and Resource Zone	Complies, no change required.	PSR complies
SPECIAL PURPOSE ZONES		
37.01s1 Special Use Zone	Section 1 **"**Extensive animal husbandry" is not a defined land use in VPPs. Replace with "Grazing animal production"? Section 2 "Animal keeping", "extensive animal husbandry" and "animal boarding" are not defined land use terms – now included under animal husbandry and domestic animal husbandry and domestic animal boarding. Animal boarding also no longer used in VPPs. Dependant persons unit is no longer a term used in the VPPs. Delete the following unconditional uses: • Caretaker's house • Landscape gardening supplies • Manufacturing sales • Materials recycling	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	• Refuse disposal	
37.01s2 Special Use Zone	Section 1 "Dependent person's unit" is no longer a defined VPP use. **"**Extensive animal husbandry" is not a defined land use in VPPs. Replace with "Grazing animal production"? "Road" is not a defined VPP land use term and does not need to be exempted as per clause 62.01 – remove from table. "Search for Stone" is not a defined use – replace with stone exploration noting that 'costeaning and bulk sampling' also cannot be excluded. Section 2 "Search for Stone" is not a defined use – replace with stone exploration noting that 'costeaning and bulk sampling' also cannot be excluded. "Dependent person's unit" as this is no longer a defined VPP use. Insert' Any other use not in Section 1 or 3" – can delete this Delete the following unconditional uses: • Restaurant • function centre Section 3 Delete "Any other use not in Section 1 or 2" and review uses to include all those uses that must be prohibited.	PSR policy neutral amendment
37.01s3 Special Use Zone	Section 1 Delete 'railway'. Delete 'road'. Delete 'search for stone' and replace with 'stone exploration'.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Delete duplicate reference to 'tramway'. Section 3 Delete "Any other use not in Section 1 or 2" and review uses to include all those uses that must be prohibited.	
37.01s4 Special Use Zone	Section 1 "Dependent person's unit" is no longer a defined VPP use. **"**Extensive animal husbandry" is not a defined land use in VPPs. Replace with "Grazing animal production" Section 2 Group 'Exhibition centre', 'Food and drink premises', 'Function centre', 'Interpretation centre', 'Museum' and 'Restaurant' into the same cell to remove duplication of the condition. Insert' Any other use not in Section 1 or 3" Section 3 Delete "Any other use not in Section 1 or 2" and review uses to include all those uses that must be prohibited. Use of Land Review reference to "tourist accommodation cabin" – is there a VPP defined land use we can use instead?	PSR policy neutral amendment
37.01s5 Special Use Zone	Section 1 Correct typo: **'***Depot 2013*Incorporated' Section 2 Section 2 uses cannot be tied to Section 1 uses – the MD doesn't allow a condition to be applied to this instruction. Section 3	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Delete “All other uses” and / or review uses to include all those uses that must be prohibited. Correct typo for category.	
37.01s6 Special Use Zone	Section 1 Delete “animal keeping”, “intensive animal husbandry” and “extensive animal husbandry - replace with animal husbandry or animal production. Section 2 Delete the following unconditional uses: • Equestrian supplies • Horse stables • Primary produce sales • Road freight terminal • Service station • Utility installation • Veterinary centre 4.0 Buildings and works Application Requirements Direction on built form and development outcomes is being provided within application requirements. A Direction on maximum building height and landscaping from the decision guidelines could be provided in the following manner as required under the MD: “The following requirements apply to construct a building or construct or carry out works: [insert requirements].” Include the following requirements:	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	No building shall exceed a maximum building height of 10 metres above natural ground level. Development must include canopy tree plantings that, at maturity, will soften the visual impact of new development when viewed from within and outside the development area, especially adjoining and distant views to the site from the highway. The first application requirement to be reworded to: The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level. Maintenance The requirement for maintenance of buildings is not in conformance with the MDFC. However, this requirement is included within the Commercial Zones in the same manner. Delete the requirement to ensure compliance with the MDFC.	
37.01s7 Special Use Zone	Rename schedule to “Venus Bay Caravan Park (113A Jupiter Blvd, Venus Bay)” to indicate which caravan park it applies to / improve legibility and clarity of schedule application. Purpose Reference Venus Bay Caravan Park within purpose of the schedule. Section 1 Delete “extensive animal husbandry” and replace with animal husbandry or animal production. Delete ‘search for stone’ and replace with ‘stone exploration’.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Delete instruction "See Section 1 of 37.01-1 for relevant provisions". Section 2 Delete reference to "extensive animal husbandry". Delete the following unconditional uses: • Hostel • Minor sports and recreation facility • Restaurant • Restricted recreation facility • Take away food premises • Renewable energy facility Delete the instruction "See Section 2 of 37.01-1 for relevant provisions". Buildings and works Delete the first decision guideline, The capability of each lot and/or area of common property to treat and retain all wastewater on-site in accordance with the State Environment Protection Policy (Waters of Victoria) as the SEPP no longer exists.	
37.01s8 Special Use Zone	Section 1 "Animal keeping", "extensive animal husbandry" and "animal boarding" are not defined land use terms – now included under animal husbandry and domestic animal husbandry (which is nested under the former) and domestic animal boarding. Section 2 Delete the following unconditional uses: • Caretaker's house • Landscape gardening supplies	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	• Manufacturing sales • Materials recycling • Refuse disposal	

5.5. Overlays

All the overlay schedules that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
ENVIRONMENTAL AND LANDSCAPE OVERLAYS		
42.01s1 Environmental Significance Overlay - Areas of Natural Significance	**2.0 Environmental objective to be achieved** Schedule 1 has five objectives, while the template allows a maximum of one objective - Reduce to one objective to comply with the template. **3.0 Permit requirement** Remove this unnecessary exemption covered under clause 62.02: Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk or preserve public safety.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	DEECA questions the meaning of 'Applications which may adversely affect wildlife habitat and sites of biological or zoological significance' referenced in clause 66.04 with regard to this overlay and suggests rewording for clarity. Similarly, DEECA also questions the necessity/effectiveness of referrals for 'Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects'.	
42.01s2 Environmental Significance Overlay - Special Water Supply Catchment Areas	**2.0 Environmental objective to be achieved** Schedule 2 has eight objectives, while the template allows a maximum of one objective. Reduce to one objective to comply with the template. Revise wording of permit requirement for works for a dwelling regardless of impact on the catchment, as per statutory planning feedback. Remove redundant exemptions for public authority emergency works. Reword 'solar units' to 'solar energy systems' as per PPN88. Reword application requirements for clarity.	PSR policy neutral amendment
42.01s3 Environmental Significance Overlay – Coastal Settlements	**2.0 Environmental objective to be achieved** Schedule 3 has four objectives, while the template allows a maximum of one objective.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Reduce to one objective to comply with the template. DEECA feedback has indicated that referral to the Secretary under clause 66.04 is a duplicate requirement and should be removed, given the requirement for coastal marine crown land under S.61 of the Act. DEECA questions the meaning of 'Applications which may adversely affect wildlife habitat and sites of biological or zoological significance' referenced in clause 66.04 with regard to this overlay and suggests rewording for clarity. Similarly, DEECA also questions the necessity/effectiveness of referrals for 'Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects'. Substitute 'gross floor area' for 'floor area' all ESOs as per planner's feedback.	
42.01s4 Environmental Significance Overlay – Sewage Treatment Plant and Environs	**5.0 Decision guidelines** Remove the decision guidelines: The *views of the Environment Protection Authority of Victoria.* The *views of the relevant water authority responsible for operating the sewage treatment facility.* These should be included in the schedule to Clause 66.06.	PSR policy neutral amendment
42.01s7 Environmental Significance Overlay – Coastal Settlements	**2.0 Environmental objective to be achieved**	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Schedule 7 has four objectives, while the template allows a maximum of one objective. – Reduce to one objective to comply with the template, as per Schedule 3. **Remove redundant of duplicative decision guidelines.** **DEECA feedback indicates that the ESO5 is no longer an applicable control in the planning scheme and the referral requirement under clause 66.04 should be removed.** **DEECA questions the meaning of 'Applications which may adversely affect wildlife habitat and sites of biological or zoological significance' referenced in clause 66.04 with regard to this overlay and suggests rewording for clarity.**	
42.01s8 Environmental Significance Overlay – Manufacture of Milk Products Amenity Buffer	**1.0 Statement of environmental significance.** Remove discussion on operation of the overlay with regard to approvals under the zone or responsibilities of operator under other regulations. **2.0 Environmental objective to be achieved** Schedule 8 has four objectives, while the template allows a maximum of one objective. – Reduce to one objective to comply with the template. **3.0 Permit Requirement:** Delete the clarification "in relation to these uses" – this is redundant. '%' should be revised to 'per cent' in permit requirement.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	EPA comments request removal from referral responsibility under this overlay within Clause 66.04. This schedule includes the following decision guideline: The *views of the manufacture of milk products company.* Which should be removed and included in the schedule to Clause 66.06.	
42.01s9 Environmental Significance Overlay – Giant Gippsland Earthworm and Habitat Protection	**3.0 Permit Requirement:** Reword the list of exemptions for clarity to: Where a survey has been conducted in accordance with the *Giant Gippsland Earthworm Environmental Significance Overlay Reference Document* (September 2015) by a suitably qualified person to the satisfaction of the responsible authority and the Department of Energy, Environment and Climate Action, establishing that no buildings and works will negatively impact Giant Gippsland Earthworm numbers. Works that comply with a Giant Gippsland Earthworm Land Management Plan approved by the Department of Energy, Environment and Climate Action and the responsible authority. Emergency works are already exempt under clause 62.02 **5.0 Decision guidelines** The 'objectives of the schedule' is redundant.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	'The views of the Department of Energy, Environment and Climate Action' should be removed and included in the schedule to Clause 66.06 (Note: review against DEECA's response to PSR) Reword the four dot points to focus on instruction to avoid, minimise and manage impacts and delete the following: "For example, can the proposal be accommodated on land not considered to contain Giant Gippsland Earthworm habitat?" Delete the reference to the opportunity to offset impact given an offsets scheme is no longer proposed to be established?	
42.03s1 Significant Landscape Overlay – Venus Bay Peninsula and Anderson Inlet	**2.0 – Landscape character objectives to be achieved** Schedule 1 has twelve objectives, while the template allows a maximum of five objectives - Reduce to five objectives to comply with the template. **3.0 – Permit requirement** Add a 'd' to 'require for:' Add a full stop to dot point three 'works undertaken by…' Review the requirement for 'non-reflective muted tones' as per stat planning feedback Remove permit requirements under this section (except for vegetation and fences.) Reword requirement to:	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	A *permit is not required to remove:* *Vegetation that is dead.* *The minimum extent of vegetation necessary for the maintenance of existing fences.* *Vegetation that is less than 7.5 metres in height.* *Vegetation that is within a garden.* *Vegetation that forms part of senescent tree rows outside a garden.* Review 'muted tones' exemption.	
42.03s2 Significant Landscape Overlay – Cape Liptrap to Waratah Bay	**2.0 – Landscape character objectives to be achieved** Schedule 2 has eighteen objectives, while the template allows a maximum of five objectives - Reduce to five objectives to comply with the template. Review 'muted tones' exemption.	PSR policy neutral amendment
42.03s3 Significant Landscape Overlay – Corner Inlet Amphitheatre	**2.0 Landscape character objectives to be achieved** Schedule 3 has fourteen objectives, while the template allows a maximum of five objectives - Reduce to five objectives to comply with the template. Review 'muted tones' exemption.	PSR policy neutral amendment.
HERITAGE AND BUILT FORM OVERLAYS		
43.01s Heritage Overlay	Complies, no change required.	PSR complies
43.02s1 Design and Development Overlay – Township Approach	Rename the Schedule – "Township Approach – Leongatha" to indicate where it applies.	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	1.0 Design objectives Delete the second objective as this is not being delivered by the provisions of the schedule. **2.0 Buildings and works** Consider revising the following direction "Buildings should be constructed with a setback of 6 metres from any road." To indicate this is a minimum or maximum setback not an absolute one. Consider revising the fourth dot point to improve clarity of direction. Include a minimum setback of 3.5m, which is what applies to the minimum height of 4 under the formula - and add a separate instruction for walls over 4 metres which relies on the formula. **6.0 Decision guidelines** The first two guidelines duplicate other regulations and don't relate to the purposes of the overlay – delete. The last three guidelines prescribe development requirements and should be moved up to section 2.0	
43.02s2 Design and Development Overlay – Burchell Lane Industrial Precinct	**2.0 Building and works** This section exempts development that conforms with design requirements from requiring a permit – but it doesn't provide any requirements for assessing an application that does not comply with these. If these are the desired requirements then these should be required under an application. **5.0 Application requirements and 6.0 Decision guidelines**	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	'Responsible Authority' should be in lower case as per practitioner's guide.	
43.02s3 Design and Development Overlay – Sandy Point	**1.0 Design objectives** Schedule 3 has fifteen objectives, while the template allows a maximum of five objectives – Reduce to a maximum of five objectives to comply with the template. The sub-heading 'Landscaping and Environment' should be bolded like other sub-headings. **2.0 – Buildings and works** 'Responsible Authority' should be in lowercase as per practitioner's guide. **3.0 Subdivision** The subdivision requirements should be permit required based rather than stating it as 'is considered to meet the design objectives'. As per MDFC - reword subdivision requirements to: "A permit to subdivide land must meet the following requirements: [insert specific requirement/s]." **5.0 Applications requirements and 6.0 Decision guidelines** 'responsible authority' should be in lowercase as per practitioner's guide.	PSR policy neutral amendment.
43.02s4 Design and Development Overlay – Waratah Bay	**1.0 Design objectives** Schedule 4 has twenty-three objectives, while the template allows a maximum of five objectives – Reduce to a maximum of five objectives to comply with the template.	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Replace references to 'hamlet' with 'coastal village' as per clause 11. **2.0 Buildings and works** Remove cross references to zones operating in other parts of the scheme and include a map of the town to differentiate the specific precincts. 'Responsible Authority' should be in lowercase as per Practitioner's Guide. **3.0 Subdivision** The subdivision requirements should be permit required based rather than stating it as 'is considered to meet the design objectives'. As per MDFC - reword subdivision requirements to: "A permit to subdivide land must meet the following requirements: [insert specific requirement/s]." **5.0 Applications requirements and 6.0 Decision guidelines** and 'Responsible Authority' should be in lowercase as per Practitioner's Guide.	
43.02s5 Design and Development Overlay – Venus Bay	**1.0 Design objectives** Schedule 5 has twenty-two objectives, while the template allows a maximum of five objectives – Reduce to a maximum of five objectives to comply with the template. **2.0 Buildings and works** Remove cross references to zones operating in other parts of the scheme	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	and include a map of the town to differentiate the specific precincts. 'Responsible Authority' should be in lowercase. **3.0 Subdivision** The subdivision requirements should be permit required based rather than stating it as 'is considered to meet the design objectives'. As per MDFC - reword subdivision requirements to: "A permit to subdivide land must meet the following requirements: [insert specific requirement/s]." **5.0 Applications requirements and 6.0 Decision guidelines** 'Responsible Authority' should be in lowercase as per Practitioner's Guide.	
43.02s6 Design and Development Overlay – Tarwin Lower	**1.0 Design objectives** Refine objectives to a maximum of 5 objectives. Replace references to 'hamlet' with 'coastal village' as per clause 11. Use term 'commercial precinct consistently. The commercial precinct objectives indicate these buildings should be built to the front and side boundaries – however the permit requirements indicate that less than a 3-metre side setback and less than 7.5 m front setback will trigger a permit. **2.0 Buildings and works**	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Repurpose some of the more explicit and directive design objectives into requirements for permits under this section. Remove cross references to zones operating in other parts of the scheme so that the DDO is self-contained in its operation OR include a map of the town in the schedule to differentiate the specific precincts. 'Responsible Authority' should be in lowercase. **3.0 Subdivision** Delete requirements or relocate to the design objectives section or reword as decision guidelines. As per MDFC - reword subdivision requirements to: "A permit to subdivide land must meet the following requirements: [insert specific requirement/s]." **5.0 Applications requirements** Insert "a detailed reports that shows:" and nest other information requirements under this. 'Responsible Authority' should be in lowercase. **6.0 Decision guidelines** 'Responsible Authority' should be in lowercase.	
43.02s7 Design and Development Overlay – Korumburra Industrial Area Highway Precinct	**2.0 Buildings and works** Site layout and buildings Delete the following ambiguous requirement:	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Buildings should be designed in a contemporary and creative manner. **4.0 Signs** Reword land description as an area or location as per the MDFC: Where sign requirements are specified insert: "Sign requirements are at Clause 52.05. All land located within [insert land/area/precinct] is in Category [insert sign category]. "Totem signs" are not a defined type of sign within clause 73.02 – should this location direction be extended to all signs? **6.0 Decision guidelines** Consider clarifying what 'business display area' means – is this an area for signage or an outdoor area for parking cars or machinery for sale? – also what would be an appropriate location for these areas? Industrial development strategy or guidelines may be needed to assist. 'Responsible Authority' should be in lowercase.	
43.02s8 Design and Development Overlay – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Inner Area)	**1.0 Design objectives:** The second objective is redundant as it just restates the first. **2.0 Buildings and works** Does a mandatory height limit need to be implemented within this schedule to ensure that the purposes are met? **5.0 Applications requirements**	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Insert "a detailed reports that shows:" and nest other information requirements under this. 'Responsible Authority' should be in lowercase. **6.0 Decision Guidelines** 'Responsible Authority' should be in lowercase.	
43.02s9 Design and Development Overlay – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Outer Area)	2**.0 Buildings and works** Does a mandatory height limit need to be implemented within this schedule to ensure that the purposes are met? **5.0 Applications requirements** Insert "a detailed reports that shows:" and nest other information requirements under this. **6.0 Decision Guidelines** 'Responsible Authority' should be in lowercase.	PSR policy neutral amendment.
43.02s10 Design and Development Overlay – Emergency Medical Services Helicopter Flightpath Area: Foster Hospital (Inner Area)	**2.0 Buildings and works** Does a mandatory height limit need to be implemented within this schedule to ensure that the purposes are met? **5.0 Applications requirements** 'Responsible Authority' should be in lowercase. **6.0 Decision Guidelines** 'Responsible Authority' should be in lowercase.	PSR policy neutral amendment.
43.02s11 Design and Development Overlay – Emergency Medical Services	**2.0 Buildings and works**	PSR policy neutral amendment.

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
Helicopter Flightpath Area: Foster Hospital (Outer Area)	Does a mandatory height limit need to be implemented within this schedule to ensure that the purposes are met? **5.0 Applications requirements** Insert "a detailed reports that shows:" and nest other information requirements under this. 'Responsible Authority' should be in lowercase. **6.0 Decision Guidelines** 'Responsible Authority' should be in lowercase.	
43.02s12 Design and Development Overlay – Nyora Town Centre	**1.0 Design objectives** Delete "(existing and future)" as development can only respond to what exists or what is planned in a strategy referenced in this provision. **2.0 Buildings and works** Delete reference to 'country styles' as the material choices are stated here. **4.0 Signs** According to the MDFC all signage requirements must specify the category of signs that apply – which would be category 1 under the C1Z. Delete "In addition to the requirements of the zone." Delete the hyphen in internally illuminated signs.	PSR policy neutral amendment
43.02s13 Design and Development Overlay – Mirboo North Town Centre	**1.0 Design objectives** Delete "(existing and future)" as development can only respond to what	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	exists or what is planned in a strategy referenced in this provision. Reword "closely space, compact built commercial form" Clarify which other commercial uses are being specified with reference to the shop or food and drink premises. Reword the requirement for fences and security grilles to be 'visually transparent' to 'visually permeable'. **6.0 Decision Guidelines** 'Responsible Authority' should be in lowercase.	
43.04s1 Development Plan Overlay – Korumburra Entrance Node	**5.0 Requirements for development plan** Consider relocating or adding the following requirement: "A *notation specifying that all buildings and works on site must be:* Carried *out in accordance with relevant EPA guidelines for sediment pollution control.* Constructed *using materials of muted and non-reflective tones.* to Clause 3.0 and reword these as conditions for permits.	PSR policy neutral amendment
43.04s2 Development Plan Overlay – Waratah Bay	'Responsible Authority' should be in lowercase.	PSR policy neutral amendment
43.04s3 Development Plan Overlay – Murray Goulburn Leongatha Factory	**1.0 Design objectives** Remove the reference to the 10-year staged implementation period for the Murray Goulburn Co-Operative Co. Masterplan. Alternatively, if the	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	implementation plan is complete or was abandoned then delete this schedule. **5.0 Requirements for development plan** Delete first dot point "Detailed plans and supporting information that addresses relevant planning and environmental issues to the satisfaction of the South Gippsland Shire Council, relevant agencies, and the local community." This is far too broad and general, and it prescribes an approval process. Reword third dot point to include "Detailed plans and supporting information" describing the proposed development.	
43.04s4 Development Plan Overlay – Low Density Residential Zone Development Plan – Simons Lane	**4.0 Requirements for development plan** Reword requirements as follows to make them more directive and remove superfluous verbs: A development plan must include the following requirements: ~~Provide~~ A subdivision layout plan that allows for: the creation of two road access points onto Simons Lane to service the future residential development of the land to the north of the Low-Density Residential Zone avoiding, where possible, creation of cross type intersections with existing roads south of Simons Lane.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	A western road access point ~~should be located~~ more than 150m west of the intersection of Ditchley Court. An eastern access point ~~should be located~~ at least 80m east of the ridge line (road crest) east of Ditchley Court A description of the relationship of developments proposed on the land to existing and proposed developments on adjoining land. A description of any sites of conservation, heritage or archaeological significance and the means by which they will be managed. A description of arrangements for the provision of necessary physical infrastructure. A Stormwater Management Plan detailing how stormwater will be managed within each lot to be created and between the subject land and declared waterways, including off site physical infrastructure where required. ~~*Identify*~~ *The staging (if proposed) and anticipated timing of development.* ~~*Provide A*~~ *subdivision layout that does not compromise the future provision of a shared pedestrian / cycle path on the northern side of Simons Lane in front of the land to be subdivided.*	
43.04s5 Development Plan Overlay – Nyora Residential Development Transition Area	**2.0 requirement before a permit is granted** Reword to comply with MDFC: "A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	development plan has been prepared to the satisfaction of the responsible authority." **4.0 Requirements for development plan** Reword dot point two under Road and Pedestrian Network Plan to require submission of this plan as part of the development plan and indicate that a safe and convenient pedestrian and cycling network should be provided within the DP.	
43.04s6 Development Plan Overlay – Korumburra Residential Growth Areas	**4.0 Requirements for development plan** Delete "The development plan must be prepared to the satisfaction of the responsible authority" as this is redundant. Delete the 'Decision guidelines for development plan' as these do not conform with the MDFC or the Practitioners Guide OR reword these as specific requirements to be reflected in the development plan. Rename this section "Implementation Plan" Delete "The approved development plan may be amended to the satisfaction of the Responsible Authority." As this is redundant. Delete "Process and Outcomes" and "the development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority" and "The approved development plan may be amended to the satisfaction of the Responsible Authority" as these kinds	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	of instructions do not conform with the MD.	
43.04s7 Development Plan Overlay – Jumbunna Road Residential Area	**4.0 Requirements for development plan** Delete the 'Decision guidelines for development plan' as these do not conform with the MDFC or the Practitioners Guide OR reword these as specific requirements to be reflected in the development plan. Rename this section "Implementation Plan" Delete "The approved development plan may be amended to the satisfaction of the Responsible Authority." As this is redundant. Delete "Process and Outcomes" and "the development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority" and "The approved development plan may be amended to the satisfaction of the Responsible Authority" as these kinds of instructions do not conform with the MD. 'Responsible Authority' should be in lowercase.	PSR policy neutral amendment
43.04s8 Development Plan Overlay – Residential Growth Area (North**west** Korumburra)	**4.0 Requirements for development plan** Delete the 'Decision guidelines for development plan' as these do not conform with the MDFC or the Practitioners Guide OR reword these as specific requirements to be reflected in the development plan.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Rename this section "Implementation Plan" Delete "The approved development plan may be amended to the satisfaction of the Responsible Authority." As this is redundant. Delete "Process and Outcomes" and "the development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority" and "The approved development plan may be amended to the satisfaction of the Responsible Authority" as these kinds of instructions do not conform with the MD. 'Responsible Authority' should be in lowercase.	
43.04s9 Development Plan Overlay – Western Leongatha Residential Growth Area	**3.0 conditions and requirements for permits** The requirement: "Planning permit applications for each residential subdivision stage must consider the views of the Department of Transport and Planning in regard to the potential impact of additional traffic movements on the major arterial road network." This should be linked to a notice requirement under the schedule to clause 66.06. **4.0 Requirements for development plan** The provision for requiring a 'Whole of site development plan' – as opposed to a 'Development plan' seems somewhat confusing and potentially redundant.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	Recommend that it be made a requirement of the Development Plan that it must apply to the whole of the site. Delete "(at minimum)" as these are absolute requirements not minimum standards. Delete the 'Decision guidelines for development plan' as these do not conform with the MD or the practitioners guide OR reword these as specific requirements to be reflected in the development plan. Rename this section "Implementation Plan" Delete "The approved development plan may be amended to the satisfaction of the Responsible Authority." As this is redundant. Delete "Process and Outcomes" and "the development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority" and "The approved development plan may be amended to the satisfaction of the Responsible Authority" as these kinds of instructions do not conform with the MDFC. 'Responsible Authority' should be in lowercase.	

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
43.04s10 Development Plan Overlay – Nyora Urban Residential Growth Area (South of Glovers Road)	**4.0 Requirements for development plan** Delete the 'Decision guidelines for development plan' as these do not conform with the MDFC or the Practitioners Guide OR reword these as specific requirements to be reflected in the development plan. Decision Guidelines for development plan "the responsible authority must consider the views of the Country Fire Authority, Melbourne Water, the Department of Energy, Environment and Climate Action, the Department of Transport and Planning".	PSR policy neutral amendment
43.04s11 Development Plan Overlay – Berrys Creek Road Residential Development Area	**4.0 Requirements for development plan** Delete "The development plan must be prepared to the satisfaction of the responsible authority" as this is redundant. Delete the 'Decision guidelines for development plan' as these do not conform with the MDFC or the Practitioners Guide OR reword these as specific requirements to be reflected in the development plan.	PSR policy neutral amendment
LAND MANAGEMENT OVERLAYS		
44.01s1 Erosion Management Overlay – Area Susceptible to Erosion	**5.0 Decision guidelines** Add the word 'through' and add a colon at the end of the following sentence or undertake other rewording: '(…) that would avoid risk to life and property from erosion and would	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	minimise the extent of vegetation removal and site works through:'	
44.04s1 Land Subject to Inundation Overlay	**3.0 Permit Requirement** Remove capitalisation from 'Replacement dwelling' **4.0 Application requirements** Update referenced clause numbers in the Application Requirements. The preamble references Clause 44.01 when it should be Clause 44.04 Under 'referral of applications', add the phrase 'The application' in front of each of the following bullet pointed sentences: 1.) The application is accompanied by the relevant floodplain management authority's written approval (…). 2.) The application is in accordance with an adopted local floodplain development plan (…). 3.) Complies with a building envelope, filling levels and floor levels (…).	PSR policy neutral amendment
44.06s1 Bushfire Management Overlay – Venus Bay, Wakerville BAL-29 Areas	Correct typo in titles of both BMO schedules from 'Wakerville' to 'Walkerville' **8.0 Mandatory condition** If the only mandatory conditions that needs to be included in a permit are the ones specified in 44.06-5, then this section should just say 'none specified'. **9.0 Referral of application not required** The section under 'Referral of Application not Required' may need to be written in the form prescribed by the MDFC:	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	'An application under this overlay is not required to be referred to the relevant fire authority under Section 55 of the Act.' Spacing issue also needs to be addressed. **11.0 Decision guidelines** No decision guidelines are specified. Replace the entire section with 'none specified'.	
44.06s2 Bushfire Management Overlay – Foster, Meeniyan, Mirboo North/Baromi, Port Welshpool, Tarwin Lower, Venus Bay, Wakerville BAL-12.5 Areas	Correct typo in titles of both BMO schedules from 'Wakerville' to 'Walkerville' **6.0 Substitute approved measures for Clause 53.02** Adjust spacing issue **8.0 Mandatory condition** If the only mandatory conditions that need to be included in a permit are the ones specified in 44.06-5, then this section should just say 'none specified'. **9.0 Referral of application not required** The section under 'Referral of Application not Required' may need to be written in the form prescribed by the MDFC: 'An application under this overlay is not required to be referred to the relevant fire authority under Section 55 of the Act. **11.0 Decision guidelines** No decision guidelines are specified. Replace the entire section with 'none specified'.	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
44.07s1 State Resource Overlay – Strategic Extractive Resource Areas	Complies, no change required.	PSR complies
44.07s2 State Resource Overlay – Protecting extractive industries	Complies, no change required.	PSR complies
OTHER OVERLAYS		
45.01s Public Acquisition Overlay	Remove PAO 5 & 6 - they have been removed from the mapping however have not been removed from the schedule.	PSR policy neutral amendment
45.02s2 Airport Enviros Overlay	Complies, no change required.	PSR complies
45.05s Restructure Overlay	Update all references to the '2017' document to '2019'. As per Council advice: Update titles of restructure plan as per names within the RO doc. Remove RO14. Include new RO22 for 12 Walkerville Road, Walkerville.	PSR policy neutral amendment
45.09s1 Parking Overlay	**7.0 Design standards for car parking** Avoid use of 'encourage' and 'discourage' for requirements. Replace 'are discouraged' with 'must not be located' in the following design standard: 'Open lot car parks are discouraged on all principal frontages.' 8.0 Decision guidelines for car parking plans Remove 'by the satisfaction of' in the following sentence: '(…) in addition to those specified in Clause 45.09 and elsewhere in the scheme which must be	PSR policy neutral amendment

Clause no. and name	Changes required (if relevant)	ACTION PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
	considered, as appropriate, by the satisfaction of the responsible authority' Ensure that each guideline starts with a definite term. (I.e. The potential for shared parking) **9.0 Background document** Background document (Leongatha CBD Parking Strategy, 2013) not included in the schedule to Clause 72.08 - Background Documents.	
45.12s Special Controls Overlay	Complies, no change required.	PSR complies

5.6. Particular provisions

All the particular provision schedules that are available to be applied in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
51.01s Specific sites and inclusions	Complies, no change required.	PSR complies
52.02s Easements, restrictions, and reserves	Complies, no change required.	PSR complies
52.05s Signs	Complies, no change required.	PSR complies
52.16s Native vegetation precinct plan	Complies, no change required.	PSR complies
52.17s Native vegetation	Reintroduce reference to VicRoads Native Vegetation exemptions plan (as an incorporated document) introduced under C74 and deleted under C121. Update reference for former Murray Goulburn factory to Saputo Dairy Australia – as per council direction	PSR policy neutral amendment
52.27s Licenced premises	Complies, no change required.	PSR complies
52.28s Gaming	Complies, no change required.	PSR complies
52.32s Wind energy facility	Delete apostrophe on “Wilson’s”	PSR policy neutral amendment
52.33 Post boxes and drystone walls	Complies, no change required.	PSR complies
53.01s Public open space contributions and subdivision.	Complies, no change required.	PSR complies
53.06s Live music entertainment venues	Complies, no change required.	PSR complies
53.15s Statement of underlying provisions	Complies, no change required.	PSR complies

Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
59.15s Local VicSmart applications	Complies, no change required.	PSR complies
Schedule 1 to Clause 59.16 Information requirements and decision guidelines for local VicSmart applications	Complies, no change required.	PSR complies

5.7. General provisions

There are two general provisions that have a schedule available. They are included in the table below with a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
66.04s Referral of permit applications under local provisions	Insert South Gippsland Water and Gippsland Water as determining referral authorities, as per initial consultation feedback regarding ESO4. Remove 'The Secretary Administering the Coastla Management Act 1995' under ESO3 as per DEECA's feedback.	PSR policy neutral amendment
66.06s Notice of permit applications under local provisions	Review the schedule and the notice requirements indicated under: ▪ ES04 (DEECA) ▪ ESO9 (DEECA) ▪ DPO9 notice requirements (VicRoads / the Department of Transport and Planning) ▪ DPO10 notice requirements (Country Fire Authority, Melbourne Water, the Department of Energy, Environment and Climate Action, the Department of Transport and Planning) Insert new notice requirement: ▪ ESO8 (EPA)	PSR policy neutral amendment

5.8. Operational provisions

All the operational provision schedules that are available to be applied in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause	Name	Considerations	Recommendations PSR Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
ADMINISTRATION AND ENFORCEMENT OF THIS SCHEME			
72.01s	Schedule to Responsible Authority for this Planning Scheme	Complies, no change required.	PSR complies
72.02s	Schedule to What Area is Covered by this Planning Scheme?	Complies, no change required.	PSR complies
72.03s	Schedule to What Does this Scheme Consist of?	Maps should be reordered so that overlay maps are in numeric-alphabetical order.	PSR policy neutral amendment
72.04s	Schedule to Documents Incorporated in this Planning Scheme	**Include the following updated and new document references:** • Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction (Standards Australia Limited, 2015) in **clause 45.02 Schedule 2-Airport Environs Overlay** • Marinus Link Project (Department of Transport and Planning, June 2025) in **clause 45.12 Schedule -Specific Controls Overlay** • Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire (August 2019) in **clause 45.05 Schedule – Restructure Overlay**	PSR policy neutral amendment

Clause	Name	Considerations	Recommendations PSR Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
		• SPI Electricity Pty Ltd Leongatha Depot 2013 (July 2013) – in **clause 37.01 Schedule 5 - Special Use Zone** • Wilsons Promontory Cruises Facility (April 2017) – in clause 51.01 Schedule Specific Sites and Exclusions • Statement of Significance, "Aroyn" (July 2021) – in clause 43.01 Schedule Heritage Overlay 2.0 table as HO159 Vegetation Removal Exemption Plan South Gippsland Highway Realignment	
72.08s	Schedule to Background Documents	Complies, no change required.	PSR complies
STRATEGIC IMPLEMENTATION			
74.01s	Schedule to Application of Zones, Overlays and Provisions	1.0 Application of zones, overlays and provisions Zones Zone dot points 2 and 6 – Township zone is mentioned twice. Perhaps it is better to consolidate them into one dot point. Zone dot point 11 – "Road Zones" should be updated to "Transport Zones" to align with the correct term used in the scheme. Public Park and Recreation Zone are missing in the schedule for MPS implementation.	PSR policy neutral amendment

Clause	Name	Considerations	Recommendations PSR Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
		Special Use Zone is missing for MPS implementation in the schedule. Public Conservation and Resource Zone are missing for MPS implementation in the schedule. Overlays Overlay dot points 1-5 – Environmental Significance Overlay should be listed by schedules. There are five ESO listed in the schedule however there are seven ESO schedules in the scheme which should all be listed in clause 74.01 schedule. Significant Landscape Overlay is missing for MPS implementation in the schedule. Heritage Overlay is missing for MPS implementation in the schedule. Overlay dot point 6 - Only Design and Development Overlay Schedule 13 Mirboo North town centre is mentioned. (but "schedule 13" is not written in the clause 74.01 schedule) All DDO schedules should be listed in clause 74.01 schedule. Development Plan Overlay is missing for MPS implementation in the schedule. Erosion Management Overlay is missing for MPS implementation in the schedule. Land Subject to Inundation Overlay is missing for MPS implementation in the schedule. Bushfire Management Overlay is missing for MPS implementation in the schedule.	

Clause	Name	Considerations	Recommendations PSR Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
		State Resource Overlay is missing for MPS implementation in the schedule. Public Acquisition Overlay is missing for MPS implementation in the schedule. Airport Environs Overlay is missing for MPS implementation in the schedule. Environmental Audit Overlay is missing for MPS implementation in the schedule. Road Closure Overlay is missing for MPS implementation in the schedule. Parking Overlay is missing for MPS implementation in the schedule. Provisions Delete 'a development contributions policy to guide infrastructure provision.' And add to further strategic work. Insert: Clause 51.01 Specific Sites and Exclusions apply to Tidal River, Wilson Promontory and to old and inappropriate subdivisions at 21 locations within South Gippsland Shire. Clause 52.02 Easements, Restrictions and Reserves applied to eight sites to vary or remove a restriction under Section 23 of the Subdivision Act 1988. Apply Clause 52.17 to 9 specific sites to exempt permit requirements for native vegetation removal and generally wherever the south Gippsland highway realignment is occurring in Korumburra.	

Clause	Name	Considerations	Recommendations PSR Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
		Apply clause 52.32 to prohibit wind energy facilities in 'All land within five kilometres of the high-water mark of the coast west of Wilson's Promontory.' Apply schedule to clause 53.01 to all residential, commercial and industrial land to require a minimum 5% contribution for public open space.	
74.02s	Schedule to further strategic work	The schedule has a word count of 551 words which exceeds the maximum of 500 words – refine the word count to a maximum of 500 and update based on template A5 and R3. Update to include references to other current strategic projects. Include new items for: • Southern Leongatha Growth Area commercial area. • Waratah Bay Coastal Hazard Assessment. • Foster Structure Plan. • Bushfire Assessment Planning Recommendations for Foster and Mirboo North. • local signage policy	PSR policy neutral amendment

5.9. Recommendations

6. **Amend the MPS, local PPF policies and schedules to include policy neutral improvements identified in the audit of the planning scheme review and shown on the marked-up ordinance at Appendix 1.**

6. Planning scheme performance

This section contains an analysis of planning permit activity that has taken place during the last four years. It draws on both publicly available Planning Permit Activity and Reporting System (PPARs) data and data provided by Council.

6.1. Planning permit activity

6.1.1. Number of permits assessed

Evidence

Table 2 shows the number of permit applications received in the 2023/2024 and 2024/2025 financial years, over 2 consecutive years.

Table 2: PPARs Permits Issued between 2023/24 and 2024/25 Financial Years

Permits (including refusals)	2023/2024	2024/2025
Received	415	398
NOD	4	2
New / Amended Permit	400	384
Refusal	11	12

Source: PPARS

Discussion

Over the two financial years, 813 applications were received, and there was a total of 813 permit decision outcomes. There were 17 fewer applications in 2024-2025 compared to 2023-2024, representing a slight decrease. This indicates that Council's statutory planning function is determining the same number of applications that are received. The proportion of successful and refused permits have remained around the same in the last two financial years. The permit refusal rate is 2% in 2023-2024 and 3% in 2024-2025, which is typical for rural municipalities.

6.1.2. Service performance

Evidence

Table 3 sets out data against four different indicators for SGSC against other comparable councils. This includes Bass Coast Shire, Baw Baw Shire and Wellington Shire, which are all categorised as 'Large Shires' by the Victorian Government. These Council areas have a similar population size and are all located adjacent to South Gippsland Shire.

Discussion

The benchmarking indicates that South Gippsland Shire Council performs well in terms of the cost of statutory planning services. While there is some variation in the timeliness of decision-making on planning applications, this is often closely linked to resourcing constraints.

- **Time taken to decide planning applications:** South Gippsland Shire generally takes 19 to 59 days longer to decide on planning applications compared to the state average, but this is comparable to Baw Baw Shire and Bass Coast Shire. Significantly, the median number of days it took to decide planning applications in South Gippsland Shire decreased from 139 days in 2023-2024 to 91 days in 2024-2025. This improvement is also observed on the state level, and in Bass Coast and Baw Baw Shires as well. Bass Coast saw an improvement from 127 to 95 days, and Baw Baw Shire saw an improvement from 117 to 111 days respectively. The improvement in South Gippsland's decision-making is the greatest when compared with the state median and other Councils. This indicates that the time taken by Council to process applications is improving.
- **Planning applications decided within required timeframes:** Overall, fewer applications are decided within the required timeframe in South Gippsland Shire than in other Council areas. The proportion of timely outcomes is lower by 15%-35% in South Gippsland compared to the rest of the state. Other comparable councils also make more timely planning decisions, with Bass Coast and Wellington Shire experiencing a punctuality rate 20-60% higher than South Gippsland Shire. Despite this, assessment times for permit applications between 2023-2024 and 2024-2025 improved substantially in South Gippsland, where the proportion of applications decided on time rose by 21.1%. Baw Baw Shire, Wellington Shire and the state overall only experienced a marginal increase in the proportion of timely decisions (1-2% increase). Although the proportion of applications decided within required timeframes is still below average in South Gippsland, the data shows that the Council is improving on this aspect.
- **Cost of statutory planning service per planning application.** Costs of statutory planning services in South Gippsland Shire are similar to the state average and are lower than other comparable Council areas except for Wellington Shire. This indicates that statutory planning services in South Gippsland incur costs in the average range compared to the surrounding region and the state. Between 2023-2024 and 2024-2025, these costs have dropped by an average of $331.56 per application. In Baw Baw Shire and Bass Coast Shire Councils, costs have fallen by a similar amount to South Gippsland. This contrasts with increasing statutory planning costs statewide and in Wellington Shire, which experienced increases per annum of $340.81 and $892.31, respectively. These costs are likely a reflection of Council's resources expended on their planning services and are subject to staff vacancies.
- **Council planning decisions upheld at VCAT:** The proportion of Council planning decisions upheld at VCAT increased from 60% in 2023/2024 to 100% in 2024/2025. Between 2023-2024 and 2024-2025, there was a decline in the proportion of Council decisions being upheld across the state, including in both Bass Coast Shire and Baw Baw Shire. In South Gippsland, the improvement in the proportion of Council decisions upheld is likely due to there being only one case in 2024-2025, which was determined in Council's favour. This compares to there being 6 VCAT cases in the previous financial year. Given statewide trends, this metric's reflection of Council's service performance may not be accurate. Nevertheless, the proportion of decisions upheld in 2023-2024 (60%) is still around the same as the state average, meaning that Council is generally making good planning decisions.

Table 3: Comparison of service performance against comparable councils

Measure description	Council	2023-2024	2024-2025
Time taken to decide planning applications (days). This is the median number of days between receiving a planning application and a decision on an application	South Gippsland Shire	139	91
	Bass Coast Shire	127	95
	Baw Baw Shire	117	111
	Wellington Shire	36	47
	Statewide average	80.6	72.5
Planning applications decided within required time frames	South Gippsland Shire	32.2%	53.3%
	Bass Coast Shire	60.5%	76.8%
	Baw Baw Shire	59.0%	58.4%
	Wellington Shire	90.6%	92.2%
	Statewide average	67.7%	69.7%
Cost of statutory planning service per planning application	South Gippsland Shire	$3,611.85	$3,280.29
	Bass Coast Shire	$3,766.30	$3,332.92
	Baw Baw Shire	$4,438.17	$4,015.31
	Wellington Shire	$1,212.97	$2,105.28
	Statewide average	$3,554.68	$3,895.49
Council planning decisions upheld at VCAT	South Gippsland Shire	60%	100%
	Bass Coast Shire	90.9%	58.8%
	Baw Baw Shire	41.7%	84.2%
	Wellington Shire	100%	100%
	Statewide average	62.4%	59.4%

Source: www.knowyourdata.vic.gov.au

6.1.3. Most common permit triggers

Evidence

As shown in **Table 4**, applications for sheds and the use and development of single dwellings were the most common application type in 2023-2024. This remains the same in 2024-2025.

Table 4: Most Common Application Types in the Townships

Application type		
Sheds and outbuildings	109	141
Dwellings - use and development of single dwelling	107	79
Dwellings- building extensions	78	53
Subdivision	46	44
Change or extension of use	24	19
Commercial/industrial/other	17	19
Other	10	8
Alterations and works	7	12
Liquor licence	7	4
Native vegetation removal	4	7
Dwellings- use and development of 2 or more dwellings	3	7
Signage	3	5

Source: PPARS

Discussion

Generally, applications related to sheds and dwellings are the most common type of application. In the last two financial years, dwelling-related applications formed 49% of all applications while 30% of all applications are related to sheds and outbuildings. Within dwelling related applications, most of these are permit applications for use and development of single dwellings or extensions to dwellings. Applications for the use and development of 2 or more dwellings and applications for signs are the least common types of applications received. Applications for subdivisions form 11% of all permit applications.

Between 2023-2024 and 2024-2025, the number of applications for sheds and outbuildings rose by 29%, while applications for the use and development of dwellings decreased by 26%. Applications for dwelling extensions also decreased by 32%. Although the number of applications for the use and development of 2 or more dwellings is comparatively small, applications for this category doubled between the last two financial years. The number of applications related to subdivision, non-dwelling related developments and uses, alterations and works, liquor licences, native vegetation removals and dwellings remained similar between the two financial years. There is a small decrease in the number applications for a change or extension of use. Altogether, the data suggests that no significant changes apart from an increase in applications for sheds and outbuildings.

The 'other' category of applications form 2% of all applications submitted. Applications in this category include ones related to restrictive covenants and easements; vesting of reserves; and access to transport zones. Applications relating to commercial, industrial or other uses are mostly for works or development associated with rural industry, agriculture, recreational or community facilities and telecommunication facilities. Some of these also include applications for a reduction of car parking spaces.

6.1.4. VCAT matters

Evidence

South Gippsland does not regularly appear at VCAT. Seven planning applications were decided at VCAT in 2023 -2025:

- 1 x Appeal against refusal of permit
- 6 x Appeals against conditions

The level of VCAT activity is low given the number of applications, Council processes and its rural location.

Table 5 shows the types of outcomes determined for all planning applications.

Table 5: Decision outcome data from 2023 to 2025

Application for review type	2023-2024	2024-2025
Appeal against refusal (s. 77)	1	0
Appeal against decision to grant (s. 82) and conditions (s.80)	5	1

Source: Council supplied data

Discussion

The data shows that most applications (97.4%) resulted in permits or notices of decisions determined by Council, while only 2.6% of all permit applications were refused. Only 7 application decisions (0.8%) were determined by VCAT, which includes permits and refusals. The high proportion of application decisions made under delegation further highlights the absence of contested cases in South Gippsland Shire. The small number of applications that are forwarded to VCAT indicates satisfaction towards the statutory decisions made during the past two financial years.

Council staff have requested that additional wording be added under this review to Clause 13.02-1L Bushfire Planning to ensure that rural lots and LDRZ lots resulting from subdivision can fully contain defendable space required for existing and future dwellings. This is in response to the recent VCAT decision P883/2024 at 11 Grey Road Mirboo North which considered this issue.

New policy advice will need to be provided in Clause 13.02-1L to guide subdivision outcomes in bushfire prone areas.

6.1.5. Geographic spread of applications

Evidence

Table 6 shows the number of applications in each locality.

Table 6: Distribution of Applications from 2023-2024 and 2024-2025

Locality	Number of Applications between 2023/24 – 2024/25	Percentage (%)
Venus Bay	89	10.95
Korumburra	66	8.12
Foster	60	7.38
Leongatha	57	7.01
Mirboo North	51	6.27
Fish Creek	32	3.94
Sandy Point	27	3.32
Leongatha South	26	3.20
Port Welshpool	24	2.95
Nyora	23	2.83
Poowong	20	2.46
Toora	18	2.21
Yanakie	18	2.21
Buffalo	13	1.60
Dumbalk	13	1.60
Koonwarra	13	1.60
Stony Creek	13	1.60
Tarwin Lower	13	1.60
Loch	12	1.48
Meeniyan	12	1.48
Mirboo	11	1.35
Waratah Bay	11	1.35
Hallston	9	1.11
Nerrena	9	1.11
Welshpool	9	1.11
Bena	7	0.86
Kardella South	7	0.86
Ranceby	7	0.86
Walkerville	7	0.86
Agnes	6	0.74
Berrys Creek	6	0.74
Jumbunna	6	0.74
Kongwak	6	0.74
Leongatha North	6	0.74
Port Franklin	6	0.74
Wooreen	6	0.74
Foster North	5	0.62
Hedley	5	0.62
Kardella	5	0.62
Mardan	5	0.62
Outtrim	5	0.62
Ruby	5	0.62
Toora North	5	0.62

Locality	Number of Applications between 2023/24 – 2024/25	Percentage (%)
Hazel Park	4	0.49
Mount Best	4	0.49
Allambee South	3	0.37
Baromi	3	0.37
Dumbalk North	3	0.37
Koorooman	3	0.37
Mount Eccles	3	0.37
Poowong North	3	0.37
Arawata	2	0.25
Dollar	2	0.25
Inverloch	2	0.25
Korumburra South	2	0.25
Pound Creek	2	0.25
Trida	2	0.25
Turtons Creek	2	0.25
Walkerville South	2	0.25
Whitelaw	2	0.25
Wild Dog Valley	2	0.25
Wilsons Promontory	2	0.25
Wonga	2	0.25
Boorool	1	0.12
Darlimurla	1	0.12
Jeetho	1	0.12
Lang Lang	1	0.12
Middle Tarwin	1	0.12
Poowong East	1	0.12
Tarwin	1	0.12
Wonyip	1	0.12
Woorarra West	1	0.12

Source: PPARS / Council supplied data

Discussion

Table 8 shows that in the 2023-2024 and 2024-2025 financial years, the location of permit applications is distributed across the Shire, which is expected for a predominantly rural LGA with a population distributed across multiple townships. Most applications are found in the Shire's larger towns such as Leongatha and Korumburra, as well as holiday or tourism-based localities such as Venus Bay.

Venus Bay is the locality with the largest number of permit applications (89), forming 10.95% of all applications in the two financial years. This is followed by Korumburra (66), Foster (60), Leongatha (57) and Mirboo North (51). There are a considerable number of applications in localities identified as

'Coastal Villages' within 11.01-1L-06 of the existing South Gippsland Planning Scheme. This includes Venus Bay, but also Port Welshpool (24 applications) and Sandy Point (27 applications). This suggests that a substantial amount of planning applications is related to holiday homes and coastal tourism. A considerable number of applications are also made in localities identified as 'Small Towns', including Fish Creek (32 applications), Poowong (20 applications) and Nyora (23 applications).

6.2. Planning Panels Victoria

6.2.1. Summary of planning scheme amendments

Council has undertaken three 'C' planning scheme amendments since the last planning scheme review. A detailed analysis of these has been provided to Council officers. Those that were referred to a Planning Panel are summarised in **Table 7**.

Table 7: Summary of Planning Scheme Amendments Proceeding to a Planning Panel

Amendment number	In operation from	Description	Type	Status	Planning Panel?	Does this require assessment in Part Two?
C133	8 May 2026	Rezones part of 14 Radovick Street, Korumburra from Public Use Zone to Commercial 1 Zone, and rezones part of the Victoria Street road reserve from Public Use Zone to General Residential Zone - Schedule 1, to facilitate the sale of surplus land.	Site specific	Approved	Yes	No
C131sgip	14 November 2025	Rezones 108 and 110 Parr Street, Leongatha from Farming Zone to General Residential Zone Schedule 1, and makes changes to overlays affecting the land.	Site specific	Approved	Yes	No
C119sgip	15 August 2024	ESO5 to EMO1	Policy Related	Approved	Yes	No
C129sgip	17 October 2024	The amendment implements recommendations of the South Gippsland Planning Scheme Review (2023) and the	Policy Related/ Administrative	Approved	Yes	Yes

		South Gippsland Permit Triggers Review Report (2023).				

6.2.2. C129 and Compliance with the MDFC

Evidence

Amendment C129 implemented recommendations of the South Gippsland Planning Scheme Review (2023) and the South Gippsland Permit Triggers Review Report (2023). The amendment introduced new and revised local content in the MPS and the PPF, and by amending the schedules to zones, overlays, general provisions and operational provisions.

The amendment updated the SGPS to ensure it was consistent with the MDFC. The amendment revised Schedule 1 to Clause 35.03 (Rural Living Zone, RLZ), inserted new Schedules 2 and 3 to the RLZ, amended the zone maps to designate all RLZ land either RLZ1, 2 or 3 and removed onerous permit triggers in the rural zone schedules. It also amended the Schedule to Clause 72.02, included several new background documents in the Schedule to Clause 72.08 and updated Further Strategic Work in the Schedule to Clause 74.02.

Discussion

Further updates are still required to bring some planning scheme provisions into conformance with the MDFC.

Findings

Council must undertake further updates to the scheme provisions to bring the scheme overall into conformance with the MDFC.

6.3. VCAT

6.3.1. VCAT cases reviewed

Council officers provided the following list of VCAT cases for review.

- Vickers v South Gippsland SC [2023] VCAT 813
- Suddards v South Gippsland SC [2023] VCAT 891
- Wallis v South Gippsland SC [2023] VCAT 1180
- Jones v South Gippsland SC [2024] VCAT 156
- Boutros v South Gippsland SC [2024] VCAT 395
- Giardino v South Gippsland SC [2024] VCAT 818
- Prom Country Developments Pty Ltd v South Gippsland SC [2024] VCAT 1015
- Houben v South Gippsland SC [2024] VCAT 1219
- Vitetta v South Gippsland SC [2025] VCAT 583
- Schuhmann v South Gippsland SC [2025] VCAT 676
- Attenborough v South Gippsland SC [2025] VCAT 776

- Peacock-Stony Pty Ltd V South Gippsland SC [2025] P747/2025
- McGrath v South Gippsland SC [2026] VCAT 13

6.3.2. Policy issues raised at VCAT

The issues raised with policy implications at VCAT over the past four years related to:

- Dwellings in the Farming Zone and impacts on agricultural uses and amenity.
- Policy on development along laneways (Note: this relates to the item of further strategic work under the schedule to Clause 74.02.).
- Bushfire risk and the management of defendable space on adjoining land - as per Clause 53.02.
- Native Vegetation Removal - Clause 42.01 (ESO) and Clause 43.02 (DDO).
- Underdevelopment of a site - Clause 32.08-7 (GRZ).
- Conversion of agricultural land into rural residential lots - Clause 14.01-1L-05 (Subdivision in the Farming and Rural Activity Zones).
- Subdivision of Farming Zone land subject to the BMO (Clause 44.06).

6.3.3. Dwellings in the Farming Zone

Summary

The Tribunal determined that a lack of information on compliance with stocking requirements under the guidelines as per clause 53.16, as well as decision guidelines of the ESO, prompted refusal of the application. The Tribunal indicated that determination of compliance against guidelines via a permit condition was inappropriate.

Discussion

Further policy on dwellings and amenity in Farming Zone and 'agent of change' principle.

Findings

Develop further policy on dwellings and amenity in Farming Zone and 'agent of change' principle through further strategic work as indicated in the schedule to Clause 74.02.

6.3.4. Development along Laneways

Summary

The Tribunal found that subdivision of the lot into two to create a rear lot with sole access from the laneway was supported on policy grounds for urban consolidation and location of development and that existing policy on neighbourhood character was not sufficient to support refusal. Issues of access for waste collection, traffic on the laneway and pedestrian safety were dismissed.

Discussion

The proposal involved a two-lot subdivision with laneway access in an established inner area of a regional service centre. Key issues included neighbourhood character and vehicular access, which were found to be acceptable and supported by local policy.

Findings

Develop further policy on development along laneways through further strategic work as indicated in the schedule to Clause 74.02.

6.3.5. Bushfire Risk and Defendable Space

Summary

Issues around access and road widths were resolved through an amended subdivision plan, and conditions that might apply to a permit. The issue of defendable space within the adjoining Crown reserve was determined to be unsatisfactory regarding Clause 53.02 and provision of the defendable space within the subdivision was required via an amended permit condition.

Discussion

Bushfire risk management of defendable space on adjoining land Clause 53.02.

Findings

Consider the application of a BMO schedule or additional local policy to clarify BAL compliance requirements and formalise the Tribunal's position on the provision of defendable space within a subject lot.

6.3.6. Native Vegetation Removal

Summary

The Tribunal found that, while the proposed subdivision would result in development that satisfies site servicing, bushfire risk and flood risk considerations, vegetation removal, landscape character and density of the proposed dwellings was incompatible with the requirements of ESO7 and DDO3.

Discussion

Native Vegetation Removal Clause 42.01 and Clause 43.02.

Findings

Further guidance could be provided to clarify how landscape assessments are to accommodate the application of a BMO.

6.3.7. General Residential Zone

Summary

The Tribunal found that, while the proposed subdivision would result in development that satisfies site servicing, bushfire risk and flood risk considerations, vegetation removal, landscape character and density of the proposed dwellings was incompatible with the requirements of ESO7 and DDO3.

Discussion

- The application involved consideration of the issue of underdevelopment of a site subject to Clause 32.08-7 (GRZ) within the inner area of the Shire's regional service centre.

- The Tribunal found that Council's determination to refuse the application on the grounds of the proposal being an underdevelopment in terms of the site's potential was flawed due to:
  - the form of the development being undertaken on the site,
  - the policy context encouraging a moderate increase in the provision of housing, with only general targets being provided,
  - the conventional zoning and established low rise/low intensity housing character, and
  - no planning scheme imperative for a change to higher rise built form or a higher dwelling density.

Findings

Review the town structure plans and align policy setting / zoning options and the application of the built from controls to more clearly articulate a built form vision for growth settlements.

6.3.8. Conversion of Agricultural Land into Rural Residential Lots

Summary

The Tribunal found that, while the proposed subdivision would result in development that satisfies site servicing, bushfire risk and flood risk considerations, vegetation removal, landscape character and density of the proposed dwellings was incompatible with the requirements of ESO7 and DDO3.

Discussion

- Application involved consideration of a key policy issue - Dwellings in the Farming Zone.
- The Tribunal found that the proposal would directly lead to the loss and fragmentation of agricultural land, contradictory to clear and established planning policy.
- Applicable for any review of the Rural dwelling policy at Clause 14.01-1L-01.

Findings

The policy intent of Clause 14.01-1L-01 is clear and does not require further amendment regarding the preservation of agriculture land use in favour of rural residential development in this zone.

7. Stakeholder engagement

This section contains an overview and analysis of stakeholder engagement that has informed the Planning Scheme Review. It includes data collected as part of a Council planner survey, responses from key referral agencies and external stakeholders as well as feedback provided by planning staff, key internal staff, and Councillors through a series of workshops.

The intention of this part of the review is to provide context from those who most use the planning scheme and Councillors, as the community representatives. The findings of this engagement help refine the key issues that Council needs to address and prioritise the scope of further strategic work that should be undertaken during the next four years.

7.1. Planner's feedback

Council officers were asked to respond to a survey about the South Gippsland Planning Scheme, prior to any analysis documents or findings being shared. The survey included questions to determine, from an officer perspective, how well the Scheme is performing, controls that need refining or could be removed, applications that are taking more time than they should, and policy gaps.

Council officers raised numerous matters influencing the operation of the SGPS that may be grouped under the following headings:

- Conflicts with the Farming Zone and the Rural Activity Zone.
- DPOs need to include reference to bushfire risk.
- ESOs and SLOs require urgent review.
- Consider a review of the RAZ to reconcile bushfire risk against the BMO.
- DDO built form directions could be improved – particularly regarding further clarity on the use of 'muted tones' for building materials.
- LDRZ schedule error)
- Schedule to the LDRZ doesn't specify dimensions for an outbuilding.
- SLOs needs to be reviewed considering VCAT findings (as per legal advice).
- Distinctive areas and landscapes policy to align with the Significance Landscape Overlay – these areas need to be mapped properly.
- Settlements policies are now redundant with the new provisions for major towns.
- Protection of existing large-scale dairy and piggery operations and the ability for expansions and the need to ensure protection for biosecurity.

Feedback from the initial planner survey provided the basis for a workshop with Council planners held on 31 March 2026. The workshop expanded on the issues raised in the Planners' survey and analysed planning scheme performance more broadly.:

Matters raised in this workshop that echo the survey results include:

- Development within rural areas, including group accommodation for farm workers off site and dwellings within the Farming Zone especially on lots between 4.1 ha and 40 ha.
- Lack of guidance on tourism type uses such as hotels within the RAZ.
- Sewerage systems in townships, and the performance of septic systems on existing lots.

- BMOs and their application to timber plantations near towns.
- Need for additional bushfire guidance within DPO schedules.
- Need for ESO2 permit triggers to focus on buildings and works that generate wastewater.
- Applications received under ESO8 and the role of referral authorities in decision making.
- The need to progress strategic work for Nyora in response to development pressure.
- Clarity of mapping for landscape character areas.
- Operation and structure of the DDOs for smaller towns and guidance for preferred types of development, including side fences.
- Further clarity needed on 'muted and non-reflective tones'.

7.2. Internal staff

Council staff identified as having an interaction with the SGPS, either in an internal referral capacity or as an administrator of its policies, were contacted to provide feedback via the planner's survey.

Matters raised by internal staff include:

- For the Environmental Health team applications for extensions and alterations to existing dwellings within declared water catchment areas generally take the longest to determine. Due to the need for a comprehensive assessment of the existing onsite wastewater management system (OWMS) to ensure it remains adequate for the proposed development and continues to protect water quality.
- In many cases, the necessary documentation and system details are not provided upfront by the applicant, resulting in requests for further information and extended assessment timeframes.
- VicSmart applications raise several concerns for the Environmental Health Team, particularly where they relate to onsite wastewater matters. The prescribed timeframes are extremely tight, which can result in these applications either not being referred or being referred with insufficient time for a thorough assessment.
- The Environmental Health Team would welcome the introduction of a more streamlined process to identify planning applications that are connected to reticulated sewerage, rather than requiring the Team to manually verify this information and provide a response in each instance.
- Applications for development in unsewered areas should be required to provide detailed information outlining how onsite wastewater will be treated and retained within the boundaries of the subject land at the time of lodgement, rather than awaiting a request for further information through the Environmental Health referral process.
- Requiring applicants to submit an adequate onsite wastewater management response at the time of application would streamline internal referrals, reduce assessment timeframes, and support more informed decision-making early in the planning process.
- Rising groundwater is of particular concern for the Environmental Health Team in coastal areas characterised by sandy soils, such as Venus Bay and Sandy Point. Consideration of these factors within the planning scheme will be increasingly important to ensure long-term land capability and environmental sustainability.

- The Environmental Health Team is currently finalising the Onsite Wastewater Management Plan (OWMP) and associated policy, which is due for adoption in mid-2026. The new OWMP will introduce end-of-life standards for all onsite wastewater management systems (OWMS) installed within the South Gippsland municipality, establishing clearer expectations for system upgrades, performance, and replacement. These changes are likely to have planning implications, particularly in relation to development in unsewered areas, system capacity assessments for dwelling extensions, and long-term land capability considerations.

Findings

Several issues identified by planners and internal staff through internal stakeholder process have been addressed within the audit or the scheme under this review. Additional strategic work is needed to address several of the growth management issues. A policy positive suite of planning controls is proposed to be prepared to address issues with the operation of ESOs, SLOs and DDOs and clarify the requirements for muted and non-reflective materials. However, these policy positive planning scheme changes are beyond the scope of a policy neutral amendment for implementing the findings of this scheme review. If policy positive ordinance changes are proposed, they need to be considered in detail by Council independently from the recommendations of this report.

7.3. Councillors and executive team

The Executive Team and Councillors participated in a briefing on the planning scheme review on 10 December 2025. The briefing introduced the planning scheme review, discussed the objectives of planning in Victoria, and included a summary of preliminary analysis findings to date with an opportunity to ask questions and highlight issues.

The Councillors raised several matters, including:

- Planning for food security, micro-farms, market gardens and food bowl issues in the context of the loss of high value agricultural land.
- Areas of biodiversity and the isolation of flora and fauna.
- Legacy/historical planning issues and having more fit for purpose planning controls.
- The impact of timber plantations on bushfire hazard and farming and the role of conservation covenants and carbon farming.
- Bushfire risks and landscape assessments.
- Dwelling excisions in the rural areas and their impacts.
- The role of renewable energy zones.
- Advocating for land brokering related to the lack of licensing of activities and value-added exported goods.

These matters have been considered as part of the broader discussion about key planning issues in the municipality and in relation to the proposed further strategic work program.

7.4. Referral and notice agencies

All relevant referral and notice agencies and Registered Aboriginal Parties were invited to provide their written comments and feedback regarding the current performance of the South Gippsland Planning Scheme, in relation to their specific area(s) of responsibility.

A summary of referral and notice agency responses are included in **Appendix 4**.

Agriculture Victoria

AgVic highlighted the government's response made in 2025 to the Parliamentary Inquiry *Securing the Victorian food supply* which included commitments to strengthen protections for all productive agricultural land across Victoria in the PPF, remove ambiguous terms like 'strategic significance' and 'economic importance' and to recognise all productive agricultural land as valuable, and decisions will continue to be guided by integrated decision-making principles.

The implications of this for the planning scheme review are to recognise that there are likely to be changes to the PPF in coming years and should be considered in determining the timing for the review of the Rural Land Strategy.

Country Fire Authority

The CFA highlighted the need to ensure that any potential policy changes are prepared through the lens of Clause 13.02-1S. This will assist in ensuring that the update will not have any undue policy impacts that influences bushfire outcomes, or increase/change bushfire risk, hazards or policy responses.

The implications for the planning scheme review could include updating DPO Schedules to include bushfire requirements, ensuring that pre 2017 strategy, plans, policy or associated mapping recognise bushfire policy and are adapted where necessary.

Department of Premier & Cabinet (DPC), First Peoples State Relations (FPSR) - Gippsland Heritage Programs

DPC highlighted the need to better inform land users of the risk to harming Aboriginal cultural heritage, including Ancestral Remains, during ground disturbing works at Venus Bay. This could include notifying FPSR of applications for two-lot subdivision, construction of a dwelling, and other developments involving significant earthworks within the Venus Bay Peninsula. The issue of single and two lot subdivision being an exempt activity under the Regulations is a significant barrier to addressing this issue via a Cultural Heritage Management Plan (CHMP).

This planning scheme review examined possibilities to address this serious issue occurring in Venus Bay. At this time this review did not identify any existing controls where the appropriate inclusion of a referral to DPC under the schedule to Clause 66.06 could be captured. This review identifies that this is an issue that is worth further strategic investigation however it is better to be led and funded by the State to consider how, or in what circumstances applications should be referred to First Peoples State Relations.

Department of Energy, Environment and Climate Action

DEECA requested that the 'Secretary administering the Coastal Management Act 1995' is removed as a referral authority for applications for development on Coastal Crown Land, as defined under the Coastal Management Act, 1995 in relation to Schedule 3 to Clause 42.01 (ESO3) – Coastal Settlements. The ESO5 is no longer an applicable control in the planning scheme, and this referral provision should be removed.

DEECA also indicated that there is ongoing ambiguity and confusion between planning officers and DEECA over what type of applications that 'adversely affect wildlife habitat and sites of biological or zoological significance'. Additionally, DEECA questioned the 'necessity and effectiveness of referrals for 'Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects'.

DEECA recommended that the wording of the schedule be updated to clarity what constitutes these types of applications although DEECA did not provide alternative wording. Subsequent meetings with DEECA officers on these matters also did not result in any proposed alternative wording.

The implications for the planning scheme review are primarily to remove DEECA as a referral authority for ESO5 and secondarily to further define what kind of applications would result in development that will 'adversely affect wildlife habitat and sites of biological or zoological significance' or have 'environmental impacts'. These issues will require further review by Council beyond the scope of this review.

EPA Victoria

EPA Victoria points to how the schedule to Clause 66.04 identifies the EPA as a recommending referral authority for the ESO8. The EPA states that they do not support being a referral authority for this Clause. They also point to previous advice from 2022 where they recommend Council use the BAO to identify amenity buffers, instead of ESOs.

The implications for this planning scheme review are to consider relocating this referral requirement to the schedule to clause 66.06 so that notice is required instead when an application is submitted.

Council do not agree that removal of EPA as referral authority under ESO8 and have noted that, according to its permits database, there is potentially only one previous application that has been referred to the EPA under ESO8, indicating that the regulatory burden of this referral requirement is very low. Another implication is to scope the possibility of utilising BAOs in the Shire to maintain amenity buffers. The use of BAOs has also been recommended as further strategic work in the previous planning scheme review.

Gippsland Water

Gippsland Water raised concerns about how ESO2 does not align with its Special Water Supply Catchment boundary, resulting in applications being sent to neither water corporation. Gippsland Water also note that a small pocket of the Tarwin River catchment falls within their catchment area. They note that they have been referring applications in this small pocket to South Gippsland Water.

The implications for this planning scheme review are to align the extent of the ESO2 with Gippsland Water's Special Water Supply Catchment Boundary, and to ensure that the correct water authority is identified under Clause 44.06.

West Gippsland Catchment Management Authority

The WGCMA indicated that it is working together with Council to introduce new flood controls, and any required changes to the scheme relevant to them will be addressed through Amendment C135sgip. They raised a concern about there being no referral authority to consider the impact of greenfield development on waterway health, and they welcome the opportunity to become a local referral authority under relevant DPO or UGZ schedules.

The implications for this planning scheme review are to continue supporting the introduction of new flood overlays through C135sgips, and that the WCGMA would like to take an active role in shaping greenfield development.

Agencies that did not respond included:

- The Department of Jobs, Skills, Industry and Regions (DJSIR)
- The Department of Transport and Planning (DTP)
- Heritage Victoria
- Melbourne Water
- Parks Victoria
- South Gippsland Water
- Bunurong Land Council Aboriginal Corporation
- Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC)

7.5. Summary of issues raised through engagement

Table 8 prioritises the various matters raised during the Stakeholder Engagement phase of the review and recommends appropriate actions.

Table 8: Summary of Issues Raised Through Engagement

Issue	Planners	Internal staff	Crs and Executive	Referral Agencies
Development in the Farming Zone and Rural Activity Zone	✔	✔	✔	
Useability of Overlays	✔			
Protection of Productive Agricultural Land	✔	✔	✔	
Bushfire hazards	✔		✔	✔
Heritage	✔		✔	✔
Significant landscapes and environmental issues	✔		✔	✔

Issue	Planners	Internal staff	Crs and Executive	Referral Agencies
Developer contribution requirements	✓			
Wastewater treatment		✓		✓
Design of new dwellings	✓		✓	
Affordable housing	✓		✓	
Environmentally Sustainable Development		✓		
Risk management between plantations and residential land.	✓		✓	
Renewable energy infrastructure			✓	
Coastal inundation and climate change risk	✓	✓	✓	✓

8. New strategic work

New strategic work that has been adopted by Council and prepared for the South Gippsland Region was reviewed to identify whether any policy should be incorporated into the planning scheme.

The intention of this part of the review process is to incorporate policy that may have been developed by another part of Council (for example, Economic Development, Sustainability, Community Planning etc.) that is unlikely to be incorporated into the planning scheme through a stand-alone amendment.

The scope of this does not include significant strategic land use planning projects such as Structure Plans for Towns, Housing Strategies or Rural Land Strategies which should go through a separate, dedicated planning scheme review process.

Regional documents, such as Catchment Management Plans, are also reviewed, to identify if there are any Council specific proposals that should be reflected in the planning scheme. (For example, the construction of a new wetland).

8.1. Council projects and documents

8.1.1. Documents reviewed

The following documents that have been prepared since the 2023 planning scheme review were reviewed for relevance to the South Gippsland Planning Scheme:

- South Gippsland Shire Council Plan (2025 – 2029)
- South Gippsland Shire Council Community Health and Wellbeing Plan (2025-2029)
- South Gippsland Renewable Energy Impact and Readiness Study (Urban Enterprise, 2024)
- South Gippsland Coastal Strategy 2023

8.1.2. Documents with policy implications

South Gippsland Shire 2025-29 Council Plan - The Shaping South Gippsland Community Vision 2040

The Council Plan 2025-2029 proposed “South Gippsland: celebrating our First Peoples, diverse populations, culture, heritage, environment, agriculture and industries. We support and empower positive change through education and action. We sustainably adapt to protect and enhance our unique natural environment, towns and villages through community-led planning and initiatives. We’re an inclusive community, a place where people come to visit and want to stay.”

Implications for the planning scheme include strategies under the theme “Developing a Sustainable Future” to clause 02.03-1 Settlement in the scheme: Provide clarity through our Planning Scheme in areas such as township boundaries, preservation of township identity and heritage, protection of agricultural land and identify areas for future growth including industrial land.

South Gippsland Shire Council Community Health and Wellbeing Plan (2025-2029)

The Plan coordinates a vision, outcomes and actions relating to community health and wellbeing. It incorporates the "Council Plan community vision: Community Vision 2040 Our Vision Statement South Gippsland: celebrating our First Peoples, diverse populations, culture, heritage, environment, agriculture and industries. We support and empower positive change through education and action. We sustainably adapt to protect and enhance our unique natural environment, towns and villages through community-led planning and initiatives. We're an inclusive community, a place where people come to visit and want to stay."

Implications for the planning scheme include a proposed objective at clause 16.01-2L Housing affordability - South Gippsland: "To increase access to affordable and social housing". Strategies could also be included such as: "Ensure affordable and social housing are included in residential developments" and "Ensure affordable and social housing is provided within walking distance of services and amenities".

South Gippsland Coastal Strategy 2023

The Coastal Strategy provides strategic direction for the planning of South Gippsland's coastal areas. Relevant directions include updating Council's local planning policy on coastal climate risk to more clearly set out the long-term risks posed to our townships. It also suggests removing all coastal township greenfield residential growth areas from the planning scheme framework plan maps and retain the township boundaries consistent with the current application of each township's urban land zoning. By exploring the strategic justification for Council, it restricts or discourages the development of more than one dwelling per lot and the subdivision of land which increases dwelling development potential. Supporting existing state planning policy also retains coastal townships to within their existing urban zoned boundaries.

Council is currently undertaking a project to implement the directions of the adopted coastal strategy, in collaboration with DTP. A consultant has been appointed to lead this work for Council.

South Gippsland Renewable Energy Impact and Readiness Study (Urban Enterprise, 2024)

The strategy was undertaken in partnership with Latrobe City Council with support from Regional Development Australia to understand and strategically plan for long term renewable energy investment to optimise economic benefits and mitigate any potential issues that may arise from project facilitation and delivery. Relevant actions include incorporating and embed economic development objectives for the renewable energy sector into regional and local planning policy to establish a supporting policy context to attract and facilitate investment. It also aims to incorporate supporting for key worker housing into local policy and strategy. Planning for a long-term supply of greenfield residential land supply in Leongatha, Korumburra and Foster also helps accommodate 'business as usual' housing demand in addition to any potential increase in demand that results from renewable energy projects. Planning urban expansion opportunities assists in addressing the scarcity of vacant residential zoned land.

In terms of implications for the planning scheme, additional or revised strategic directions support for renewable energy investment that does not impact on landscape, and amenity is provided within the MPS and this position is further reflected within the PPF at clause 19.01-2L. Other planning implications relate to the supply of housing for key workers engaged in energy infrastructure projects. associated objective and strategies could be included in a regional policy under the state policy in clause 14.

8.1.3. Regional projects and documents

8.1.4. Documents reviewed

The following regional documents were reviewed and are considered to be relevant to the South Gippsland Planning Scheme:

- Gippsland Regional Climate Change Adaptation Strategy (2022)
- Gippsland Regional Economic Development Strategy (2022).

8.1.5. Documents with policy implementations

Gippsland Regional Climate Change Adaptation Strategy (2022)

This DELWP coordinated strategy aims to take a place-based approach and develop a regional adaptation strategy as a community owned document, where regional stakeholders have the opportunity to identify and prioritise strategic adaptation actions within their region to guide collaboration and planning future adaptation needs. Key strategic directions included the following:

- Assess key infrastructure vulnerability to inform adaptation planning:
  - Assess vulnerability of key regional infrastructure and the impacts of failure (responsible agencies and asset owners).
  - Agencies to collaboratively develop an understanding of asset interdependence and the impacts of failure/s on surrounding and dependent infrastructure and systems.
  - Responsible agencies to develop a greater understanding of higher risk areas and implement adaptation measures to reduce risk.
- Build understanding of coastal asset vulnerability:
  - Support landowners, land managers and asset owners along the coast to adapt or make a planned retreat in areas impacted by sea level rise and storm surge.
  - Assess the level of impacts likely on Gippsland coastal assets (ports, sea walls, jetties, boat ramps) to enable effective adaptation planning.
- Provide connected and resilient transport networks
  - Assess where changes to transport networks will enable the provision of robust and efficient connection of industries, communities and markets into, within and out of Gippsland.
- Promote and encourage adaptation and resilience measures within urban environments
  - Investigate blue-green infrastructure opportunities, such as integrating urban forestry and stormwater management, to enhance and implement new green spaces and mitigate urban heat island effects.
  - Support and encourage the improvement of thermal efficiency of public, rental and owner occupied current (retrofit) and new housing stock. Priority to be given to the vulnerable and disadvantaged members of the community.
  - Investigate and support opportunities to provide climate safe spaces within the community.
- Enable agents of change such as government, community groups, organisations and industry to implement effective adaptation.

  - Define and clarify regional responsibilities and identify practicalities related to adaptations regarding responsibility for public and private spaces.
  - Provide support for local government and community adaptation activities and projects.

In terms of implications for the planning scheme, strategies could be included in a regional policy under the relevant state planning policies, but this would need to be discussed further with DTP and other LGAs in the region.

Gippsland Regional Economic Development Strategy (2022)

The Gippsland Regional Economic Development Strategy uses data and evidence to profile the region's economy and identify key strategic directions to drive economic growth. Key strategic directions included the following:

- Maximise the role of the food and fibre industry in the local economy.
- Accelerate advanced manufacturing capabilities in the region.
- Pursue opportunities emerging from energy industry transition, including in clean and renewable energy and earth resources.
- Support growth and diversification in the visitor economy.
- Enhance regional specialisation in health care and social assistance.

In terms of implications for the planning scheme, strategies could be included in a regional policy under the relevant state planning policies, but this would need to be discussed further with DTP and other LGAs in the region.

8.2. Findings

Key findings from the review of local and regional strategies include the following:

- **Implement the South Gippsland Shire 2025-29 Council Plan into Council's MPS.**
- **Implement the South Gippsland Shire Council Community Health and Wellbeing Plan (2025 - 2029) at clause 16.01-2L Housing affordability - South Gippsland of the PPF.**
- **Undertake a review of the Rural Land Strategy through further strategic work at the schedule to clause 74.02.**
- **Implement the South Gippsland Economic Development Strategy (2021 - 2031) within the MPS vision or include an associated objective at clause 17.01-1L.**
- **Consider implementation of the South Gippsland Coastal Strategy 2023 into the SGPS through further strategic work at the schedule to clause 74.02.**
- **Implement the South Gippsland Renewable Energy Impact and Readiness Study (Urban Enterprise, 2024) within the MPS infrastructure section and/or include an associated objective and strategies in a regional or local policy under clause 19.01-2S to establish a supporting policy context to attract and facilitate energy investment.**
- **Discuss with DTP and other LGAs in the region how the Gippsland Regional Sustainability Strategy (2022) and the Gippsland Regional Economic Development Strategy (2022) could be implemented into relevant state planning policies of the PPF.**

9. Work underway

The following planning scheme amendments are underway.

Amendment C133

Amendment C133 has recently been approved (April 2026). The Amendment is site specific and is not of strategic significance, rezoning part of 14 Radovick Street, Korumburra from Public Use Zone to Commercial 1 Zone, and part of Victoria Street road reserve from Public Use Zone to General Residential Zone - Schedule 1 to facilitate the sale of surplus land.

Amendment C135

The WGCMA is currently working with Council's strategic planners to amend and introduce new flood controls through the Land Subject to Inundation Overlay and Floodway Overlay and associated Schedules. The WGCMA is satisfied that any required changes to the planning scheme relating to our function as the relevant floodplain management authority will be addressed through this amendment (C135sgip). Council is currently preparing the following strategic planning projects.

Coastal Strategy Implementation

Council is currently undertaking a project to implement the directions of the adopted coastal strategy, in collaboration with DTP. A consultant has been appointed to lead this work for Council. The project seeks to apply planning controls that address land use risk and climate change in coastal areas, including townships, as part of the Coastal Strategy. This work may also result in an update to the Housing and Settlement Strategy and have implications for policy direction for coastal towns within the Shire.

Planning for Nyora's Growth

Council has commenced planning for anticipated growth and infrastructure in Nyora and transitioning it to a higher order town in the LGA. A consultant has been appointed to lead this work for Council. This work will require a minor review of the Housing and Settlement Strategy, implementation of part of the Nyora Development Strategy 2016 and may also entail consideration of urban character and flood risk for the town.

Regional Precinct and Partnership Plan

Council is engaged in planning work to support continued industrial land use and infrastructure investment at Barry Beach through a Commonwealth Government funded Regional Precinct and Partnership Plan. This work will support decommissioning the existing offshore infrastructure and support future renewable energy projects. The project will have a focus on residential land release in Leongatha and Foster as a means to provide affordable housing for the workforce anticipated to be associated with the energy transition sector. ***Waratah Bay Coastal Hazard Assessment***

Council is currently undertaking a project with funding from the Victorian Government, to assess coastal hazard risk for Waratah Bay. The project is funded and a consultant has been appointed. This project seeks to implement a direction of the adopted Coastal Strategy and progress risk mapping and policy changes in response to anticipated impacts from sea level rise on townships within the bay.

Updated Heritage Study

Council is undertaking a heritage precinct review of four key locations: Loch, Fish Creek and Toora town centres, and the Radovick Street residential area in Korumburra. The project is currently out for public consultation.

There are no implications from this current suite of strategic project work that directly impacts the planning scheme review. These projects are partly derived from items already within the further strategic work items identified under the 2023 PSR, however, references to the Waratah Bay Coastal Hazard Assessment and the Barry Beach Marine Terminal project are recommended for inclusion within the schedule to Clause 74.02.

While there will certainly be planning scheme outcomes generated by this suite of strategic projects, it is too early to determine the scope of these implementation measures or the way this review must respond to articulate any spatial planning outcomes.

10. Key issues

This section expands on the key issues that have emerged from the Planning Scheme Review, as well as other less significant matters that have emerged and require discussion.

10.1. Population, growth and economy

10.1.1. Issue

South Gippsland Shire's population is predicted to increase to 33,930 people by 2036, and this increase needs to be planned for appropriately.

10.1.2. Discussion

The Shire's population is dispersed across 26 settlements and 41 localities in a low-density, dispersed settlement pattern. Growth of the Shire's population is steady rather than rapid and is expected to occur primarily in established towns, such as Nyora. The Shire's proximity to Melbourne is the primary driver for lifestyle migration and its gradual population growth needs to be managed with regard to, the Shire's role as a productive agricultural region and lifestyle destination, rather than a high-growth metropolitan fringe municipality.

At the state level, Plan for Victoria sets out housing targets for every LGA across Victoria, specifying their share of the extra 2.24 million required. The housing target that has been set for South Gippsland is for an additional 8,000 dwellings by 2051. Urban growth needs to be directed to the appropriate locations, being the Shire's growing towns, so that efficient use of existing infrastructure and services are maximised, investment in additional infrastructure can be apportioned and any impacts on the environmental and agricultural values of the Shire's rural areas are minimised.

10.1.3. Recommendation

- **Plan Nyora's growth and infrastructure to accommodate the expected growth in the area. This will require a minor review of the South Gippsland Housing and Settlement Strategy 2013, implementation of the Nyora Development Strategy 2016 and may include urban character and flood risk controls.**
- **Prepare a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the DTP on key transport infrastructure issues.**

10.2. Climate change and other environmental risks

10.2.1. Issue

South Gippsland Shire is exposed to climate related risk due to its low-lying topography, extensive coastline and bushfire vulnerability.

10.2.2. Discussion

South Gippsland Shire is vulnerable to climate change. Projected climate impacts in the Shire include sea-level rise, coastal inundation and storm surge, increased erosion of beaches and dunes and cliff instability, increased bushfire risk, reduced water security and changing rainfall patterns and a greater frequency of extreme weather events. Sea level rise threatens the Shire's environmental assets,

coastal settlements and port and marine infrastructure. Environmental risks are compounded by vegetation and biodiversity loss, a lot of which occurs on private land.

Coastal townships in the shire are areas of continued development with vulnerable locations such as Venus Bay receiving significant proportion of overall permit applications. The Coastal Strategy provides a policy basis for addressing this issue, noting that State government leadership on this matter important for informing how the planning system should respond to coastal risk.

10.2.3. Recommendation

- **Apply planning controls that address land use risk from climate change in coastal areas and coastal townships, as required by the Coastal Strategy. This may result in an update to the Housing and Settlement Strategy and the strategic directions of the PPF.**

10.3. Productive Agricultural land

10.3.1. Issue

Productive agriculture is a key land use consideration for the Shire, as the local economy is highly dependent on this sector and the productive capacity of the Shire's agricultural sector is of high-very high quality. Strategic planning for the Shire must ensure that the supply of viable high quality agricultural land is not compromised in favour of competing demands for rural residential development. Further fragmentation of the already highly fragmented rural areas of the Shire needs to be avoided. Concurrently it must be recognised that these landscapes also support tourism and other valued adding economic activities associated with broad scale agriculture.

10.3.2. Discussion

Permit applications for sheds are the most common type of application received by Council, with single dwellings being the second most common. While the geographic spread of applications received indicates that the Shire's coastal locations and major towns are the focus of development, demand for rural residential style lifestyle remains strong and these types of applications present significant policy challenges for Council. While numerous policies need to be balanced for net community benefit, the protection of agricultural land to support viable high quality agricultural land that is not compromised in by incompatible, competing land uses is paramount.

10.3.3. Recommendation

- **Prepare a Rural Landscapes Assessment and review the South Gippsland Rural Land Use Strategy 2011 to update and align planning provisions with adopted policy to protect the Shire's rural hinterlands and tourism routes from inappropriate development. This should provide further policy clarity on identification and protection of significant landscapes, preservation of agricultural land and dwellings within rural areas.**

11. Further strategic work

Appendix 2 of this report outlines content for the strategic planning work that has been identified through this planning scheme review.

Through the review process, the highest priority tasks for Council to undertake over the next four years to improve the planning scheme has been identified and is included in the recommendations below. Numerous other recommendations for further strategic work have been identified through this review and are included in **Appendix 1**. This has included reviewing this list and removing any projects that are no longer required.

The list below represents the further strategic work that are likely to have the most positive impact for the South Gippsland community and the efficient functioning of the Council's planning function.

Only work that can be completed in the next four years should be included in the schedule to Clause 74.02 of the SGPS. A recommended schedule to Clause 74.02 is included in the marked-up ordinance at **Appendix 1**. This should be further considered by Council to ensure that the work is reasonable to complete over the next four years and, if not, the priority projects that should be included in Clause 74.02.

Recommendations:

It is recommended that Council prioritise the following further strategic work over the next four years:

7. **Apply planning controls that address land use risk and climate change in coastal areas, including townships, as part of the *South Gippsland Coastal Strategy 2023* implementation. This may result in an update to the *South Gippsland Housing and Settlement Strategy 2013.***
8. **Plan Nyora's growth and infrastructure to accommodate the expected growth in the area and transition it successfully to a higher order town in South Gippsland Shire. This will require a minor review of the South Gippsland Housing and Settlement Strategy 2013, implementation of the Nyora Development Strategy 2016 and may include urban character and flood risk controls.**
9. **Prepare a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the Department of Transport and Planning on key transport infrastructure issues.**
10. **Prepare a Rural Landscapes Assessment and review the *South Gippsland Rural Land Use Strategy 2011* to check that planning controls are protecting inland and rural hinterlands and transport / tourism routes from inappropriate development. This should address identification and protection of significant landscapes, preservation of agricultural land, and guidance for achieving development outcomes in keeping with scope of agricultural use.**

Appendix 1

Marked up ordinance with policy neutral and strategically justified changes to the planning scheme.

Attachment is provided under separate cover.

Appendix 2

Further Strategic Work

The following is a comprehensive list of all the further strategic work that has been identified through this planning scheme review and proposed to be included in the South Gippsland Planning Scheme in the Schedule to Clause 74.02. The highest priorities have been identified and included in Chapter 10 of the report. The remaining projects on this list need to be prioritised by Council on an ongoing basis and as determined through future budgeting and resourcing considerations.

The following further strategic work has been identified through this review:

- Apply planning controls that address land use risk and climate change in coastal areas, including townships, as part of the South Gippsland Coastal Strategy 2023 implementation. This may result in an update to the South Gippsland Housing and Settlement Strategy 2013.
- Review controls on residentially zoned land and, where necessary, undertake character assessments to inform new planning controls to manage development, considering the full suite of residential zones and overlays.
- Prepare a Rural Landscapes Assessment and review the *South Gippsland Rural Land Use Strategy 2011* to check that planning controls are protecting inland and rural hinterlands and transport / tourism routes from inappropriate development. This should address identification and protection of significant landscapes, preservation of agricultural land, and guidance for achieving development outcomes in keeping with scope of agricultural use.
- Plan Nyora's growth and infrastructure to accommodate the expected growth in the area. This will require a minor review of the South Gippsland Housing and Settlement Strategy 2013, implementation of the Nyora Development Strategy 2016 and may include urban character and flood risk controls.
- Facilitate the introduction of a Development Contributions Plan for key urban growth areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the Department of Transport and Planning (DTP) on key transport infrastructure issues.
- Prepare and implement the Industrial Land Use Strategy to ensure a sufficient, appropriately located supply of industrial land, particularly considering the impacts of emerging offshore energy generation, and the changing needs of the agricultural industry and implement planning measures for the Barry Beach Marine Terminal as required under the Regional Precinct and Partnership Plan.
- Continue implementation of new and updated flood mapping where supported by the relevant floodplain management authority.
- Apply the Heritage Overlay to locally significant heritage precincts and continue implementation of the South Gippsland Heritage Study with the support of the community.
- Review planning controls for the Southern Leongatha Growth Area to support residential development and highway frontage commercial development in this locality.
- Implement the recommendations of the Heritage Precinct Project 2026.
- Implement the Waratah Bay Coastal Hazard Assessment.
- Undertake the Foster Structure Plan.

- Implement the Bushfire Assessment Planning Recommendations for Foster and Mirboo North.
- Implement a local signage policy.

Appendix 3

State and regional planning scheme amendments and planning practice notes issued since last planning scheme review

VC (Victorian) and GC (group of council) amendments.

Since the last planning scheme review in 2023, 46 VC and 3 GC Amendments have introduced new policy and provisions into the SGPS and many are directly relevant to this review as shown in **Table 8**.

Table 8: VC and GC Amendments to South Gippsland Planning Scheme from 2023

Amendment number	In operation from	Brief description
VC229	20 MAR 2023	Made changes to the VPP and all planning schemes to correct obvious or technical errors and ensure they are current. **Impact on South Gippsland Planning Scheme:** Administrative in nature.
VC231	6 APR 2023	Amended the VPP and 60 planning schemes in Victoria by amending existing planning permit exemption thresholds for dwelling extensions, out-buildings and buildings used for agriculture in clauses 35.03 (Rural Living Zone), 35.07 (Farming Zone) and 35.08 (Rural Activity Zone). **Impact on South Gippsland Planning Scheme:** Reduced permit requirements for some rural zones in the municipality.
VC234	4 JUL 2023	Clarified noise requirements for wind energy facilities and the responsible authority for enforcement matters. Clause 52.32 was revised to refer to Division 5 Part 5.3 of the Environment Protection Regulations 2021. **Impact on South Gippsland Planning Scheme:** Clarified requirements but has minimal impact on land in the municipality.
VC238	3 AUG 2023	Amended clause 52.13, Victoria's container deposit scheme by revising the permit exemption threshold in clause 52.13 to enable an automated collection point to occupy 5 car spaces instead of 4 if the land contains 50 or more car spaces. **Impact on South Gippsland Planning Scheme:** Administrative in nature.
VC236	14 AUG 2023	Supported renewable hydrogen gas production and distribution and made the Minister for Planning the responsible authority for large-scale production of hydrogen gas. **Impact on South Gippsland Planning Scheme:** Supports renewable energy but currently is of no impact on land in the municipality.
VC242	20 SEP 2023	Introduced two new particular provisions to facilitate significant residential development and significant economic development through clauses 53.22 and 53.23. It also changed the RGZ, GRZ and NRZ to allow retail premises and offices subject to specific land use conditions. **Impact on South Gippsland Planning Scheme:** Had significant impact on residential and commercial land in the municipality for the provision of affordable and social housing as well as retailing and commercial premises. Made the Minister for Planning the responsible authority for applications subject to these two clauses.
VC243	22 SEP 2023	Supported the delivery of housing in Victoria by codifying residential development standards, implementing the Future Homes project across Victoria, removed permit requirements for single dwellings on lots of 300 square metres or more and introduced VicSmart permits for single dwellings on lots less than 300 square metres. **Impact on South Gippsland Planning Scheme:**

Amendment number	In operation from	Brief description
		Had significant impact on residential land in the municipality for the provision of all types of housing and their assessment.
VC246	26 SEP 2023	Introduced new land use controls to improve facilitation of Victoria's Container Deposit Scheme by introducing a new land use term, Container deposit scheme centre, nested under Transfer station and corrections to ordinance in clause 52.13. **Impact on South Gippsland Planning Scheme:** Administrative in nature but supports recycling in the municipality.
VC247	6 OCT 2023	Extended planning exemptions under clauses 52.07 (Emergency recovery) and 52.18 (Coronavirus (COVID 19) pandemic and recovery exemptions) and made corrections to ordinance introduced in VC246 related to Container deposit scheme centres. **Impact on South Gippsland Planning Scheme:** Administrative in nature and had minimal impact on land in the municipality.
VC241	17 OCT 2023	The amendment removed prohibitions for specified sign types for a Freeway service centre, Service station and Open sports ground in a zone where Category 4 - Sensitive areas sign controls apply. **Impact on South Gippsland Planning Scheme:** Had some impact on signage at Freeway service centres, service states and open sports grounds in the municipality by removing the prohibitions on signage where Category 4 signage controls apply.
GC231	28 NOV 2023	Amendment GC231 changes Manningham, Southern Grampians and South Gippsland planning schemes by introducing and removing land from the Bushfire Management Overlay (BMO). The amendment ensures the BMO mapping reflects where the vegetation meets the criteria as set out in Planning Advisory Note 46 - Bushfire Management Overlay Mapping Methodology and Criteria. **Impact on South Gippsland Planning Scheme** Revised land subject to Bushfire management Overlay (BMO) to reflect the vegetation criteria.
VC217	1 DEC 2023	The amendment changed the VPP and all planning schemes to implement the decriminalisation of sex work. **Impact on South Gippsland Planning Scheme:** Had some impact on land use in the municipality by removing the regulation of brothels and sex work and categorising them as businesses for the purposes of the planning scheme.
VC253	14 DEC 2023	The amendment introduced a new land use term and siting, design and amenity requirements for a small second dwelling into the VPP and all planning schemes to implement Victoria's Housing Statement: The decade ahead 2024-2034 by making it easier to build a small second dwelling. **Impact on South Gippsland Planning Scheme:** Significant and will have a large impact on land in the municipality for the provision of small second dwellings.
VC250	1 JAN 2024	The amendment supported Victoria's Gas Substitution Roadmap (Victorian Government, 2022) by prohibiting new gas connections for new dwellings, apartments and residential subdivisions where a planning permit is required. **Impact on South Gippsland Planning Scheme:** Will have ongoing impact for the municipality.
VC249	15 JAN 2024	Revised the VPP and all planning schemes in Victoria by exempting development for a small second dwelling from Development Contributions Plan requirements and correcting typographical errors related to small second dwellings. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.

Amendment number	In operation from	Brief description
VC254	12 FEB 2024	Revised the VPP and all planning schemes related to the Birrarung-Bolin Framework Plan, proof of continuous use, signs in the Transport Zone and State projects. **Impact on South Gippsland Planning Scheme:** Impacted signs in the Transport Zone and made changes to proof of continuous use requirements in the municipality.
VC256	15 MAR 2024	Revised the VPP and all planning schemes to ensure provisions are current and accurate by correcting obvious or technical errors to ensure consistency with current formatting, numbering and naming conventions, legislation, policy documents and guidelines. **Impact on South Gippsland Planning Scheme:** Administrative in nature and had minimal impact.
VC259	28 MAR 2024	Changed the VPP and all planning schemes in Victoria by extending the transitional arrangements for a dependent person's unit for a period of 12 months. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC261	4 APR 2024	Expanded the operation of the existing Development Facilitation Program (DFP) planning provisions that fast-track the assessment of significant economic development by enabling an application for renewable energy facility, utility installation and associated subdivision to be assessed. **Impact on South Gippsland Planning Scheme:** Potentially has ongoing impact for applications in the municipality.
VC252	26 APR 2024	Changed the VPP and 64 planning schemes in Victoria by correcting obvious or technical errors and by making consequential changes to local schedules to align with Amendment VC243 and Amendment VC253. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC255	3 MAY 2024	Changed the VPP and 52 planning schemes in Victoria by correcting obvious or technical errors and made consequential changes to local schedules to align with Amendment VC243 and Amendment VC253. **Impact on South Gippsland Planning Scheme:** Administrative in nature and had minimal impact.
VC262	16 AUG 2024	Exempted applications to remove, destroy or lop vegetation that comply if a fire prevention notice has been issued under the Fire Rescue Victoria Act 1958. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC270	11 OCT 2024	Extended the outdoor dining planning exemptions under clause 52.18 (Coronavirus (COVID 19) pandemic and recovery exemptions) for a further 12 months. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC263	22 NOV 2024	Made changes to state policy relating to special water supply catchments and water quality, as well as improving references to the Catchment and Land Protection Act 1994 and updating references to policy documents. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC269	3 DEC 2024	Made changes to the VPP and all planning schemes to improve the operation of clause 53.24 Future Homes. **Impact on South Gippsland Planning Scheme:** Administrative in nature and had minimal impact on residential land in the municipality.

Amendment number	In operation from	Brief description
VC272	18 DEC 2024	Modified the timeframes at clause 52.10 (Reconstruction After an Emergency) from 5 to 7 years. **Impact on South Gippsland Planning Scheme:** Administrative in nature and had minimal impact.
VC273	19 DEC 2024	Made changes to clause 52.20 to apply to housing development that are wholly or partly funded by the Victorian or Commonwealth governments. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC237	14 JAN 2025	Made changes to the VPP and all planning schemes in Victoria by introducing a permit exemption for a remote sellers packaged liquor licence under Clause 52.27, replaced references to EPAs Recommended Separation Distances for Industrial Residual Air Emissions document with the new Separation Distance Guideline and Landfill Buffer Guideline, replaced existing references to superseded state and regional waste and resource recovery plans with the new Victorian Recycling Infrastructure Plan, corrected typographical errors, updated formatting and ensured language and references are accurate and up to date. **Impact on South Gippsland Planning Scheme:** Administrative in nature and updated references to EPA guidelines and waste policy documents without affecting local planning policy.
VC257	25 FEB 2025	Introduced changes to the VPP and all planning schemes to introduce Clause 32.10 Housing Choice and Transport Zone (HCTZ) and Clause 43.06 Built Form Overlay (BFO) to support housing growth in and around activity centres and other well-serviced locations in line with Victorias Housing Statement, The Decade Ahead 2024-2034. **Impact on South Gippsland Planning Scheme:** Introduced new zone and overlay tools to support housing in activity centres but has no immediate effect as the new provisions are not currently applied in the LGA.
VC274	28 FEB 2025	Introduced the Precinct Zone (PRZ) at Clause 37.10 to support housing and economic growth in priority precincts across Victoria in line with Victoria's Housing Statement, The Decade Ahead 2024-2034 and the Victorian Government's vision for priority precincts, including Suburban Rail Loop precincts. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has no immediate impact, as the Precinct Zone is not currently applied in the LGA.
VC266	03 MAR 2025	Extended the timeframe for the temporary planning provisions that allow for the use and development of land for a Dependent person's unit (DPU) by one year to 28 March 2026. The amendment also updated the permit requirements for DPU proposals affected by particular overlays. **Impact on South Gippsland Planning Scheme:** Extended existing temporary provisions for dependent person's units and may affect permit requirements in residential and rural areas.
VC219	22 MAR 2025	The Amendment changes the VPP and all planning schemes in Victoria to support the ongoing operation of extractive industry across Victoria and increase amenity protections for nearby accommodation. **Impact on South Gippsland Planning Scheme:** Has an impact on land used for extractive industry and land used for sensitive uses surrounding extractive industry.
VC267	31 MAR 2025	Implemented new residential development planning assessment provisions to boost housing construction to meet the housing needs of Victorians. **Impact on South Gippsland Planning Scheme:** Introduced a deemed-to-comply assessment pathway at Clause 55 that limits third-party review rights for eligible medium-density housing. Will have a large effect on the assessment of residential multi-dwelling applications.

Amendment number	In operation from	Brief description
VC276	02 APR 2025	Introduced changes to the VPP and all planning schemes to amend all residential zone schedules and Neighbourhood Character Overlay schedules to implement the new residential development planning assessment provisions and correct technical errors resulting from Amendment VC267. **Impact on South Gippsland Planning Scheme:** Updated residential zone and Neighbourhood Character Overlay schedules and corrected technical errors resulting from Amendment VC267.
VC280	07 APR 2025	Introduced the Great Design Fast Track into the VPP and all planning schemes in Victoria. The Great Design Fast Track implements a new planning assessment pathway to facilitate the delivery of high-quality townhouse and apartment developments. **Impact on South Gippsland Planning Scheme:** Introduced a fast-track assessment process for high-quality townhouse and apartment developments in suitable urban locations and could improve design outcomes in the LGA.
VC281	14 April 2025	Revised the VPP and 34 planning schemes by amending clause 12.03-1R (Yarra River protection) to implement stage one of Burndap Birrarung burndap umarkoo, the Yarra Strategic Plan 2022-2032, February 2022. The amendment also introduced clause 51.06 to ensure responsible public entities have regard to the principles specified in the Yarra River Protection (Wilip-gin Birrarung murron) Act 2017. **Impact on South Gippsland Planning Scheme:** Had no impact on land in the municipality.
VC251	17 APR 2025	The amendment changed the VPP, Melbourne and Yarra planning schemes by implementing the recommendations of the World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens (Department of Transport and Planning, 2024) through policy and built form controls to improve the protection and management of the World Heritage listed Royal Exhibition Building and Carlton Gardens. **Impact on South Gippsland Planning Scheme:** Had no impact on land in the municipality.
VC275	27 JUN2025	The amendment introduced a planning exemption for outdoor dining on public land. **Impact on South Gippsland Planning Scheme:** Had a minimal impact on land in the municipality.
VC286	01 JUL 2025	The Amendment changes the VPP and all planning schemes in Victoria by removing the requirement for a planning permit for licensed premises. **Impact on South Gippsland Planning Scheme:** Will have a significant impact on land used for licensed premises in the municipality.
VC258	04 JUL 2025	The amendment improves the operation of the existing Development Facilitation Program (DFP) planning provisions at clauses 53.22 and 53.23 and expands the program eligibility to include gas projects and saleyards. **Impact on South Gippsland Planning Scheme:** Potentially could have a significant impact on applications in the municipality not being determined by Council as the responsible authority.
VC290	15 AUG 2025	The Amendment changes the VPP and 63 planning schemes in Victoria by making Abattoir a section 1 use in the Table of Uses where specified siting, design and amenity conditions are met in clause 35.04 Green Wedge Zone, clause 35.07 Farming Zone and clause 35.08 Rural Activity Zone. **Impact on South Gippsland Planning Scheme:** Largely administrative in nature. May reduce the need for some permits if conditions are met.
VC279	21 AUG 2025	The amendment makes changes to the land use definition of Minor utility installation in the Victoria Planning Provisions and all planning schemes to ensure the appropriate planning assessment of large battery storage systems.

Amendment number	In operation from	Brief description
		Impact on South Gippsland Planning Scheme: Introduced a new definition but is administrative in nature and has minimal impact.
VC283	02 SEP 2025	The Amendment changes the Victoria Planning Provisions and all planning schemes in Victoria to implement Plan for Victoria (Department of Transport and Planning, 2025), update and introduce policy, remove reference to Plan Melbourne 2017-2050: Metropolitan Planning Strategy and make general drafting improvements and clarifications. **Impact on South Gippsland Planning Scheme:** Is significant as introduced a housing target for South Gippsland into the scheme and references to settlement boundaries as well as removal of Loddon Mallee North Regional Growth Plan from Clause 11.01-1R.
VC268	05 SEP 2025	Amendment VC268 is required to give effect to the Victorian Transmission Plan and update strategies to facilitate renewable energy development in declared renewable energy zones. Changes to references to the Climate Action Act 2017 are required to ensure that planning schemes are accurate. **Impact on South Gippsland Planning Scheme:** Administrative in nature giving effect to the Victorian Transmission Plan in clause 19.01-1S (Energy supply) and clause 19.01-2S (Renewable energy) and updated strategies to facilitate renewable energy development in declared renewable energy zones. South Gippsland is not currently in a renewable energy zone. Is administrative in nature and has minimal impact.
VC282	08 SEP 2025	The amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by introducing a new clause 54 (One dwelling on a lot or a small second dwelling on a lot), making consequential changes to give effect to the new residential development planning assessment provision and correcting technical errors made by Amendment VC267. **Impact on South Gippsland Planning Scheme:** Corrected errors from Amendment VC276.
VC292	11 SEP 2025	Amendment VC292 makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to include reference to the Neighbourhood Character Overlay (NCO) in the 'Application' section of clause 54 that was inadvertently omitted by Amendment VC282. **Impact on South Gippsland Planning Scheme:** Corrected errors from Amendment VC282.
GC217	12 SEP 2025	Amendment GC217 facilitates the use and development of the Victorian land-based portion of the Marinus Link project by applying a Specific Controls Overlay (SCO3) to the land and introducing a new incorporated document titled Marinus Link Project (Department of Transport and Planning, June 2025). **Impact on South Gippsland Planning Scheme:** Applying a Specific Controls Overlay Schedule 3 (SCO3) to support the Marinus Link Project.
VC289	15 SEP 2025	Amendment VC289 introduces a planning permit requirement to remove, destroy or lop a canopy tree in residential areas at clause 52.37 (Canopy trees) into the Victoria Planning Provisions (VPP) and all planning schemes. Minimum canopy tree replacement requirements will apply to an application to remove a canopy tree. The amendment is required to implement Action 12 of Plan for Victoria to protect and enhance canopy trees. **Impact on South Gippsland Planning Scheme:** Administrative in nature but could have a positive cumulative impact.
VC288	16 OCT 2025	Amendment VC288 extends the streamlined VicSmart assessment process to include planning permit applications for the construction of two dwellings on a lot and the subdivision of land into two lots.

Amendment number	In operation from	Brief description
		Impact on South Gippsland Planning Scheme: Administrative improvement for planning permit application processing time.
VC296	17 OCT 2025	Amendment VC296 reinstates the operation of the existing coronavirus (COVID-19) pandemic and recovery exemption planning provisions until 30 June 2027. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC294	27 OCT 2025	Amendment VC294 reforms sign provisions to exempt specified signs from planning permit requirements and remove mandatory permit expiration dates for most signs. **Impact on South Gippsland Planning Scheme:** Administrative in nature for sign requirements and has minimal impact.
VC291	30 OCT 2025	Amendment VC291 updates the Victoria Planning Provisions and all planning schemes to replace the Guidelines for the removal, destruction or lopping of native vegetation, 2017 with the version published in 2025 and amend clause 66.01 (Subdivision Referrals) to enable the direct referral of planning applications to Fire Rescue Victoria for the existing fire hydrant referral matter. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has a minimal impact.
VC295	07 NOV 2025	The amendment changes the VPP and all planning schemes to align the provisions with the new name for Major Road Projects Victoria (MRPV) to VIDA Roads. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has an impact on new name for road projects.
VC297	19 NOV 2025	Amendment VC297 creates an efficient approvals pathway for permits to facilitate the assessment of minor projects to support the delivery of the broader Suburban Rail Loop Authority transport program, including Suburban Rail Loop East. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has a minimal impact.
VC301	21 NOV 2025	Amendment VC301 corrects Clause 52.37 table of permit exemptions to ensure public authorities and municipal councils do not require a permit to remove, destroy or lop a canopy tree to construct or maintain the transport system. **Impact on South Gippsland Planning Scheme:** Revised permit exemptions for councils to not require a permit for tree works to construct or maintain transport system.
VC298	25 NOV 2025	Amendment VC298 updates Clause 52.03 to reflect the Level Crossing Removal Project (LXRP) name change to Victorian Infrastructure Delivery Authority (VIDA) Rail and expand the clause application to projects carried out by or on behalf of VIDA Rail. The amendment also updates reference to the Guidelines for removal, destruction or lopping of native vegetation (DEECA, 2025). **Impact on South Gippsland Planning Scheme:** Administrative in nature and has a minimal impact.
VC277	18 DEC 2025	Amendment VC277 amends car parking requirements to align car parking rates with demand and reduce the number of car parks required in locations well-serviced by public transport. **Impact on South Gippsland Planning Scheme:** Parking requirement clauses to be revised to ensure the number of car parking spaces adjacent to public transport stations in South Gippsland aligns with the amendment.
VC278	20 JAN 2026	Amendment VC278 applies Significant Landscape Overlays (SLOs) to 17 waterways within the Yarra (Birrarung) and Waterways of the West catchments. The controls

Amendment number	In operation from	Brief description
		preserve the unique landscape character, cultural values, amenity and ecological health of each waterway. The amendment also strengthens state policy for waterways and includes updates to existing SLOs within the Waterways of the West and Rivers of the Barwon catchments. **Impact on South Gippsland Planning Scheme:** SLOs to be implemented to waterways in South Gippsland.
VC265	04 FEB 2026	Amendment VC265 makes corrections and updates to the Victoria Planning Provisions and all planning schemes to ensure they are current and accurate. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has a minimal impact.
VC271	06 FEB 2026	The amendment supports the provision of energy-related infrastructure by facilitating the creation of new smaller lots for utility installations that transmit, distribute or store electricity in the Farming Zone and Rural Activity Zone. **Impact on South Gippsland Planning Scheme:** Largely administrative in nature in Farming Zone and Rural Activity Zone in the municipality.
VC245	13 FEB 2026	Amendment VC245 makes changes to give effect to the Surf Coast Statement of Planning Policy (SPP) and Bellarine Peninsula SPP. The amendment improves the clarity of the VPP and Macedon Ranges Planning Scheme by removing the particular provision at Clause 51.07 (Macedon Ranges SPP). The amendment also makes administrative changes to the Greater Geelong Planning Scheme. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
GC269	24 FEB 2026	Amendment GC269 corrects obvious or technical errors and makes consequential changes to local schedules to align with VC286. **Impact on South Gippsland Planning Scheme:** Correct errors from Amendment VC286 through administrative corrections
VC304	23 MAR 2026	Extends the expiry date of the Dependent Persons Unit temporary provisions. **Impact on South Gippsland Planning Scheme:** Administrative in nature and has minimal impact.
VC300	16 April 2026	Amendment VC300 changes the VPP and all planning schemes in Victoria by implementing the Mid-Rise Code to introduce new deemed to comply assessment provisions for four to six storey residential development in residential zones. **Impact on South Gippsland Planning Scheme:** New residential code to be implemented for medium density apartments for four to six storeys.
VC308	17 April 2026	Amendment VC308 changes the VPP and all planning schemes in Victoria to update all schedules to the Mixed-Use Zone, Township Zone and Residential Growth Zone to align with the operation of the Mid-Rise Code introduced by Amendment VC300 and to correct technical errors associated with Amendment VC300. **Impact on South Gippsland Planning Scheme:** Administrative in nature and relates to the gazettal of Amendment VC300.

New Planning Practice Notes and Guidance Materials

Since the last planning scheme review in 2023, several Planning Practice Notes (PPNs) and guidance materials have been introduced which impact the strategic directions and drafting of the SGPS and there are others that have ongoing effect as shown in **Table 9**.

Table 9: New or Updated Ministerial Directions and Planning Practice Notes From 2023

Resource	Summary of Document	Implications for SGPS
Planning Scheme Reviews, Advisory Note, March 2026	This Advisory Note provides guidance about how a planning scheme review should be undertaken and what matters it must specifically consider. A review must enhance the effectiveness and efficiency of the planning scheme and ensure that it: • Is consistent with the Ministerial Direction on the Form and Content of Planning Schemes. • Sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies. • Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives. The Advisory Note sets out the matters to be addressed in a review undertaken in 2026 including for: • Local policy and planning tools • Housing and residential development • Settlement boundaries • Green wedges • Form and content • Removing roadblocks to improvement • Environmental risks.	This Advisory Note details how a planning scheme review should be undertaken and what matters it must specifically consider. The relevant matters that are required to be assessed have been done so through this planning scheme review.
A Practitioner's Guide to Victorian Planning Schemes, August 2025 (Version 6) Practitioners Guide	The guide applies to the preparation and application of a planning scheme provision in Victoria. It is primarily intended for use by practitioners considering or preparing a new or revised provision for a planning scheme. The guide sets out and explains: • The principles that should underpin the creation, selection and application of a planning scheme provision. • How a planning scheme relates to the VPP. • Rules and advice about how the various components of a planning scheme operate. • How to select, write and apply various elements of a planning scheme.	This guide establishes the VPP principles and good drafting conventions and examples. It must be followed when preparing a planning scheme policy or provision and has been updated and in operation since the last review.
Strategic Assessment Guidelines (Planning Practice Note 46)	Planning Practice Note 46 – *Strategic Assessment Guidelines*, requires a planning authority to evaluate and determine how an amendment addresses strategic considerations and what	This PPN is critical in terms of determining the strategic basis for an amendment and the level of strategic justification and

Resource	Summary of Document	Implications for SGPS
Planning-Practice-Notes	should be considered as part of the Ministerial Direction 11. The PPN outlines a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes. The appropriate application of these outcomes is a requirement of the authorisation process for a planning scheme amendment.	information requirements for a planning scheme amendment.
Ministerial Direction on the Form and Content of Planning Schemes, Am VC300, 19 March 2026 Ministerial directions (planning.vic.gov.au)	This Direction provides the schedule template for zone, overlay, particular provision and general provision schedules and how local planning schemes are to be prepared based on the VPP. It includes requirements and parameters about how State provisions can be applied at the local level and how local provisions can be given effect.	These templates can change from time to time and have been used as the basis for the preparation of schedules in the planning scheme.
Ministerial Direction 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health October 2018 The role of the Minister (planning.vic.gov.au)	This Direction requires planning authorities to seek the views of the Environment Protection Authority (EPA) in the preparation of planning scheme reviews and amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste. The Direction applies to any strategic plan or its review that forms the basis of a planning scheme amendment relating to the use or development of land within a buffer area or separation distance of industry and specified industrial uses.	This Direction is triggered for any planning scheme amendment or a planning scheme review.
Ministerial Direction 20 – Major Hazard Facilities October 2018 The role of the Minister (planning.vic.gov.au)	This Direction aims to minimise potential human and property exposure from the risk of incidents that may occur at a major hazard facility and ensure their ongoing viability. The Direction requires planning authorities to seek and have regard to the views of WorkSafe Victoria and the Minister for Economic Development when preparing a planning scheme amendment which rezones land for, or is within the threshold distance of, a major hazard facility.	This Direction is triggered for any planning scheme amendment that relates to a threshold distance for a major hazard facility.
Ministerial Direction 22 – Climate Change Consideration The role of the Minister (planning.vic.gov.au)	This Direction aims to ensure that climate change considerations are formally undertaken by a planning authority having regard to requirements for minimising greenhouse gas emissions and increasing resilience to climate change risks through the preparation of a planning scheme or amendment to a planning scheme. Such considerations should inform future directions or measures relevant to strategic or precinct-scale responses. This must aim for the minimisation of greenhouse gas emissions and increasing resilience to climate change risks that respond appropriately to sections 5a) to d) and 6 a) to c) of the Ministerial Direction.	This Direction is triggered for the preparation of a planning scheme or any planning scheme amendment (including a planning scheme review) and specifies the matters relating to climate change considerations for a planning authority

Resource	Summary of Document	Implications for SGPS
Activity Centre Zone Mapping Style Guide Activity Centre Zone and boundaries (planning.vic.gov.au)	The guidelines assist in the production of Framework Plans and Precinct Maps to be included in an Activity Centre Zone Schedule. It explains what needs to be shown on the maps, how to best represent this, the importance of accuracy, cartography and legibility and the relationship to planning scheme provisions. The principles can be applied universally to mapping preparation.	The mapping style guide provides useful tips in the preparation of maps for planning scheme strategic framework plans and schedules.
PPN32 – Review of Planning Schemes (Updated 2025)	This PPN explains processes and good practice for reviewing planning schemes, including how planning authorities should assess elements of their scheme, articulate policy objectives and format their schemes for useability and consistency. These practices and principles need to be implemented in this review and in future reviews of the planning scheme.	The PPN has ongoing effect for planning scheme reviews, although it has not been updated with recently updated guidelines.
PPN37 – Rural Residential Development (2025)	Guidance is provided on issues relating to rural residential development, land capability, environmental considerations and natural hazard avoidance.	The Shire is an area that is under significant pressure for additional rural residential development and the need to maintain productive agriculture within the Shire is a key planning issue in relation to rural residential development.
Applying the Rural Zones, (Planning Practice Note 42)	This PPN provides guidance to planning authorities about the: • Strategic work required to apply the Farming Zone, Rural Activity Zone, Rural Conservation Zone, Green Wedge Zone, Green Wedge A Zone and Rural Living Zone. • Purposes and features of each zone and where they may be applied. The PPN seeks to ensure that the most appropriate rural zones are used to achieve a planning authority's rural strategic planning objectives.	This PPN provides direction about the drafting and application of the rural zones in planning schemes. It requires strategic planning objectives for rural land to be implemented through appropriate use of the rural zones and schedules. The PPN requires planning authorities to think strategically about their farming areas and rural settlement patterns, so that sustainable farming is promoted and potential conflicts between farming and other land uses are avoided. This emphasises farming as the dominant land use and all other land uses as subordinate to farming.
PPN55 – Planning in Open Drinking Water Catchments (Published June 2024)	Guidance is provided on land use, planning permit considerations and protections for open drinking water catchments (as defined in the *Catchment and Land Protection Act 1994)* including environmental safeguards for water quality and effluent management.	Large areas of land in the Shire are located in proclaimed water catchments used to provide water for human consumption, domestic use, agriculture and industrial activities. Land use or development in these areas should be managed carefully to

Resource	Summary of Document	Implications for SGPS
		minimise the impact on water quality and risks to human health.
Role of Mandatory Provisions in Planning Schemes (Planning Practice Note 59) Planning-Practice-Notes	This PPN outlines the role of mandatory provisions in planning schemes where mandatory provisions are to provide certainty and ensure a preferable and efficient outcome with an overall net community benefit. It outlines the principle of the performance-based approach of the VPP and that good planning outcomes should not be compromised by a mandatory planning scheme control. The PPN provides criteria for the assessment of whether a provision should be mandatory or not and how to draft a mandatory provision if that is included.	This PPN provides guidance for the use of mandatory provisions and in the drafting of mandatory controls such as built form controls. Mandatory controls should be based on achieving a clear strategic outcome that are unable to be achieved with discretionary controls.
Planning for Housing and Using the Residential Zones (Planning Practice Notes 90 and 91) December 2026 Planning-Practice-Notes	Information and guidance is provided about how to plan for housing growth to meet municipal housing targets and ensure planning schemes have sufficient capacity for new homes. The PPN details how to plan for a municipality's housing needs and best practice approaches in applying strategy, policy and tools that are aligned with state planning policy and local housing strategies. Key to providing a plan for housing is the development of a residential development framework that aims to provide for a range of housing opportunities across a municipality that meets housing targets. This usually comprises a local housing strategy, analysis from the DTP's Housing Capacity Assessment Platform tool (HCAP) and Access to Opportunities and Services tool (ATOS), as well as an assessment of other pieces of strategic work (e.g. heritage, landscape, environment, neighbourhood character or land capability studies). Change areas are identified and categorised into minimal, incremental and substantial change areas or a greater breakdown where there is a strong strategic basis. Built form outcomes are driven by the application of specific types of residential zones to deliver appropriate levels of housing.	The principles established through these PPNs are sound and need to be nuanced to settlement hierarchies based on a housing and settlement strategy and other relevant inputs for residential areas. These PPNs have been in operation since the last review and have now been updated to strengthen housing outcomes.
Managing buffers for land use compatibility (Planning Practice Note 92) Planning-Practice-Notes	The PPN provides guidance about planning for land use compatibility and the PPF and planning requirements relating to the management of buffers such as Clause 53.10 - Uses and activities with potential adverse impacts and Clause 44.08 - Buffer Area Overlay (BAO). The BAO supports implementation of the objective and strategies in Clause 13.07-1S - Land use compatibility. The BAO complements Clause 53.10 to help ensure that industry establishes appropriately and addresses the	This PPN relates to Amendment VC175 which was prepared after the last review in 2019. It provides clearer guidance for industrial uses and maintaining separation distances to sensitive uses and how to apply the BAO to industrial facilities.

Resource	Summary of Document	Implications for SGPS
	reverse situation so that land use and development around existing industry is appropriate. Buffers can be used to manage both land use and development and should be applied to address different issues of risk and land use compatibility.	
Implementing a Strategic Settlement Boundary (Planning Practice Note 99) Planning-Practice-Notes	This PPN provides guidance on how to introduce or change urban limits in regional Victoria. Advice aims to manage outward urban sprawl, while also protecting the state's valuable natural and agricultural assets. It clarifies how logical and enduring boundaries should be applied to settlements and how these boundaries operate to ensure that housing and infrastructure are delivered in an integrated, compact and sustainable manner.	This PPN supports the existing strategic work that has been undertaken for the Shire's townships. Any new town structure plans will need to be consistent with the guidance provided in the PPN, particularly the strategic settlement boundary principles.
EPA Landfill Buffer Guidelines 2024 Separation distance and landfill buffer guidelines | Environment Protection Authority Victoria	These guidelines provide advice on recommended separation distances between industrial land uses that emit odour or dust and sensitive land uses. They include new separation distances and risk management approaches for a range of uses, including landfills.	Guidelines provide buffer distances for industries (including landfills and transfer stations) to avoid conflicting land uses.
EPA Supporting information for separation distance and landfill buffer guidelines 2024 Separation distance and landfill buffer guidelines | Environment Protection Authority Victoria	This information outlines the Separation Distance and Landfill Buffer Guidelines, providing a comparison of separation distances with other jurisdictions, methods for measuring odour and dust impacts, and data from EPA investigations on priority areas. It also summarises key changes to separation distances, offering clear information on the basis for these guidelines and ensuring they align with current environmental management practices.	Information supports the landfill buffer guidelines and buffer distances for industries to avoid conflicting land uses.

Appendix 4

Responses from referral authorities and other stakeholders

Country Fire Authority (8 April 2026)

We understand that you are assisting Council with their Planning Scheme Review and are seeking our advice.

At this initial stage, CFA recommends that any potential policy changes are prepared through the lens of Clause 13.02-1S. This will assist in ensuring that the update will not have any undue policy impacts that influences bushfire outcomes, or increase/change bushfire risk, hazards or policy responses.

For South Gippsland, this could include the following:

- Existing Development Plan Overlay Schedules that currently don't contain bushfire requirements.
- Council strategies, plans or policy that were prepared prior to 2017 that may be at odds with bushfire policy that may relate to growth areas, land use such as tourism, vulnerable uses or rural residential land, etc.
- Any potential anomaly/error mapping fixes identified as part of this process to ensure there are no unintended consequences from a bushfire perspective.

Department of Energy, Environment and Climate Action (4 December 2025)

The Secretary of DEECA is identified as having the following referral and notice roles (in accordance with Sections 55 of the Planning and Environment Act 1987) in the South Gippsland Planning Scheme:

Clause	**Kind of Application**	**Referral Authority**	**RA Type**
Schedule 1 to Clause 42.01 (Environmental Significance Overlay)	Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects. Applications which may adversely affect wildlife habitat and sites of biological or zoological significance.	Department of Energy, Environment and Climate Action Recommending	Determining
Schedule 3 to Clause 42.01 (Environmental Significance Overlay)	An application for development on Coastal Crown Land, as defined under the Coastal Management Act, 1995	The Secretary administering the Coastal Management Act, 1995	Determining
Schedule 3 to Clause 42.01 (Environmental	Applications to subdivide land into more than four lots or any subdivision application which may have	Department of Energy, Environment and Climate Action Recommending	Recommending

Significance Overlay)	adverse environmental effects. Applications which may adversely affect wildlife habitat and sites of biological or zoological significance.		
Schedule 5 to Clause 42.01 (Environmental Significance Overlay)	Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects.	Department of Energy, Environment and Climate Action	Recommending

DEECA has undertaken a high-level review of the planning provisions and provides the following comments in respect of prescribed local referral roles, as identified above.

Schedule 3 to Clause 42.01 (ESO3) – Coastal Settlements

DEECA recommends that the 'Secretary administering the *Coastal Management Act 1995*' is removed as a referral authority for applications for development on Coastal Crown Land, as defined under the *Coastal Management Act, 1995*.

Consent is required for works on coastal Crown land under the *Marine and Coastal Act 2018*, and the *Planning and Environment Act 1987* already accounts for this requirement in Section 61(3) which prevents the responsible authority from granting a permit if consent has not been obtained under the Marine and Coastal Act. The referral requirement under the ESO3 is a duplicate process that does not add value to the statutory planning considerations.

Schedule 5 to Clause 42.01 (ESO5)

The ESO5 is no longer an applicable control in the planning scheme, and this referral provision should be removed.

Other comments

There is ongoing ambiguity and confusion between planning officers and DEECA over what type of applications 'adversely affect wildlife habitat and sites of biological or zoological significance'. Similarly, DEECA question the necessity/effectiveness of referrals for 'Applications to subdivide land into more than four lots or any subdivision application which may have adverse environmental effects'.

DEECA recommend the wording is updated to for clarity or parameters are set for what constitutes these types of application. DEECA would be happy to discuss this in further detail with Council, however at this stage do not have recommended alternative wording given the timeframes for response.

Environment Protection Authority (4 December 2025)

Previous EPA advice

It is noted that EPA last provided advice regarding the Review on 12 October 2022 (EPA Reference: REQ002609, see attached). EPA's views remain relevant; however, EPA provides further comments regarding Clause 66.04:

EPA Comments: Clause 66.04

The Schedule to Clause 66.04 identifies EPA as a recommending referral authority for planning permit applications to construct a building, or construct or carry out works, or subdivide land, on land subject to Schedule 8 to Clause 42.01 (Environmental Significance Overlay, ESO).

The purpose of ESO8 'Manufacture of Milk Products Amenity Buffer' is understood to be to protect a milk products facility from the incremental encroachment of sensitive land uses and protect surrounding development from the impact of potential adverse amenity impacts from this facility. Some exemptions from planning permit requirements for buildings and works apply.

EPA does not support being a referral authority under Clause 66.04 of the South Gippsland Shire Planning Scheme in this case. EPA therefore respectfully recommends removing the requirement for EPA consultation from these provisions. Any planning permit applications subject to the ESO8 may be referred to EPA for advice in accordance with section 52 of the *Planning & Environment Act 1987*, if required.

Department of Premier and Cabinet - First Peoples – State Relations (3 December 2025)

Poor protection and unauthorised harm of Aboriginal cultural heritage at Venus Bay remains a growing concern for FPSR, given our lack of visibility of the scale and nature of development occurring.

For context, Venus Bay is extremely sensitive for Aboriginal ancestral remains and other types of Aboriginal cultural heritage. Aboriginal ancestral remains have been identified at Venus Bay, most recently in September 2020 during construction of a dwelling. DPC has identified at least 21 known burials of Aboriginal ancestors at Venus Bay and nearby Tarwin in South Gippsland. Aboriginal ancestral remains in Venus Bay are often impacted by residential development through the construction of dwellings and installation of services to dwellings.

The current legislative and planning controls do not work effectively to prevent harm to Aboriginal cultural heritage at Venus Bay. The historical planning legacy of residential subdivision at Venus Bay means that statutory authorisations that would normally protect and preserve Aboriginal cultural heritage, such as a cultural heritage management plan, are not required under either the Aboriginal Heritage Act 2006 or the Planning and Environment Act 1987. Consequently, Aboriginal places are inadvertently being harmed by the construction of dwellings and other works and are often detected only once works have commenced which can cause unnecessary delays and costs.

FPSR would like to explore with South Gippsland Shire Council options to better inform land users of the risk to harming Aboriginal cultural heritage, including Ancestral Remains, during ground disturbing works at Venus Bay. This could include notifying FPSR of applications for two-lot subdivision, construction of a dwelling, and other developments involving significant earthworks within the Venus Bay Peninsula.

While the addition of FPSR as a recommending referral authority in Clause 66.04 offers a potential pathway, it's our understanding it would not adequately capture all developments that pose potential harm to cultural heritage and risk to development.

We are available to discuss further details and explore whether the trigger to refer applications to FPSR could be more effectively developed through zones, overlays, or another planning control.

Gippsland Water (15 December 2025)

Re: Clause 66.04 - REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

We are listed as a determining authority for all permit applications within the Mirboo North Water Supply Catchment.

According to the state dataset on VicPlan and Mapshare, there is an area of SGSC that falls within our footprint, is covered by an ESO but NOT a SWSC, leaving any applications in this area being sent to neither water corporation.

There was an update undertaken to align ESO and SWCS boundaries a few months ago, but we are not sure whether SGSC are using this or the existing dataset shown below. I will follow up with SGSC on this matter, but if they are using the existing dataset, then I'd like to see GW listed alongside SGW as a referral authority under Schedule 2 to Clause 42.01 (ESO) (top line in table below).

There is a small pocket of the Tarwin River catchment that falls into our area, but if we received an application referral for any development, I'd be referring it to SGW as it impacts on their catchment/water supply, not ours.

Re: Clause 66.06 - NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

We would be covered for notifications of any surrounding developments by the specifications in 66.05, I can't think of any additional example for specific identification in 66.06, so no changes or updates required here.

West Gippsland Catchment Management Authority (4 December 2025)

The WGCMA is currently working with Council's strategic planners to amend and introduce new flood controls through the Land Subject to Inundation Overlay and Floodway Overlay and associated Schedules.

The WGCMA is satisfied that any required changes to the planning scheme relating to our function as the relevant floodplain management authority will be addressed through this amendment (C135sgip).

The WGCMA also has a role in the protection of waterway health. WGCMA supports the existing provisions in clause 12.03-1S and 14.02-1S in relation to protection and enhancement of catchments and waterways, however we note that there is no identified referral authority to consider the impacts of development on waterway health, particularly impacts arising from greenfield development on land containing waterways.

Where the WGCMA has included requirements for waterway management through a Development Plan or Precinct Structure Plan, we would welcome the opportunity to become a local referral authority under the relevant Development Plan Overlay or Urban Growth Zone Schedules.

02.01 CONTEXT

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

South Gippsland Shire is a large rural municipality containing a population of approximately 30,000 people dispersed across 26 settlements and 41 localities.

The Bunurong and Gunaikurnai people are the traditional inhabitants and custodians of the South Gippsland Shire region.

The Shire has an estimated resident population of 30,577 persons, which is forecast to increase to 33,930 persons in 2036.

Leongatha is the largest town and the municipal centre. The municipality is largely bounded by the Strzelecki Ranges in the north and the coast in the south. The north-western area of the Shire is located approximately 100 kilometres south east of Melbourne, and the south-east border is approximately 20 kilometres from Yarram.

Primary industries, especially agriculture, combined with associated value-adding and food processing are the Shire's main economic driver. The dairy industry is significant in this sector. Impacts of climate change over time will place added significance on the Shire's agricultural land resources, which are predicted to benefit from comparatively secure annual rainfall.

South Gippsland supports 11,157 jobs and has an annual economic output of $4.1B. The Agriculture, Forestry and Fishing industry sector makes the greatest contribution to economic output in the region and is also the largest employer.

Tourism is based on the natural ~~and~~ coastal environments, such as ~~(including~~ [rewording for clarity] Wilsons Promontory National Park, Corner Inlet, Shallow Inlet and Nooramunga Marine and Coastal Parks and Cape Liptrap Coastal Park~~)~~, rural [rewording for clarity] landscapes, and food and arts culture.

VISION

02.02

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

The South Gippsland Shire Council's Community Vision Statement *[rewording - NEW Council Plan 2025 – 2029, p.15]*

~~vision in the Council Plan 2026 relating to land use and development~~ is:

Celebrating our First Peoples, diverse populations, culture, heritage, environment, agriculture and industries. We support and empower positive change through education and action. We sustainably adapt to protect and enhance our unique natural environment, towns and villages through community-led planning and initiatives. We're an inclusive community, a place where people come to visit and want to stay.~~To support the whole Shire in creating economic, environmental and social prosperity for this and future generations.~~ [NEW Council Plan 2025 – 2029, p.15]

'Developing a Sustainable Future' is a key objective of the Council Plan. *[NEW Council Plan 2025 – 2029, p.21]*

Key strategies in support of this objective include:~~Strategic objectives to be balanced in support of the vision include:~~ *[NEW Council Plan 2025 – 2029, p.21]*

- Provide clarity through our Planning Scheme in areas such as township boundaries, preservation of township identity and heritage, protection of agricultural land and identify areas for future growth including industrial land. *[NEW Council Plan 2025 – 2029, p.21]*
- Demonstrate Council's commitment to preserve, protect and enhance the natural environment across South Gippsland. *[NEW Council Plan 2025 – 2029, p.21]*

- ~~To build a sustainable and growing economy that attracts and supports businesses, broadens and strengthens industry sectors, creates sustainable employment and establishes the Shire as a 'food bowl' that feeds the State and beyond.~~
- ~~To work together with surrounding councils to support regional growth and prosperity.~~
- ~~To develop plans that will balance and use the natural values of the environment, improve the Shire's liveability and build on the benefits of our proximity to Melbourne.~~
- ~~To enhance liveability and environmental sustainability for current and future generations.~~
- ~~To engage the community in developing significant strategic plans and continued involvement in decision making.~~
- ~~To sustainably adapt to protect and enhance our unique natural environment, towns and villages.~~

02.03 STRATEGIC DIRECTIONS

03/03/2022
C127sgip

02.03-1 Settlement

17/10/2024
C129sgip

Settlements in the Shire are highly dispersed, with Leongatha, Korumburra, Mirboo North and Foster containing the majority of the permanent population. Housing growth is mostly occurring in settlements near the South Gippsland Highway, particularly Leongatha, Korumburra and Nyora. The growth is based on access to local employment and in metropolitan Melbourne, Wonthaggi and the Latrobe Valley combined with the relatively low property prices and the high amenity value of the settlements. Demand for holiday house growth is also expected to continue, mainly in the west of the Shire and in coastal settlements.

The Shire includes fully serviced, partly serviced and un-serviced settlements. Provision of necessary infrastructure is critical to being able to support housing growth.

Council seeks to:

- Direct growth to settlements in accordance with their role and function as set out in the South Gippsland settlement hierarchy outlined in this clause.
- Support the provision of 8,000 new dwellings in the Shire by 2050~~is~~. *[NEW, Plan for Victoria 2025 – 2029, p.30]*
- Support the provision of reticulated water, sewerage and drainage improvements to settlements to protect community health and environmental values and to support population growth.

Settlement hierarchy

The roles and functions of the settlements ~~have been~~are [rewording for clarity] summarised below.

Principal centre – Leongatha

Leongatha is the municipal centre of the Shire, supporting a large and growing population. It provides access to various levels of education, health, recreation and cultural opportunities and is connected to essential utility services and public transport. Leongatha is a centre of state significance for the dairy milk processing and beef industries. Leongatha's future will depend on consolidating and growing its commercial sector, promoting residential development, and defining and building upon Leongatha's broader role within the greater West Gippsland region.

Council seeks to:

- Promote Leongatha as the ~~principal~~ regional service centre in the Shire. *[NEW, Plan for Victoria 2025 – 2029, p.63]*
- Support housing growth, the provision of higher level community services and economic development.
- Maintain the Town Centre as the hub for retail and service uses.

Large district centre – Korumburra

Korumburra is the second largest town in the municipality and a key retail and commercial service provider to the smaller towns and communities in the Shire's western region. Dairy milk processing is a key contributor to the township's economic and employment growth. Korumburra is becoming increasingly accessible to metropolitan Melbourne and this helps underpin population and economic growth that will contribute to securing the town's future.

Council seeks to:

- Promote Korumburra as a Large District Centre offering significant industrial, retail, service, residential and tourism functions in the Shire.
- Provide sufficient residential land to provide for sequential and staged residential development at a range of densities within existing infrastructure networks, to accommodate future township growth.
- Maintain the Town Centre as the compact retail and service hub of the town.

Emerging district centre - Nyora

Nyora is the closest South Gippsland Shire town to metropolitan Melbourne. Nyora offers a desirable lifestyle location due to its rural character and proximity to major urban centres, and is experiencing accelerating population growth. Significant land is zoned for urban growth in Nyora and it is emerging as the principal development front in South Gippsland. Planning for the town and new residential areas needs to accommodate new infrastructure and commercial and community services that support the community's social and employment needs whilst respecting the town's rural character.

District towns – Foster and Mirboo North

District towns are key retail and service centre for a rural hinterland containing a localised range of retail, education, health and recreation opportunities.

Foster is the principal town in the eastern half of the Shire. Foster's proximity to Wilsons Promontory has promoted the town to a leading role in the region's growing tourism industry. Foster is also well situated to benefit from the economic activity likely to be generated from the continuing development of port related activities around Corner Inlet. With its pristine environment and open farmed landscapes, Foster is an attractive location for retirement living and 'lifestyle change' residential growth.

Mirboo North is the principal township in the north of the municipality. Its local economy is supported by the servicing of the surrounding agricultural activities and rural population. Tourism is an increasingly important economic contributor and a basis upon which future growth may be promoted. It is important that growth complements the existing character of the township and ensures adequate protection from and management of bushfire hazards.

Council seeks to:

- Promote District towns as service centres for the local community and surrounding rural areas.
- Consolidate Foster's role as the key commercial and community service provider to the eastern region of the municipality.
- Promote Mirboo North as a sustainable community and the principal town in the north of the Shire.
- Protect and enhance the distinctive village atmosphere and picturesque location within the Strzelecki Ranges in Mirboo North.

Small towns – Fish Creek, Loch, Meeniyan, Poowong and Toora

The small towns provide limited services to their rural hinterlands and rely on nearby larger towns to provide higher level services. They are desirable lifestyle locations with unique character set in picturesque locations.

Fish Creek is an attractive small town with a distinctively artistic and heritage character. The absence of reticulated sewerage means Fish Creek has limited potential for urban expansion. Some parts of the town are also subject to inundation.

Loch township has a moderate growth opportunity that should be supported, provided the essential compact 'village' character can be maintained. The heritage character and design of the built form provides a critical component to the overall image and identity of the township~~,~~ and underpins both its tourism role and village atmosphere.

Meeniyan provides retail, community and trades services to its residents and the smaller settlements in the surrounding district. Located at an important junction on the main route to Wilsons Promontory, Meeniyan's tourism role as 'Gateway to the Prom' is boosted by its arts, culture and food attractions.

Poowong is located on a narrow ridgeline with panoramic views over the surrounding rural hills. Its role as a service township for the surrounding agricultural communities will continue. The town can support a limited level of population growth.

Toora is located between the foot of the Strzelecki Ranges and the coastal plain, with views across Corner Inlet. The commercial hub and majority of the town development is located off the South Gippsland Highway, contributing to the township's appeal. Numerous buildings in the main street have heritage value and the town has an attractive entry point to the Great Southern Rail Trail.

Council seeks to:

- Support compact growth and development that respect existing character and landscape values, while also providing safe and attractive residential environments.
- Facilitate staged residential growth and land release so that the provision of physical, retail, commercial and community infrastructure occurs concurrently to development, strengthening the towns' roles in providing essential services to growing populations.
- Conserve and enhance heritage places for their contribution to the overall character of the towns.
- Strengthen the economic future of the towns, including in relation to tourism, employment and industry as relevant.

Villages – Koonwarra and Welshpool

The villages comprise small settlements on urban zoned land with some retail, education and recreation facilities that service the village population and local rural catchment. Nearby larger towns provide the higher order, essential services.

Koonwarra has a distinct character focussing on environmental awareness, sustainability and boutique gourmet food.

Welshpool provides limited retail, educational, community and public transport services for local residents and the rural hinterland including the nearby coastal village of Port Welshpool.

Council seeks to:

- Provide an attractive and safe residential environment and strengthen the economic future of Koonwarra and Welshpool within the village settlement boundaries

Coastal Villages – Port Welshpool, Sandy Point, Tarwin Lower, Venus Bay, Walkerville, Waratah Bay and Yanakie

In addition to supplying a limited range of services and facilities to residents, Coastal Villages service holiday populations, [rewording for clarity]as well as significant retiree and partially absentee residents. The character of the Coastal Villages combined with their

environmentally significant surrounds and landscapes, affords them a charming attractiveness.

Port Welshpool provides facilities for commercial and recreation fishing, and holiday visitors. Largely surrounded by Crown land, the settlement is within the Corner Inlet Amphitheatre Significant Landscape, adjacent to the Corner Inlet Ramsar wetlands and is affected by bushfire risk and inundation associated with sea level rise.

Walkerville is a Coastal Village adjoining and surrounded by the Cape Liptrap Coastal Park: The town has a mix of holiday and permanent residents. Absence of reticulated water or sewer are a development restriction.

Council seeks to:

- Contain growth within settlement boundaries to protect the environmental, landscape and agricultural values between and surrounding the settlements.
- Balance growth and development with the associated impacts on vegetation, soil stability and water quality and the risks of climate change.
- Provide an attractive and safe residential environment and strengthen the economic future of each coastal village.

Hamlets – Bena, Buffalo, Dumbalk, Jumbunna, Kongwak, Mirboo, Port Franklin, Ruby and Stony Creek

The Hamlets are characterised by a cluster of housing on urban or small rural allotments with limited infrastructure and community services, and often no, or highly limited, retail services. Some Hamlets have potential for small-scale tourism associated with local agricultural products, markets, the rail trail, rural landscapes and natural environments.

Bena is a rural residential hilltop Hamlet located on the former railway line with limited recreation and community facilities.

Buffalo is a former railway Hamlet adjacent to the Great Southern Rail Trail with recreation and limited community facilities. Much of the town is susceptible to bushfire risk.

Located in a dairying area and relatively close to larger settlements, Dumbalk is a residential Hamlet that is serviced by a limited range of commercial and community facilities.

Historically a coal mining and railway settlement, Jumbunna is now a quiet Hamlet with Victorian-era character. Issues with potential contamination and location of shafts associated with the settlement's mining history is a constraint on development.

Kongwak is located in a foothills dairying area, with part of the town susceptible to bushfire risk. It has relatively good community, recreation and tourist-attracting facilities including an historic former butter factory.

Mirboo is a low density settlement located in a valley of the Strzelecki Ranges with the Tarwin River winding along its north and east boundaries. It has limited community facilities.

Port Franklin is a residential fishing and port Hamlet located adjacent to the Corner Inlet Ramsar wetlands and the Corner Inlet Marine and Coastal Park. Coastal climate change and susceptibility to inundation affect the fringes of the Hamlet.

Ruby is a former railway Hamlet with a small cluster of community facilities and rural residential houses in a rural zoning. It has access to services at Leongatha and Korumburra.

Stony Creek is a former railway Hamlet with numerous Victorian-era buildings adjacent to the Great Southern Rail Trail. Parts of the town are susceptible to bushfire risk.

Council seeks to:

- Contain growth within the settlement boundary of each Hamlet to protect agricultural, landscape and environmental values and to reduce risks associated with environmental hazards.
- Provide an attractive and safe residential environment in each hamlet.

Localities – Agnes, Arawata, Darlimurla, Hedley, Kardella, Nerrena, Strzelecki and others

Scattered across the Shire, the localities comprise clusters of housing located in rural areas on small rural allotments. They have minimal to no infrastructure or community facilities and are relatively isolated from higher level settlements. Some of the localities are affected by susceptibility to erosion, bushfire or inundation. Some localities have potential for small-scale tourism associated with local agricultural products, rail trails, rural landscapes and natural environments.

Council seeks to:

- Contain growth within settlement boundaries to protect agricultural, environmental and landscape values, and to reduce risks associated with environmental hazards.
- Support small-scale tourism businesses that complement the natural environment, agricultural and landscape values of the region or are associated with proximity of the Great Southern Rail Trail.

02.03-2 Environmental and landscape values

~~03/03/2022 C127sgip~~
XX/XX/XXXX CXXXsgip

Biodiversity

Since European Settlement, there has been a steady decline in biodiversity in Australia. South Gippsland Shire has mirrored this trend with only approximately 15 per cent of the native vegetation that existed prior to 1750 remaining, ~~(~~excluding the Wilsons Promontory Bioregion [rewording for clarity]~~)~~. Much of the Shire's remaining native biodiversity is now found on private property and roadsides. The protection, enhancement and linking of remnant vegetation and animal species on private and public land is an important issue facing the community.

Council seeks to:

- Protect sites of biological significance including on roadsides and private property.

Coastal and hinterland landscapes

Specific landscapes within the Shire have been determined to have either state or regional significance. These are the landscapes of Venus Bay Peninsula and Anderson Inlet, Venus Bay Dunes, Cape Liptrap and Waratah Bay, Corner Inlet Amphitheatre, Bunurong Coast and Hinterland, Tarwin Floodplain, and Welshpool Hills and Mount Hoddle.

Council seeks to:

- Retain undeveloped breaks between settlements by focussing further development within existing township boundaries and avoiding ribbon development, particularly along the coastal strip and key touring routes.
- Ensure coastal development including at the edge of settlements responds to the landscape setting and character.
- Maintain locally significant views and vistas that contribute to the character of the coast and coastal hinterland region.

02.03-3 Environmental risks and amenity

17/10/2024 C129sgip, XX/XX/XXXX CXXXsgip

Climate change

The effects of climate change on the local environment are starting to appear and will continue into the future. The potential flow-on effects from changing climatic conditions include reduced agricultural production, decreased and more erratic environmental flows in waterways and wetlands, increased risk of bushfire, and decreased water security for settlements and activities. Direct impacts of climate change are also likely to include an increase in storm surges, increased and altered patterns of erosion of beach and dune systems, undercutting of cliffs, increased peak flows in coastal rivers and estuaries and damage to coastal infrastructure, ~~(~~such as piers, jetties, breakwaters and seawalls~~)~~ [rewording for clarity]

South Gippsland relies on key industries such as agriculture and tourism, which are particularly vulnerable to climate change impacts. Extreme weather events, disrupted rainfall patterns and seasonality, sea level rise and coastal inundation are all dangerous and disruptive to these industries.

Council seeks to:

- Apply the precautionary principle when considering the intensification of development in coastal areas.

02.03-4 Natural resource management

03/03/2022 C127sgip

Agriculture

South Gippsland Shire contains some of the most productive agricultural areas in Victoria and provides a substantial proportion of Victoria's milk, as well as beef, prime lamb and vegetables. Agriculture and its associated processing and service industry underpin the Shire's economy. With issues of climate change and water scarcity at hand, there is likely to be increasing demand for the Shire's high quality agricultural land from producers in less fertile areas. Existing farming activities in the Shire will need to have the capacity to grow and expand and will require access to affordable land unencumbered by unwanted infrastructure.

Considerable opportunities exist to add value to primary produce and to diversify the base income of the rural sector and improve employment opportunities. The region's competitive strengths of rich agricultural soils, high rainfall and proximity to Melbourne should be promoted to attract new industries complementary to the region's lifestyle.

Council seeks to maintain a viable and sustainable agricultural industry as the cornerstone to the Shire's economy and its future wellbeing by:

- Protecting high quality agricultural land for primary production.
- Supporting diverse and sustainable agriculture industries, including promoting the region as a premium 'green' products food bowl.
- Facilitate the provision of essential services to support agricultural production.
- Facilitate industries in rural areas that specifically support the agricultural sector and add value to primary produce.
- Promote agricultural land management that includes sustainable integration of economic and environmental needs.
- Support the development of the marine and farm forestry industries.

Rural dwellings

The settlement and subdivision history of the Shire has left a legacy of small lots scattered amongst larger farming lots. These lots are often isolated, or in strips along road sides and surrounded by agricultural uses. Multi-lot farms (tenements) are the most common structure of land tenure in the Shire, with commercially viable production areas being formed by the aggregation of smaller lots.

The Shire's significant environmental and landscape assets make the area attractive for rural residential lifestyles. The northern and western areas of the Shire are particularly popular for rural living. There is a significant level of ad hoc rural lifestyle development already in the rural areas of the Shire. The conversion of agricultural land into rural residential land use activities results in a net loss to agriculture due to permanent land use changes. There is also a need to avoid landscape and servicing issues arising from the development of dwellings not reasonably connected to agricultural activities.

Council seeks to:

- Avoid the development of dwellings on rural land that may prejudice existing agricultural activities on surrounding land.
- Maintain agricultural land in agricultural use for the cost-effective production of food and raw materials.
- Maintain cost-effective servicing of towns and communities across the Shire by avoiding the impacts of a dispersed population base.

Rural subdivision

The rural areas of South Gippsland have experienced a high level of land fragmentation, arising from both historical settlement patterns and less stringent planning policies under earlier planning schemes. Left unchecked, further fragmentation through land subdivision could have considerable implications for the supply of affordable agricultural lots, agricultural production, landscape and the servicing of populations in outlying areas.

As South Gippsland already has a considerable supply of a range of lot sizes, further subdivision for genuine agricultural reasons will rarely be necessary.

Council seeks to:

- Limit the further fragmentation of rural land by subdivision.

- Ensure that lots resulting from subdivision are of a sufficient size to be of benefit to agricultural production.
- Encourage the consolidation of rural lots.
- Encourage the restructuring of old and inappropriate subdivisions including old Crown Townships.
- Limit the cumulative impact of house lot excisions, including serial small lot subdivisions.

Land and catchment management

Land and water degradation issues facing the Shire include soil erosion, pest plants and animals, water quality and salinity. It is important to ensure that the Shire's natural resources are protected for the benefit of current and future generations.

Developments in floodplains must be appropriately managed to minimise the risk and cost to both private landowner and the broader community.

Council seeks to:

- Apply integrated catchment management principles when managing the Shire's land and water resources.
- Limit changes in land use that lead to a decline in the quality of land and water resources.
- Improve water quality and quantity in aquatic and riparian ecosystems, including streams, rivers, lakes, bays and their adjacent side channels, floodplains, wetlands and the Shire's declared catchments.

Extractive industry

South Gippsland Shire is well placed to strengthen and build upon its existing resources, assets and infrastructure to create new and diverse economic development opportunities in relation to extractive industry.

Council seeks to:

- Protect the area identified in the Lang Lang to Grantville Regional Sand Extraction Strategy in the north west of the Shire for its significant regional sand resource.
- Support sand extraction, quarrying and mining activities that do not have significant adverse impacts on the environment.
- Ensure the rehabilitation of mines and extractive industry sites at the completion of their use.

02.03-5

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Built environment and heritage

The protection of settlement character and landscape and environmental values through the design and siting of development is necessary to maintain the Shire's desirability as a place to live, work and visit.

Council seeks to:

- Promote sympathetically designed and located development that complements the built form character, environmental, topographical and landscape values of its location.

Signs

Signs are required for information and service provision respectively for residents, businesses and visitors. Sensitivity is required in design and location of these necessary structures so they do not detract from the Shire's built and natural environments.

- Encourage signs that will enhance the visual amenity of the built and natural environment and minimise detrimental impacts on the landscape and road safety.

Industrial development design

There is a need to improve the appearance and overall amenity of industrial areas to make these areas more attractive to new industries seeking to establish within the Shire.

Council seeks to:

- Encourage industrial development that is safe, functional, attractive and does not detract from surrounding amenity.

Environmentally sustainable design

All development should be encouraged to incorporate energy efficient principles in their design and to be resilient to the impacts of climate change. This will promote the development of sustainable and resilient communities throughout the Shire.

Council seeks to:

- Encourage the use of passive and active energy efficient systems in development.

Heritage

The Shire contains a rich and diverse natural and built heritage. Apart from the important cultural and social values of heritage places, they provide significant economic benefits by enhancing the appeal of the Shire as a place to live, work and visit.

Council seeks to:

- Protect heritage places from development that would diminish their significance.
- Retain, use, manage and develop heritage places in a way that conserves or reveals their heritage significance and their contribution to the identity, culture and history of the municipality.

02.03-6

~~17/10/2024~~
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Housing

The Shire contains a range of housing types that contribute to the lifestyle opportunities and attractiveness of the region as a place to live. For the long-term sustainability of the region, it is important that opportunities are provided to accommodate the changing lifestyles and housing needs of the population. Currently, there is a lack of innovative and creative medium density housing development within the Shire and opportunities exist to encourage this type of development.

Council seeks to:

- Accommodate housing growth that is sustainable and sympathetic to:
  - The hierarchy and existing character of the Shire's settlements.

  - The availability and capacity of infrastructure and commercial, community and transport services.
  - Significant environmental features and landscapes.
  - Continuation of commercial agricultural in rural areas.
- Encourage diversity in dwelling type, size, adaptability and accessibility to provide greater choice and affordability to suit a range of needs.
- Support affordable and social housing being delivered in towns with good access to opportunities and services. [New direction, SGSC Affordable Housing Strategy 2022, p.16]
- Ensure affordable and social housing stock meets community needs. [New direction, SGSC Affordable Housing Strategy 2022, p.16]

02.03-7
17/10/2024 C129sgip

Economic development

Diversified economy

Value adding manufacturing and processing plays an important part in the future economic growth opportunities in the Shire. The lower operational costs for businesses and the unique lifestyle that the Shire offers should be promoted to attract new employment opportunities and population growth.

Council seeks to build a sustainable and growing economy that:

- Attracts and supports businesses.
- Broadens, builds upon and strengthens existing industry sectors.
- Utilises the natural environment and improves liveability in the Shire.
- Builds on the benefits of the Shires' proximity to Melbourne.
- Creates and sustains local employment opportunities.
- Establishes the Shire as a food hub that feeds the State and beyond.
- Delivers services to support the growth of the local and regional economy.
- Supports regional growth and prosperity.

Tourism

Tourism is fast becoming a significant employer and generator of economic activity within the Shire. The region boasts Wilsons Promontory National Park and borders Phillip Island. The Shire's rural landscapes, spectacular coastal areas and numerous historically and culturally significant sites are major tourist attractions. The South Gippsland region provides a diverse range of recreational and tourism-related experiences such as festivals, Coal Creek Community Park and Museum, Grand Ridge Road scenic drive, the Great Southern Rail Trail and the Grand Ridge Rail Trail, boutique food and beverage outlets and the Nyora Speedway. Growth opportunities exist in eco-tourism, while agricultural and farming activities can service the industry through the development of agri-tourism.

Council seeks to:

- Encourage greater investment in the accommodation sector to support longer visitor stays and greater spend in the region in appropriate locations.
- Protect the Shire's heritage assets, coastline, rural landscapes and agricultural produce for their tourism value.
- Diversify the Shire's visitor products and experiences to encourage new and existing markets to visit, stay and spend.
- Encourage the development of eco-tourism and agri-tourism, building on the Shire's natural assets and agricultural land use.
- Encourage tourism use and development in association with the Great Southern Rail Trail and the Grand Ridge Rail Trail.

02.03-8
03/03/2022 C127sgip

Transport

Many of the roads within the Shire are facing increased usage by large transport vehicles associated with agriculture, timber haulage and other industries. The ongoing development of freight transport opportunities is required for the future economic prosperity of the Shire.

Additional public transport facilities and sustainable transport options are needed to improve accessibility for the resident population, visitors and the wider community.

The Leongatha aerodrome is the only commercially operated airfield within the Shire, and the area surrounding the aerodrome needs to be protected to ensure that incompatible development does not restrict its future expansion.

Council seeks to:

- Facilitate interconnected pedestrian, bicycle and bridle paths throughout the Shire.
- Maintain a safe and efficient road network across the Shire.
- Support the development of the region as a strategic base for freight transport and logistics.
- Ensure that any future expansion of the Leongatha aerodrome is not prejudiced by the encroachment of incompatible land use and development.

02.03-9
03/03/2022 C127sgip

Infrastructure

Infrastructure design and provision

The design, management and delivery of infrastructure are key issues for Council. The Infrastructure Design Manual (IDM) includes guidelines for the design and construction of infrastructure within the municipality. The IDM complements the objectives and standards of Clause 56 for residential subdivision applications.

Council seeks to:

- Ensure a consistent approach to the planning, design and construction of infrastructure.

Alternative energy

The use of renewable energy sources such as solar and wind power is a small, yet significant, method by which the community can address the global issue of climate change.

Council seeks to:

- Encourage the use of alternative energy sources in a way that does not detrimentally affect the surrounding environment.

Community infrastructure

Due to the widespread distribution of the Shire's population, effective planning is needed to allow the community equitable access to a range of recreation, education and health services and facilities.

Council seeks to:

- Facilitate a range of services and facilities including recreation, education and health services that meet the needs of the community.

Drainage and waste management

The location and management of waste disposal facilities, as well as the provision of reticulated water and sewerage services and stormwater drainage improvements are necessary to minimise impacts on the environment and accommodate future population growth.

Council seeks to:

- Facilitate the provision of efficient and effective wastewater management systems to all towns within the Shire.
- Support the implementation of stormwater drainage that minimise impacts on the environment.
- Locate, design and manage waste disposal facilities to minimise amenity impacts.

Telecommunications infrastructure

The Federal Government has undertaken to provide broadband telecommunication access to 90 per cent of the Australian population through the installation of optical fibre cables and a mix of other technologies. Optical fibre in particular provides increased data carrying capacity and will allow for faster access to multimedia services, larger data files and new telecommunication tools.

Providing underground conduit infrastructure for optical fibre cables in new subdivisions before the completion of development is efficient and cost effective.

Council seeks to:

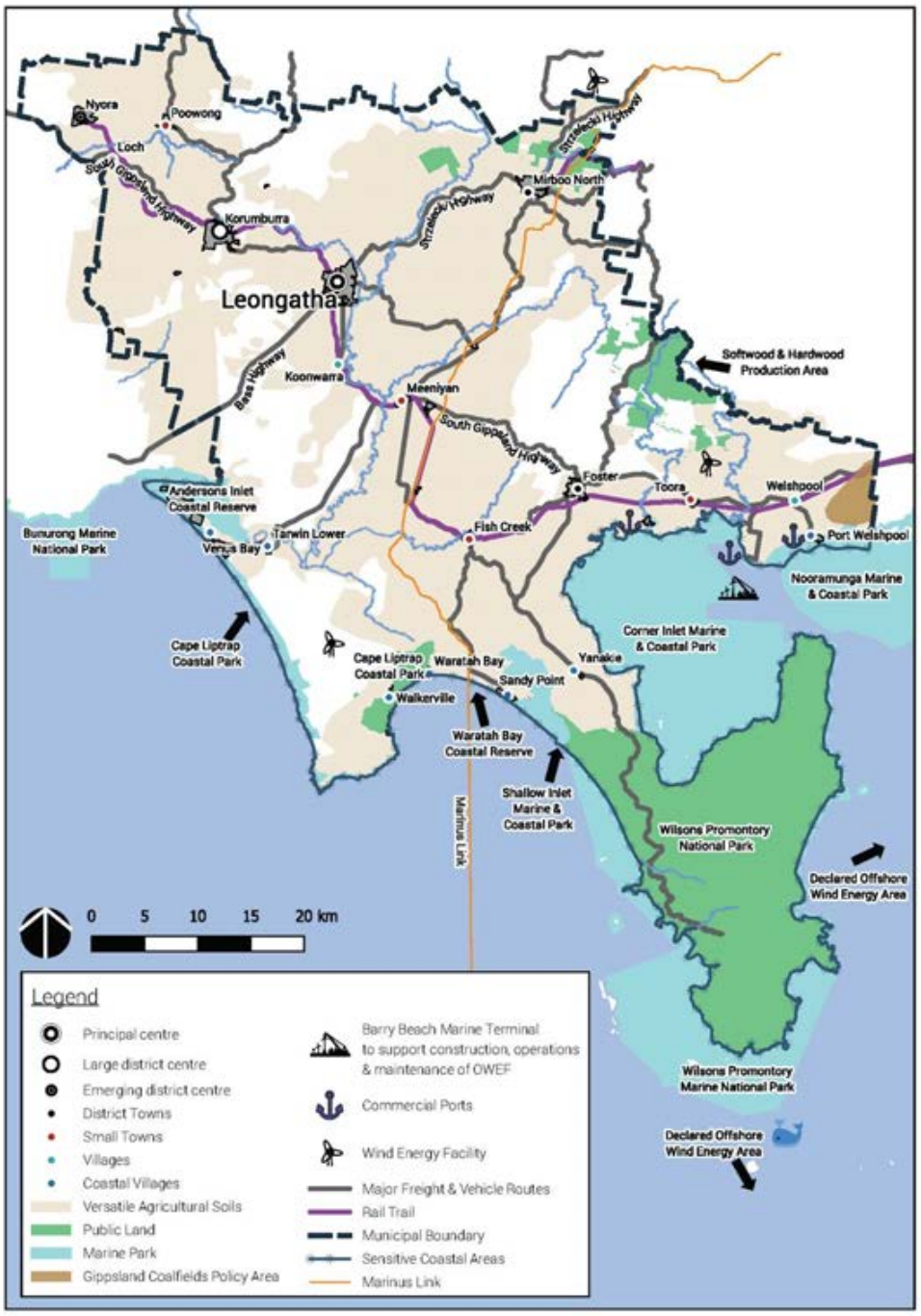
- Facilitate the provision of underground conduit infrastructure ready to meet the needs of communities.

02.04 STRATEGIC FRAMEWORK PLANS

17/10/2024
C129sgip

The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

South Gippsland Shire Council framework plan



11.01-1L-01 Principal centre - Leongatha

~~17/10/2024~~ ~~C129sgip~~ XX/XX/XXXX CXXXsgip

Policy application

This policy applies to the land identified on the Leongatha framework plan and the Leongatha Town Centre framework plan.

Settlement strategies

Promote higher density residential development and retirement living close to the Town Centre.

Support residential and highway frontage commercial development in the Southern Leongatha Growth Area.

Settlement policy guidelines

Consider as relevant:

- Encouraging the development~~rezoning~~ of areas identified in the Leongatha framework plan to maintain ~~a~~15 year ~~a~~ residential land supply. [rewording for clarity / removing duplicative policy directions provided under 11.02-1S]
- Locating higher density residential development and retirement living within a 400 metre radius of the existing commercially zoned land in the Town Centre. [rewording for clarity]
- ~~Encouraging the preparation of development plans for new residential estates that:~~ [removing direction that should be provided within a DPO schedule]
  - ~~Establish integration with existing residential areas and infrastructure.~~ [removing duplicative general directions provided under clause 11.02]
  - ~~Provide pedestrian and cyclist connectivity to the Town Centre and key community features.~~ [removing duplicative general directions provided under clause 18.02-2S]
  - ~~Protect the environmental values of the land.~~ [removing duplicative general directions provided under clause 12]

Economic strategies

Discourage the development of retail uses outside of the Town Centre where such uses may detract from the principal role of the Town Centre.

Maintain a compact Town Centre that reduces the need for car usage, with all key features and major retail activities within comfortable walking distance of the intersection of Bair Street and McCartin Street.

Ensure that adequate land is available to accommodate new retail, social, community, commercial and entertainment facilities within the Town Centre.

Provide adequate areas of commercial and industrial land in suitable locations with good access to infrastructure.

Support ~~the establishment of~~ a bulky goods retail precinct on the western side of the South Gippsland Highway towards the southern entry of the township. [rewording for clarity]~~, and~~

Establish a commercial use precinct for uses not appropriate to a Town Centre location~~.~~, on the eastern side of the Highway~~.~~ at the southern entry to the township.

Focus industrial development within existing industrial areas, encouraging the development of vacant or underutilised land.

Promote the expansion of industrial uses into the land north and west of the golf course recreation reserve while integrating the potential for heavy vehicle connectivity to the South Gippsland Highway.

Infrastructure strategies

Provide ~~strong~~ pedestrian and cycling connectivity to the Town Centre and community assets including schools and sport and recreation facilities. [rewording for clarity]

~~Locate and design new development and road traffic improvements so they do not compromise the longer-term potential return of rail services to Melbourne.~~ [Relocating shire wide policy directions to avoid duplication - see clause 18.02-4L]

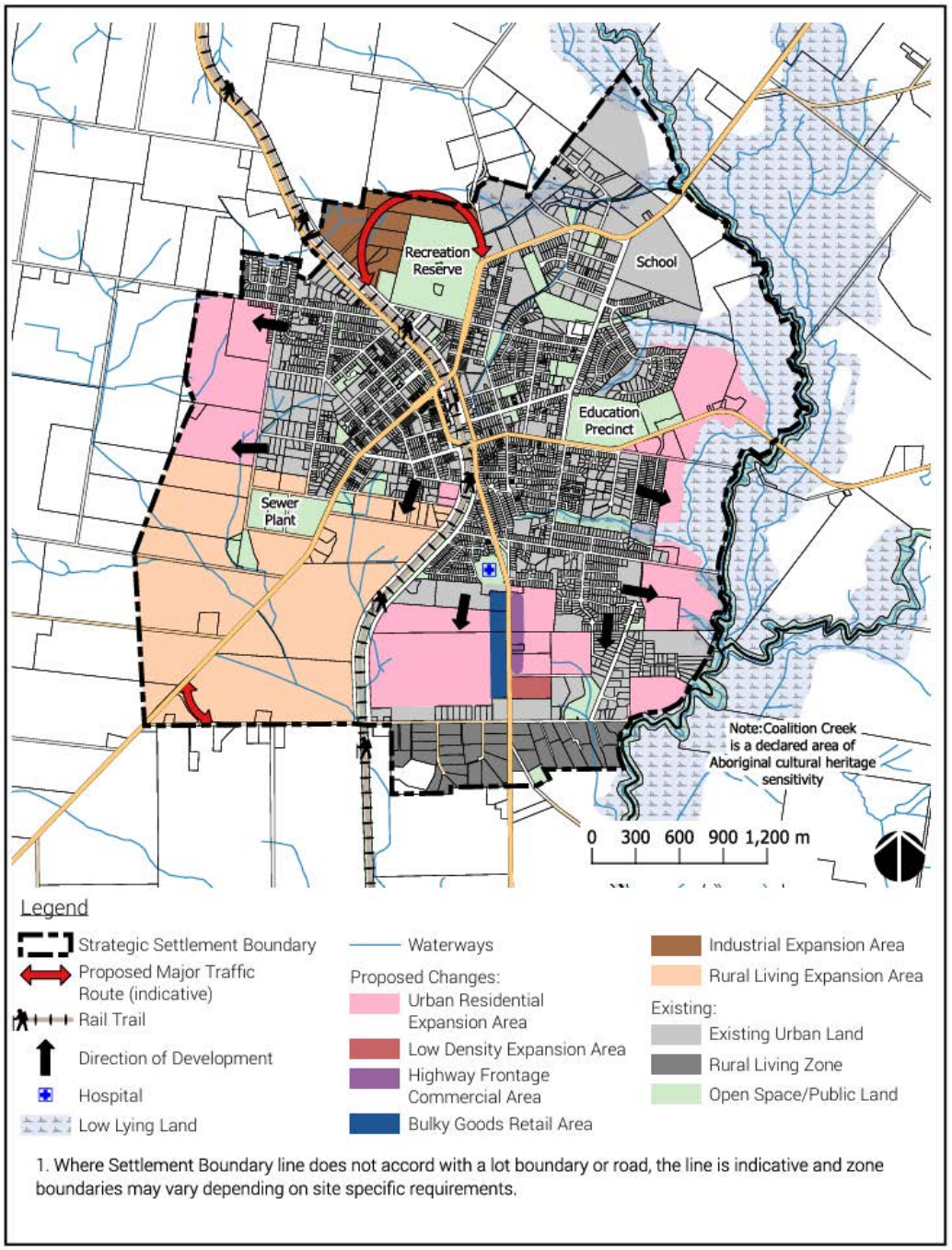
Policy document

Consider as relevant:

Leongatha Structure Plan (South Gippsland Shire Council, 2008)

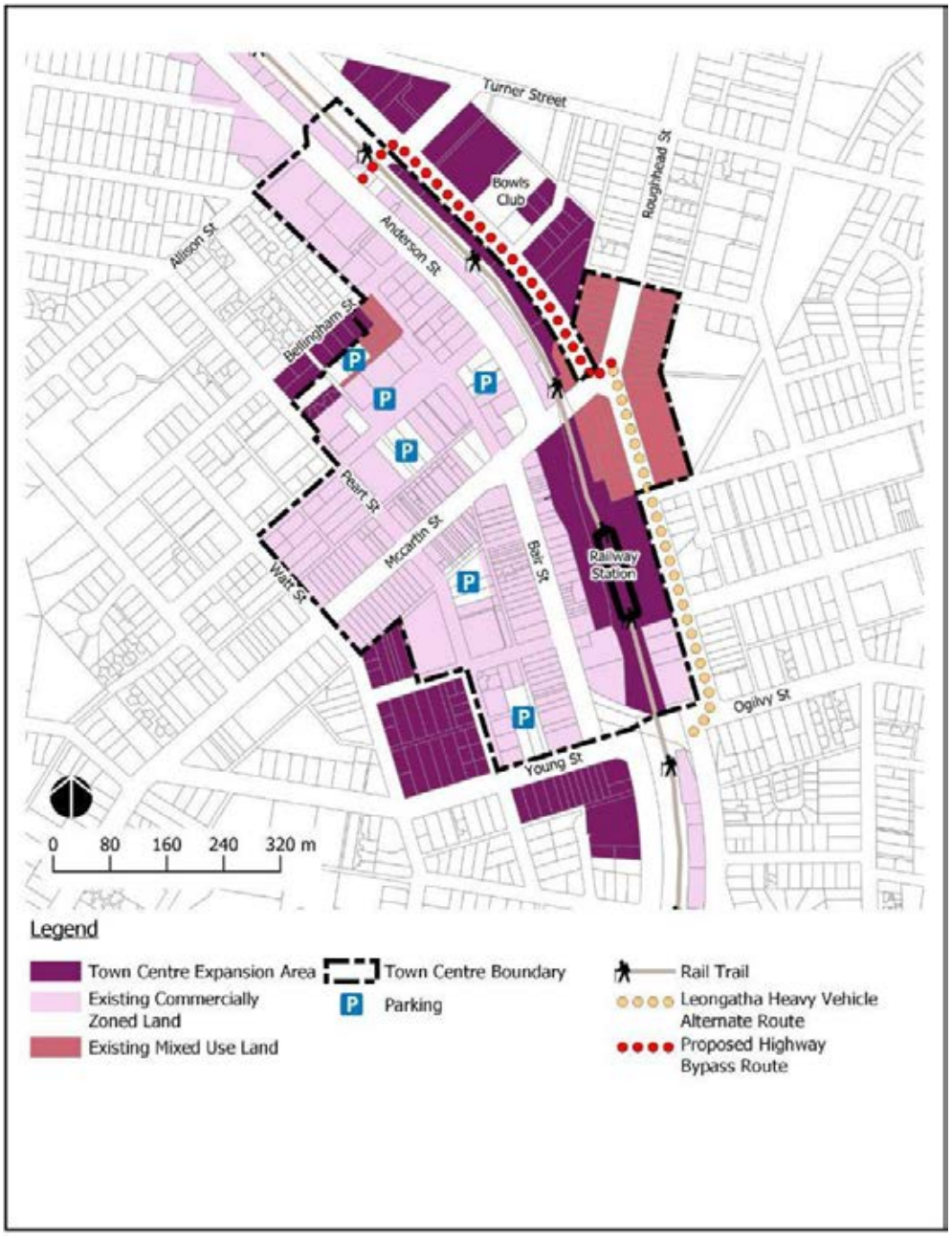
SOUTH GIPPSLAND PLANNING SCHEME

Leongatha framework plan



SOUTH GIPPSLAND PLANNING SCHEME

Leongatha Town Centre framework plan



11.01-1L-02

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Southern Leongatha growth area

Policy application

This policy applies to the land identified on the Leongatha framework plan at Clause 11.01-1L-01 Leongatha.

Bulky goods retail area strategies

Direct Restricted retail premises and other large floor-plate ~~developments~~development ~~/uses defined as Restricted retail premises~~ to the Bulky Goods Area. [rewording for clarity]

Discourage commercial or community uses that may ~~weaken~~ detract from [rewording for clarity] the primacy of the Town Centre.

Discourage uses~~, such as industrial uses,~~ [removing unnecessary guidance] that may detrimentally affect the amenity of surrounding sensitive land uses.

Bulky goods retail area policy guidelines

Consider as relevant:

- Discouraging the following uses:
  - Accommodation (exc luding~~ept~~ Residential h~~H~~otel [aligning with current land use terms] and Motel).
  - Food and drink premises.
  - Office.
  - Place of assembly (excluding Conference centre,~~/~~.[rewording for clarity] Function centre and Place of worship).
  - Retail premises (excluding Restricted retail premises).
  - Warehouse.

Highway frontage commercial area strategies

Direct uses that benefit from highway exposure and that are not suited to a Town Centre location to the highway frontage commercial area.

Discourage uses, such as industrial uses, that may detrimentally affect the amenity of surrounding sensitive land uses.

Highway frontage commercial area policy guidelines

Consider as relevant:

- Encouraging the following uses in the highway frontage commercial area:
  - Car wash
  - Conference centre ~~/Function centre~~[rewording for clarity]
  - Emergency services facility
  - Function centre ~~Hotel.~~ [aligning with current land use terms]
  - Landscape gardening supplies
  - Motel
  - Motor vehicle boat or caravan sales

- Place of worship
- Residential hotel [aligning with current land use terms]
- Service station.
- Trade supplies
- Veterinary centre

- Discouraging the following uses in the highway frontage commercial area:
  - Accommodation (except~~ing~~ Residential Hotel [aligning with current land use terms] and Motel)
  - Food and drink premises
  - Office
  - Place of assembly (excluding Conference centre, [rewording for clarity] ~~/~~Function centre and Place of worship)
  - Retail premises (excluding Restricted retail premises)
  - Warehouse
  - ~~Commercial or community uses that may weaken the primacy of the Town Centre~~ [removing direction repeated from an existing strategy above.]

Urban expansion areas strategies

Promote the subdivision of land to maximise the efficient use of land across a range of lot sizes.

Promote the staged and sequential rezoning and subdivision of General Residential Zoned land that integrates with the existing road network and infrastructure to the north, and avoids the creation of development that is isolated or has poor connectivity to the north.

Avoid the creation of residential lots in the Coalition Creek flood plain, unless the proposed development and any proposed accessways are above the applicable flood level.~~Avoid the creation of residential lots in the Coalition Creek flood plain, except where the potential exists for dwellings to be located within lots above the flood level and associated access to and within the lot is above the flood level~~.[rewording for clarity]

Avoid residential lots with boundaries adjoining the highway frontage commercial uses.

Encourage the creation of wide, landscaped road reserves that create a residential sense of place in residential areas accessed through commercial areas.

Landscape and built form strategies

Minimise the number of highway entry points through subdivision, building layout and access design that avoids the requirement to create new highway access points.

Design development at the town entry point to include:

- Consistent building setback lines.
- Building layout that considers the long term potential for widening of the highway.
- Ample onsite car parking, without visually dominating front setbacks.
- Building siting and design that makes efficient use of land, including minimising unused areas of land (not including landscaping) to the side and rear of development.

Encourage lots adjoining commercial areas to be of sufficient size and depth to accommodate landscaping to screen and soften the potential visual and amenity impact.

~~**Landscape and built form policy guideline**~~

~~Consider as relevant:~~

- ~~Limiting building height at the town entry point to a maximum of 10 metres above ground level.~~ [removing direction that should be provided by a zone or overlay]

Infrastructure strategies

Locate and design new highway intersection treatments to facilitate development on both sides of the highway.

Create an internal road network that allows for the future requirements of adjoining undeveloped land and the potential for cumulative increased usage over time.

Upgrade road and pathway infrastructure in established areas where necessary to manage additional use.

Avoid locating roads in flood prone areas of the Coalition Creek flood plain.

Create a shared pathway network around the boundaries of the Growth Area and along both sides of the highway.

Avoid the duplication of drainage assets or reliance on overland flows outside of drainage easements and declared waterways.

Ensure reticulated sewerage assets that allow for the development of surrounding land are provided so that asset duplication and incremental upgrades are avoided. [rewording for clarity]

~~Ensure reticulated sewerage assets are provided to allow for the (full / final / complete) development of surrounding land so that asset duplication and incremental upgrades are avoided.~~ [rewording for clarity]

~~Encourage the provision of reticulated sewerage assets that allow for the development requirements of surrounding land and avoid asset duplication and the need for incremental asset upgrading.~~ [rewording for clarity]

Create an open space reserve on the flatter sections of the residential area west of the highway.

Provide or reserve a land parcel west of the highway for future community development infrastructure.

Provide continuous linear open space connectivity between the eastern end of Parkside Close and the wetland area adjoining the Boags Road / Tarwin Ridge Boulevard.

Encourage provision of a local park adjoining Coalition Creek.

~~**Infrastructure policy guidelines**~~

~~Consider as relevant:~~

- ~~The open space reserve west of the highway to have an area of approximately four hectares.~~ . [removing direction that should be provided by a zone or overlay]
- ~~The reserved land parcel west of the highway for future community development infrastructure to have a minimum area of one hectare.~~ . [removing direction that should be provided by a zone or overlay]

SOUTH GIPPSLAND PLANNING SCHEME

11.01-1L-03 Large district centre - Korumburra

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Policy application

This policy applies to the land ~~within the settlement boundary as set out~~ on the Korumburra framework plan.

Settlement strategies

Manage the availability and development of residential land by directing development to areas identified in the Korumburra Framework Plan.~~Manage the availability and development of residential land and encourage the rezoning of areas identified in the Korumburra framework plan to maintain an estimated 15 year residential land supply.~~ [rewording for clarity / removing duplicate directions under 11.02-1S]

Encourage new residential developments to:

- Be integrated with existing residential areas and infrastructure.
- Provide pedestrian and cycling connectivity to the Town Centre and key community features.

Protect the environmental values of the land and waterways. ~~Promote the development of residential estates that integrate with existing residential areas and infrastructure; provide pedestrian and cyclist connectivity to the Town Centre and key community features; and protect the environmental values of the land, especially the waterways.~~ [Rewording for clarity]

Promote higher density residential development and retirement living on land within the inner township residential areas ~~with~~ where convenient pedestrian access to the Town Centre is available. [Rewording for clarity]

~~Focus~~ Direct industrial development ~~within~~ to the established industrial areas~~,~~ and ~~at the site of~~ the former Korumburra Saleyards site. [Rewording for clarity]

Ensure that development of the former saleyards land responds to the amenity interface with the adjoining showgrounds and residential areas.

Discourage the establishment of sensitive land uses ~~close~~ in proximity to the ~~'manufacture of~~ milk products manufacturing site ~~' operations~~ in the Station Street Industrial Area, to avoid any ~~that may preclude~~ impacts on the viability of the manufacturing ~~operations~~use. [Rewording for clarity]

Economic strategies

Support Korumburra's role as a retail and service centre with civic and community functions for its population and nearby small communities.

Discourage retail uses outside of the Korumburra Town Centre Retail Core where such uses may detract from the principal role of the Korumburra Town Centre.

Support tourism developments that promote Korumburra as a tourist destination and plan for the provision of services and features that support highway tourism traffic.

Landscape and built form strategies

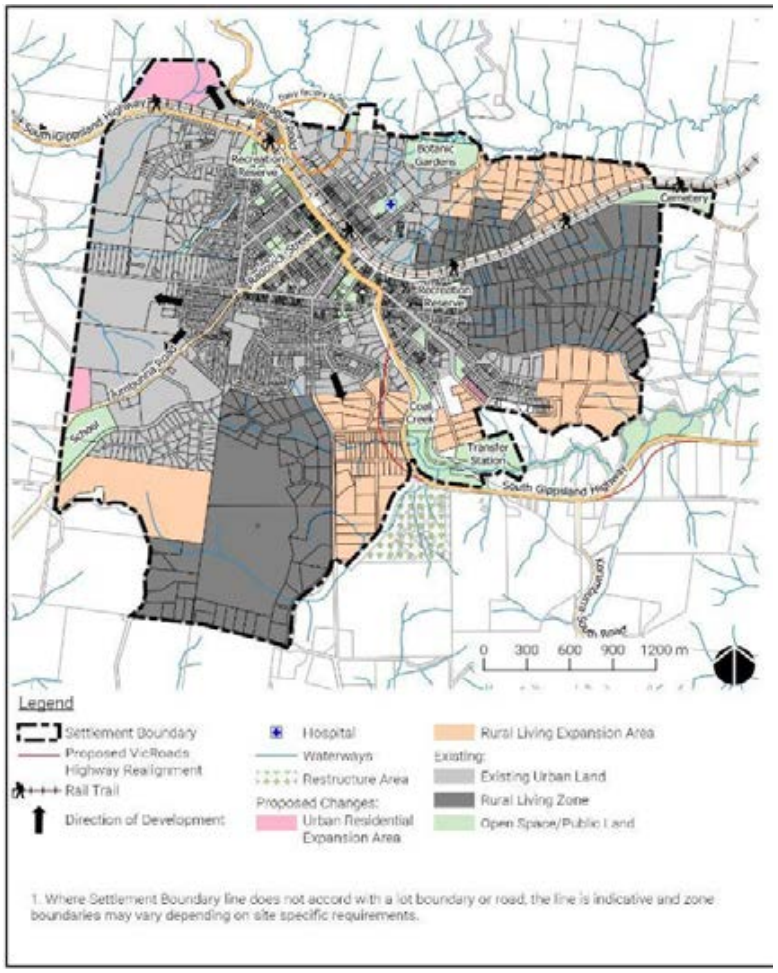
Conserve the town's heritage places and streetscapes in recognition of their central role in establishing Korumburra's rural township character and sense of place.

Infrastructure strategies

Provide direct and convenient pedestrian and cycling connectivity to the Korumburra Town Centre, key community assets and the schools.

~~Locate development and road traffic improvements so they do not compromise the longer-term potential return of rail services to Melbourne.~~ [Relocating shire wide policy directions to avoid duplication - see clause 18.02-4L]

Korumburra framework plan



11.01-1L-04 Korumburra Town Centre

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Policy application

This policy applies to land within the Town Centre Boundary on the Korumburra Town Centre strategic [rewording for consistency of terms] framework plan.

Settlement strategies

Encourage the long term development of under-~~-~~used and vacant land identified in the Korumburra Town Centre strategic [rewording for consistency of terms] framework plan as 'Preferred Commercial Redevelopment Sites'.

Economic strategies

Encourage major retail, office and community developments to concentrate in the Korumburra Town Centre Retail Core.

Focus ~~active~~ [removing superfluous direction] retail uses ~~on~~ in ~~the~~ Korumburra Town Centre~~'s~~ within the [rewording for clarity] 'main streets', being Commercial Street, Radovick Street and Bridge Street.

Support consolidation of sites to accommodate a preferred major retail use, as indicated on the Korumburra Town Centre strategic framework plan [rewording for clarity]

~~Encourage the consolidation of sites in the Korumburra Town Centre Retail Core to accommodate new, large floor space developments~~[rewording for clarity]

Support the development of a major retail use such as an additional supermarket on either of the preferred development sites nominated on the Korumburra Town Centre framework plan.

Promote tourism, community and other associated uses and activities at the Korumburra Railway Station Precinct to improve diversity of activities on either side of Commercial Street.

~~Encourage~~ Support a transition in land use in the Korumburra Town Centre Retail Core from light industrial to commercial, retail and tourism uses. ~~uses in the Korumburra Town Centre Retail Core.~~ [rewording for clarity]

Landscape and built form strategies

Design development within the Town Centre to respect the existing built form character including by:

- Improving and formalising pedestrian connections~~, particularly between Little Commercial Street and Commercial Street and mid-block pedestrian connections between Little Commercial Street parking areas and Commercial Street~~. [rewording for clarity]
- Improving the layout and operation of car parking, pedestrian, cycling and mobility scooter facilities. [rewording for clarity]
- Locating and designing signs to respect the sensitivity of heritage places, strategic views and the town's future desired character as identified in the Korumburra Town Centre Strategic Framework Plan. [rewording for clarity]

Encourage the redevelopment of the ~~existing~~former library site and adjoining sites (south east corner of Commercial and King Streets) for a major retail use, such as an additional supermarket, while respecting the town character by: [rewording for clarity]

- Providing a frontage~~skin~~ of smaller speciality retail shops with active pedestrian-friendly frontages to Commercial Street. [rewording for clarity]

- Providing a distinctive and attractively designed landmark statement building and landscape treatments in recognition of the site's gateway entrance into the Korumburra Town Centre. [rewording for clarity]
- Articulating, screening or treating any blank walls. [rewording for clarity]
- Including co-located community facilities and services~~, such as a library~~, meeting spaces and public toilets. [rewording for clarity]

~~Improving and formalising pedestrian connections, particularly between Little Commercial Street and Commercial Street and mid-block pedestrian connections between Little Commercial Street parking areas and Commercial Street.~~ [rewording for clarity]

~~Improving the layout and operation of car parking, pedestrian, cycling and mobility scooter facilities.~~ [rewording for clarity]

~~Locating and designing signs to respect the sensitivity of heritage places, strategic views and the town's future desired character as identified in the Korumburra Town Centre framework plan.~~ [rewording for clarity]

~~Encourage the redevelopment of the existing library site and adjoining sites (south east corner of Commercial and King Streets) for a major retail use such as an additional supermarket, while respecting the town character by:~~ [rewording for clarity]

~~Providing a skin of fine grain speciality retail shops and active pedestrian interfaces to Commercial Street.~~ [rewording for clarity]

~~Providing a distinctive and attractively designed landmark statement building and landscape treatments in recognition of the site's gateway entrance into the Korumburra Town Centre.~~ [rewording for clarity]

~~Articulating, screening or treating any blank walls.~~ [rewording for clarity]

~~Including co-located community facilities and services, such as a library, meeting spaces and public toilets.~~ [rewording for clarity]

Design infill development to provide active interfaces to the street through maximising windows and entry points.

Support redevelopment of the site on the north-west corner of Bridge and Commercial Streets to a retail use and form that is reflective of its main street corner address and consistent with the town's character.

~~Encourage development of two storey built form on the potential future development sites on the north-east side of Commercial Street, to address the significant change in ground level to allow pedestrian access between the Korumburra Railway Station Precinct and the Korumburra Town Centre.~~ [rewording for clarity]

Maintain views from key vantage points identified as significant outlooks in the Korumburra Town Centre strategic framework plan by:

- Maintaining a modest two storey traditional built form ~~scale~~ with appropriate roof form designs~~. to ensure the maintenance of distant views to landscape.~~ [rewording for clarity]
- Framing views to attractive features such as the rolling hills beyond the town, providing a visual link to surrounding rural land.
- Retaining and enhancing existing streetscape vegetation.

Maintain and extend streetscape plantings in the Korumburra Town Centre and surrounding area to enhance the town's existing 'boulevard' character.

Encourage the provision of additional public open space in the Korumburra Town Centre, with spaces ranging in size from pocket parks to plazas suitable for accommodating festivals and community events.

Encourage developments to provide passive surveillance to public open spaces. [rewording for clarity by splitting existing strategy below]

Infrastructure strategies

Encourage developments to provide identified pedestrian access routes to enhance pedestrian safety. [rewording for clarity by splitting existing strategy below]

~~Encourage development to contribute to streetscape amenity and pedestrian safety throughout the Korumburra Town Centre including through providing outlook to public open spaces and defining pedestrian access areas, particularly in Commercial and Little Commercial Streets.~~[rewording for clarity by splitting existing strategy]

Design development to support the reconfiguration of Little Commercial Street as a pedestrian, cyclist and mobility-scooter friendly space, which provides safe and convenient linkages to existing and new community and retail facilities.

~~Facilitate the upgrade of the pedestrian railway underpass and connections between Commercial Street and Station Street.~~ [removing redundant policy direction as per SGSC]

Infrastructure policy guideline

Consider as relevant:

- Reducing or waiving the car parking requirement to encourage commercial outcomes, heritage retention, alternative transport use and active frontages, as indicated under the *Korumburra Town Centre Car Parking Strategy*.~~.~~ [linking to the adopted policy document referenced within clause]

~~**Korumburra Community Hub strategies**~~ [removing all hub strategies as per SGSC advice]

~~Direct co-located community services within the Town Centre to the preferred Korumburra Community Hub site.~~

~~Design the Korumburra Community Hub to:~~

~~Provide active uses on the ground floor at public interfaces.~~

~~Incorporate links to pedestrian connections between Commercial Street and Little Commercial Street.~~

~~Provide a generous public open space / landscape area along the Little Commercial Street frontage.~~

~~Maintain active through-access to Victoria Street and Boston Place to maximise site frontage and accessibility.~~

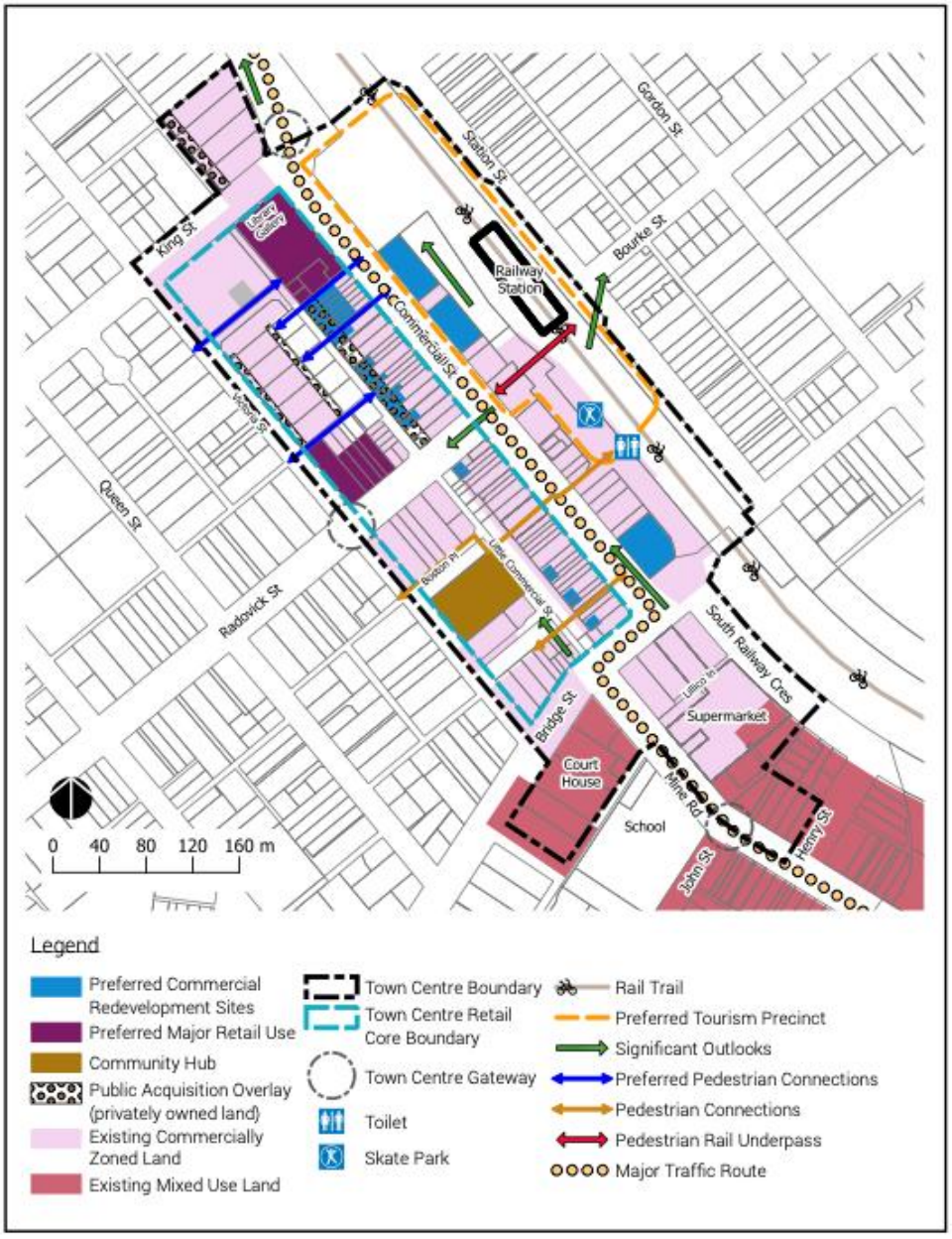
Policy document

Consider as relevant:

Korumburra Town Centre Car Parking Strategy (GTA Consultants, 2013)

SOUTH GIPPSLAND PLANNING SCHEME

Korumburra Town Centre strategic framework plan



11.01-1L-05 District towns – Foster and Mirboo North

~~17/10/2024 C129sgip~~
~~XX/XX/XXXX CXXXsgip~~

Policy application

This policy applies to the land ~~within the respective settlement boundaries as set out~~ on the Foster framework plan and the Mirboo North framework plan.

General strategies

~~Limit growth to within the settlement boundary.~~[removing general settlement policy general policy directions provided under clause 11.01-1S]

~~Protect and enhance the compact qualities of the town centre~~[removing general settlement policy general policy directions provided under clause 11.01-1S]

Promote medium and higher density residential development and retirement living within a walkable catchment of the town centre.

Promote the staged release of new residential land in a contiguous and integrated manner.~~,~~

P~~p~~rovide ~~ing for~~ [rewording for clarity] a range of densities that decrease with distance from the town centre.

Promote pedestrian and cycle friendly development by providing and linking public open spaces to the town centres including from the nearby rail trails.

~~**General policy guideline**~~

~~Consider as relevant:~~

- ~~A walkable catchment as having a 400 metre radius~~. [removing unnecessary policy guidance]

Foster strategies

Promote a range of residential options that respects the small town character and landscape values of Foster.

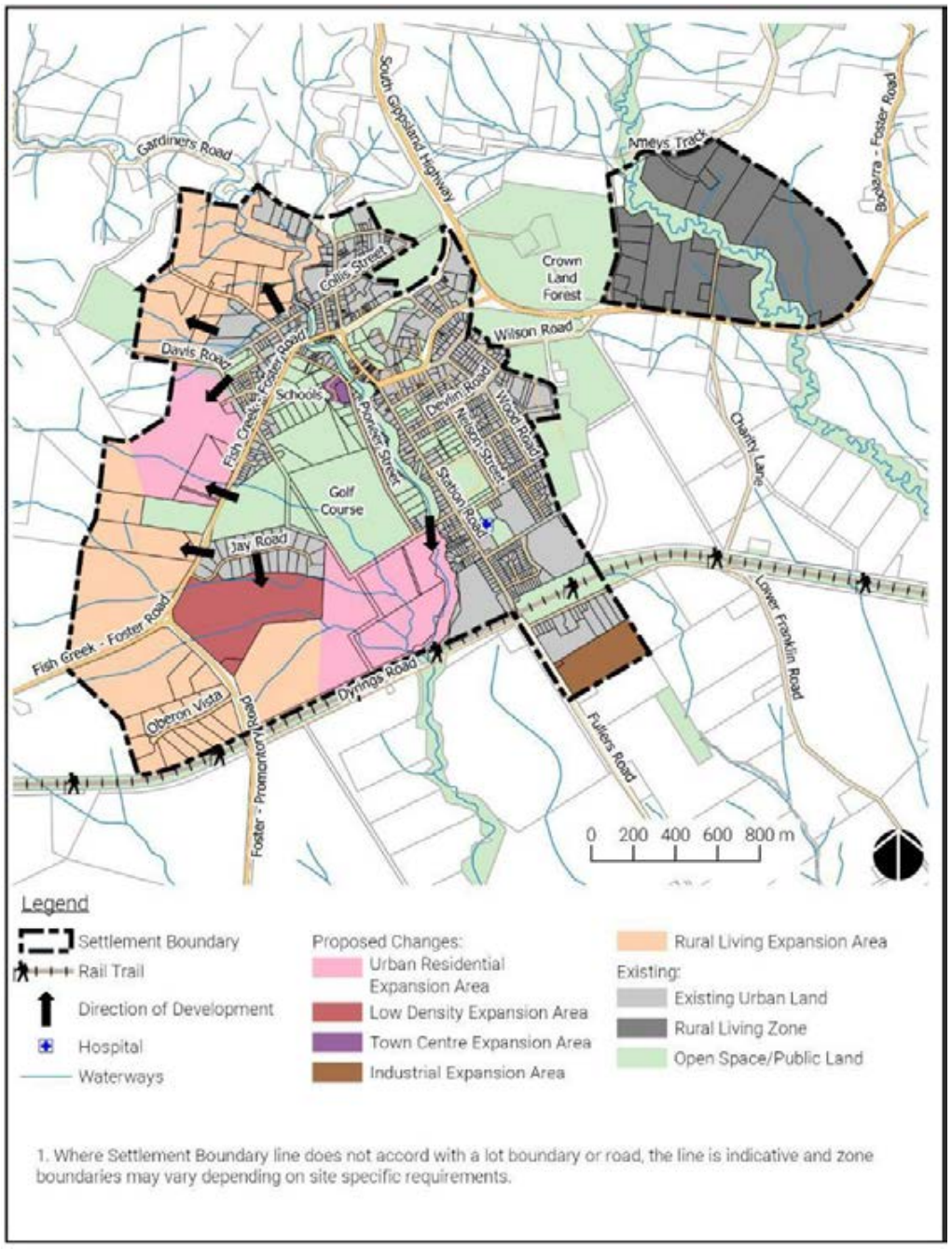
Discourage low density and rural residential development in ~~areas close to~~ [rewording for clarity] the township unless the land has constraints that make it inappropriate ~~to higher~~for higher density development. [rewording for clarity]

Support the expansion of the town's commercial centre to contiguous land when demand requires.

Discourage the establishment of commercial uses outside of the town centre that may weaken the primacy of the town centre. [rewording for clarity]

~~Encourage greater tourism promotion and co-ordination within Foster to build upon the town's role as the gateway to Wilsons Promontory.~~

Foster framework plan



Mirboo North strategies

Economic strategies

Retain the main street for retailing and other commercial development.

Discourage shops (except restricted retail) and food and drink premises outside the Commercial 1 Zone.

Discourage land uses other than shops, food and drink premises, offices, place of assembly, community facilities and tourist attractions inside the town centre.

~~**Access strategies**~~

~~Avoid subdivision patterns that create closed courts which discourage connection of roads for active pedestrian use.~~ [relocating shire wide strategies – see clause 18.02-1L]

~~Prioritise access improvements connecting key attractions, specifically those used by younger and older people.~~ [relocating shire wide strategies – see clause 18.02-1L]

~~Encourage the provision of universal access as part of new development, with paths connecting to existing footpath infrastructure. .~~ [relocating shire wide strategies – see clause 18.02-1L]

Landscape and built form strategies

Encourage low rise and detached residential development outside of the town centre that is generally responsive to the topography and set in established gardens.

Ensure that the landscape and indigenous vegetation are visually dominant over built form by siting buildings away from native vegetation.

Facilitate a high quality pedestrian environment along the main streets (Ridgway, Peters Street, Brennan Street and Grand Ridge East) encouraging:

- Commercial-style, visually engaging frontages.
- Close spacing of built form.
- Construction to the front property boundary.
- Cantilevered weather protection.

Minimise the visual impact of built form on views from and to the surrounding landscape, particularly public viewing areas and corridors, such as main roads.

~~Retain vegetation along waterways and natural drainage lines.~~ [relocating shire wide strategies – see clause 12.01-1L]

~~**Open space strategies**~~[relocating shire wide strategies – see clause]

~~Ensure new subdivisions improve pedestrian and cycling linkages to key destinations.~~

~~Provide publicly accessible open space within a walkable catchment of residential development.~~

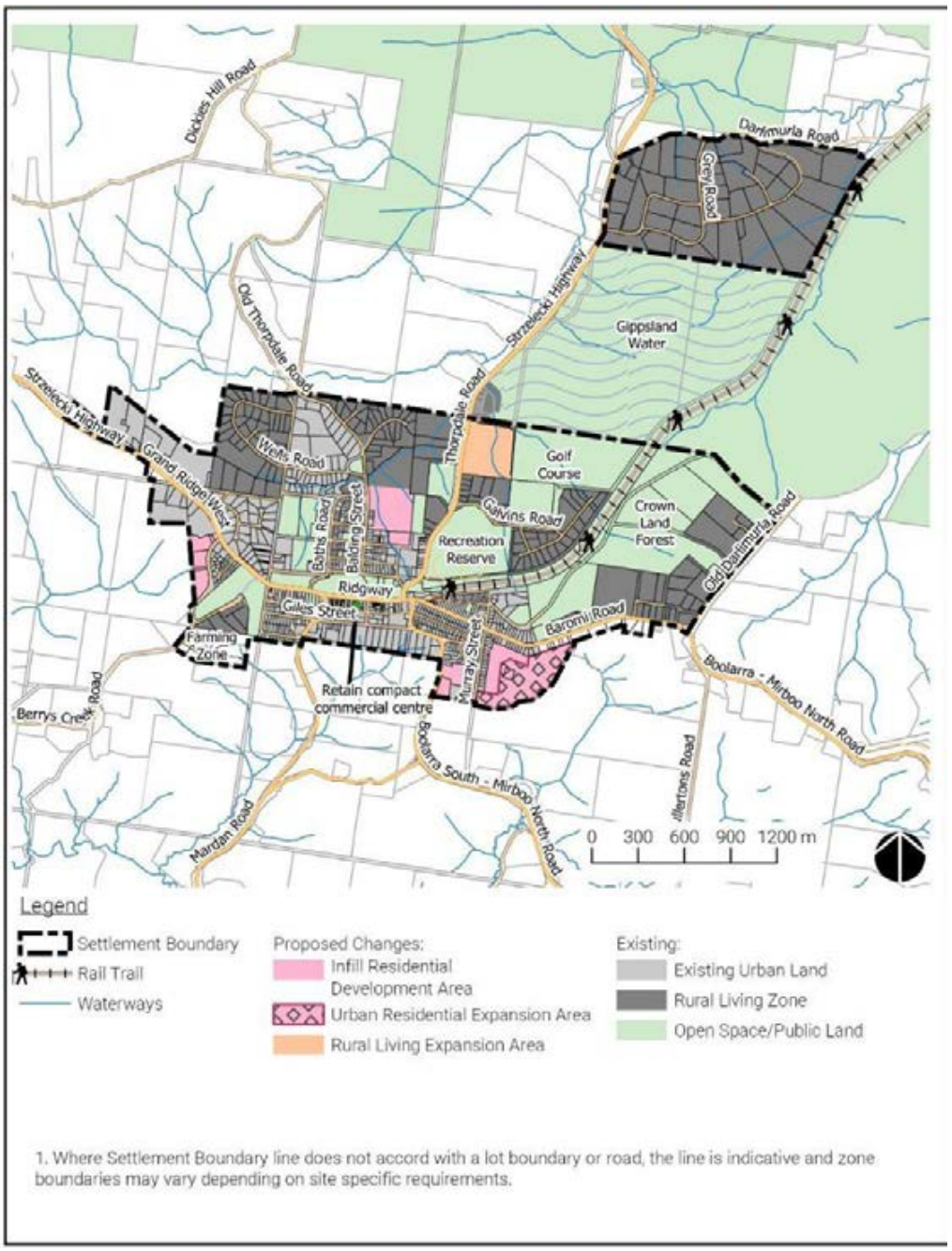
~~**Open space policy guideline**~~[relocating shire wide strategies – see clause]

~~Consider as relevant:~~

- ~~A walkable catchment as being a 400 metre radius.~~ [removing unnecessary policy guidance]

SOUTH GIPPSLAND PLANNING SCHEME

Mirboo North framework plan



SOUTH GIPPSLAND PLANNING SCHEME

11.01-1L-06 Small towns - Fish Creek, Loch, Meeniyan, Poowong and Toora and the Emerging district centre of Nyora

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Policy application

This policy applies to the land identified in the small towns of Fish Creek, Loch, Meeniyan, Poowong and Toora and the Emerging district centre of Nyora.

General strategies

~~Ensure ne~~w developments are connected to the reticulated sewerage system where available. [removing redundant directions]

~~Ensure that new growth and development occurs in coordination with the provision of development infrastru~~cture and that development contributes to provision of community services and facilities. [removing redundant directions]

Focus commercial, retail and community services and facilities within the Town Centres [rewording for clarity] and discourage retail development outside of Town Centres [rewording for clarity].

Encourage infill development in residentially zoned land adjoining the Town Centres [rewording for clarity], in a coordinated and integrated manner.

Promote medium density residential development near the Town Centres [rewording for clarity], to support retirement living and household downsizing.

Discourage low density and rural residential development close to the Town Centrewithin settlement boundaries [rewording for clarity], unless the land has constraints that make it inappropriate for higher density development.

Encourage development that is site-responsive, ecologically sustainable and sympathetically designed so as to protect the characteristics of the natural and built environment and the landscape values of the surrounding area. [relocated within clause]

Promote residential development that complements the small rural township character of the towns. [relocated within clause]

Discourage development in areas susceptible to water logging or inundation [relocated within clause]

Encourage the development of small scale tourism services and accommodation that complement the natural environment, agricultural and landscape values of the region and take advantage of proximity to tourist routes and the Great Southern Rail Trail. [relocated within clause]

Retain and provide public open space reserves to promote ~~pedestrian and cy~~cle friendly development with strong linkages to the Town Centres and including from[rewording for clarity] the rail trail where possible. [rewording for clarity]

Create an integrated network of shared pedestrian and bicycle paths linking features and facilities in and around the towns.

Promote walking and cycling around the towns hip [rewording for clarity]by providing shared walking and cycling paths between residential areas, the Town Centres and services.

~~Encourage development that is site-responsive, ecologically sustainable and sympathetically designed so as to protect the characteristics of t~~he natural and built environment and the landscape values of the surrounding area. [relocated above]

~~Promote~~ residential development that complements the small rural township character of the area [relocated above].

~~Establish the Town Centres as pedestrian-orientated and cycle friendly urban centres with links to the rail trail where possible.~~ [removing duplicate directions - incorporated above]

~~Encourage the development of small scale tourism services and accommodation that complement the natural environment, agricultural and landscape values of the region and take advantage of proximity to tourist routes and the Great Southern Rail Trail.~~ [relocated above]

~~Discourage development in areas susceptible to water logging or inundation~~[relocated above]

Fish Creek strategies

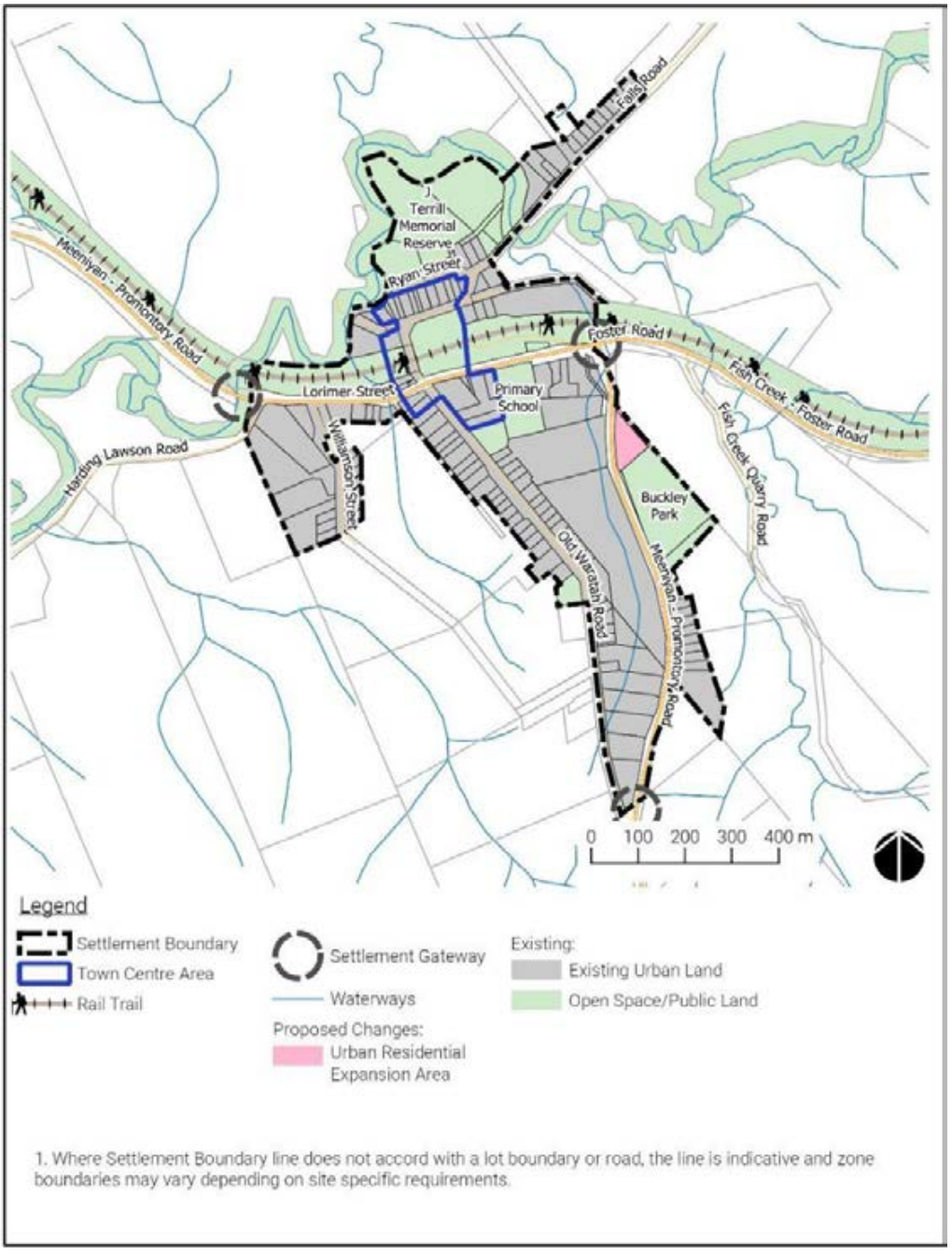
Promote medium density residential development near the ~~commercial hub~~Town Centre Area, [aligning with Framework Plan] where wastewater treatment allows, to support retirement living and smaller household opportunities.

Consolidate and develop the Town Centre on Falls Road, Old Waratah Road and Foster Road as the preferred focus for commercial business, community and tourist services and facilities to residents and the smaller surrounding settlements.

Ensure that new growth, infill and redevelopment is ecologically sustainable, responsive and respectful of the site and Fish Creek's rural character, environmental values, picturesque location and unique identity.

Encourage the development of music, arts, culture and food services.

Fish Creek framework plan



Loch strategies

Retain the existing heritage character, design and built form of the buildings along Victoria Street and Smith Street (north of Victoria Street) in recognition of their contribution to the overall ~~image~~ character [rewording for clarity] of Loch.

~~Discourage subdivision in the Residential Expansion, Potential Residential Development and Low Density Residential Development areas identified in the Loch framework plan unless:~~ [removing general policy directions provided under clauses 11 and 19]

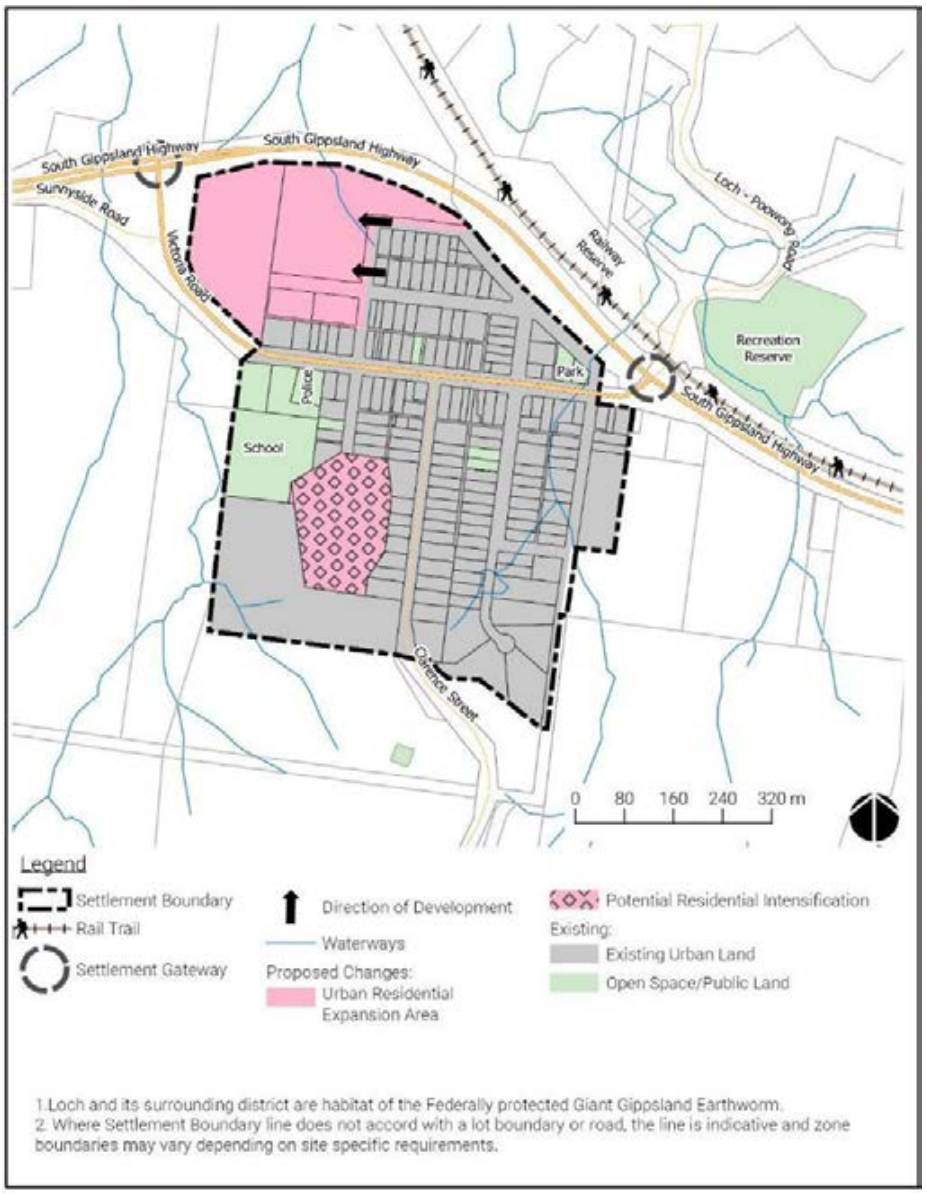
~~Reticulated sewerage can be provided to the land.~~

~~A Design and Development Overlay, or similar, has been prepared to promote development that is complementary to the existing built form and vegetated character of the town.~~ [removing inappropriate policy direction – allocate to future strategic work]

Encourage tourist services and facilities in the town.

Consolidate and develop the Town Centre as the preferred focus for all business, community and tourist services and facilities.

Loch framework plan



Meeniyan strategies

~~Retain~~ Support [rewording verb as per the practitioner's guide] Meeniyan's role as a ~~provider~~ location for [rewording for clarity] of retail, community and trades services to its residents and the smaller surrounding settlements in the region.

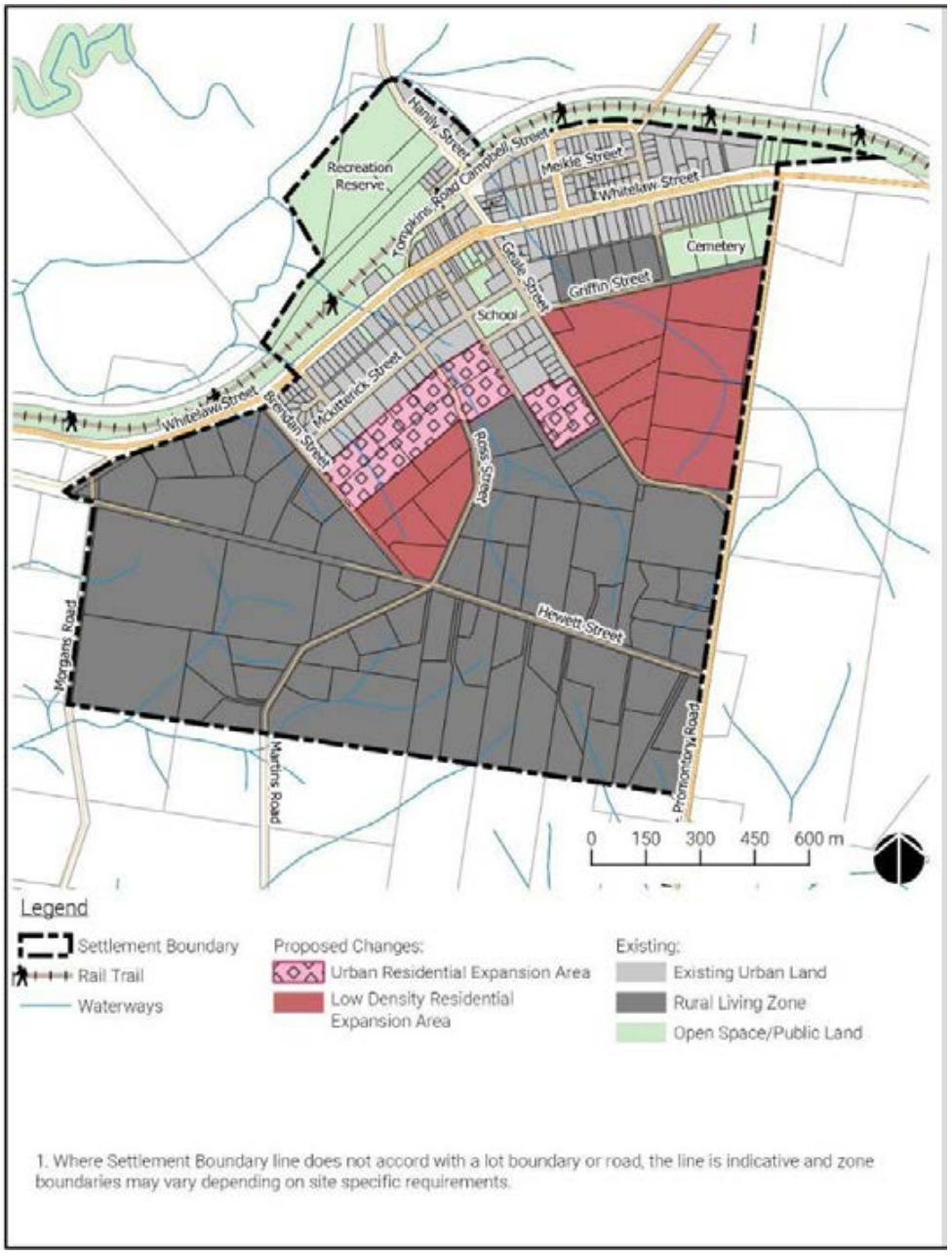
Consolidate commercial development in the ~~Town Centre precinct~~settlement boundary~~,~~ [rewording for clarity – as per framework plan] from the intersection of Whitelaw Street and Geale Street to the intersection of Whitelaw Street and Ross Street.

~~Support the development of service industrial uses on the Meeniyan - Nerrena Road to the north of the township and in appropriately zoned locations on the South Gippsland Highway.~~ [removing redundant direction determined by the applied Commercial zone]

Encourage the development of tourist accommodation in Meeniyan.

Encourage the development of music, arts, culture and food services in Meeniyan.

Meeniyan framework plan



Nyora strategiesy

Discourage any subdivision in the Future Residential Areas or Long Term Residential Areas identified in the Nyora framework plan unless: tThere is a demonstratedn identified need for additional residential land supply within the settlement boundary.Reticulated sewerage can be provided to the land.[removing general policy direction provided in clause 19]

- There is an identified need for additional residential land within the township.
- A comprehensive assessment, feasibility study and costing has been done of required development infrastructure, (roadsincluding all roads and, drainage, etc.) and community infrastructure have been provided..
- A Development Contributions Plan Overlay (or similar infrastructure cost recovery method), has been applied to provide equitable financial contribution towards, or the provision of, development and community infrastructure upgrades required to support new urban residential development.
- A Development Plan Overlay has been prepared that provides for the integrated development of the entire land having regard to environmental and landscape constraints and opportunities and the town's existing and preferred rural township character.

Nyora economic strategies

Encourage Support new light [rewording for clarity] industrial activities uses [rewording for clarity] to locate within the designated industrial area in on Watts Road.

Consolidate and develop the Town Centre in the vicinity of Mitchell and Davis Streets as the focus for all business, community and tourist services and facilities.

Discourage residential land use and development, including subdivision, on commercial land apart from minor alterations to existing residential development that do not compromise commercial development in the Town Centre.

Provide for the expansion of the retail, commercial and community activities in the Town Centre that support a growing population and encourage activity at the ground level of buildings.

Ensure subdivision proposals in the Town Centre are only approved in conjunction with an approved planning permit for building development on the land.

Promote the use and development of a supermarket at land in the Town Centre, preferably at the location shown on the Nyora framework plan, to service Nyora and surrounding area as the population grows.

Nyora landscape and built form strategies

Protect the natural environmental qualities and landscape values of the Future Residential Areas and the Long Term Residential Areas identified in the Nyora framework plan.

Ensure vegetation continues as the dominant landscape feature.

Nyora infrastructure strategies

Create an integrated network of pedestrian and bicycle paths linking features and facilities in and around the township in accordance with the directions of the South Gippsland Paths and Trails Strategy (South Gippsland Shire Council, 2010) (or as amended) and Melbourne Water's *Shared Pathway Guidelines* (January 2009) [removing redundant policy reference] as amended.

Promote residential development that integrates roads, pathways and utility infrastructure with adjoining areas, particularly on land bounded by Hewson St, Davis St, Walters St and Lang Lang Poowong Road.

Nyora Town Centre strategies

Encourage built form in the Nyora Town Centre to:

- Have minimal or no front setbacks in order to reinforce this area as the commercial centre and distinguish it from the surrounding residential areas.
- Provide a sense of human scale and appear low rise.
- Include the development of footpaths, shared paths, continuous weather protection, active frontages and articulated facades along pedestrian connections.
- Provide for physical and visual linkages to and from the surrounding residential areas and the railway reserve.
- Be softened by landscaping (e.g. views of tree canopy~~tops~~ [rewording for clarity] behind buildings, planting in small front setbacks).

Encourage fences to be low and open in style to provide for views beyond fencing, specifically for passive surveillance.

Reinforce Mitchell Street's role as the "main street" by encouraging development along to be:

- Built to the front boundaries with weather protection.
- Closely spaced with narrow frontages.

Encourage signs to be:

- Modest in size, scale and boldness (colour and lighting).
- Proportional to the individual business premises (building size, business type, and floor area).
- Integrate with the building.
- Located on building frontages and verandahs, avoiding protrusions above verandahs, roof lines or parapets.

Limit directional signage to supermarket uses.

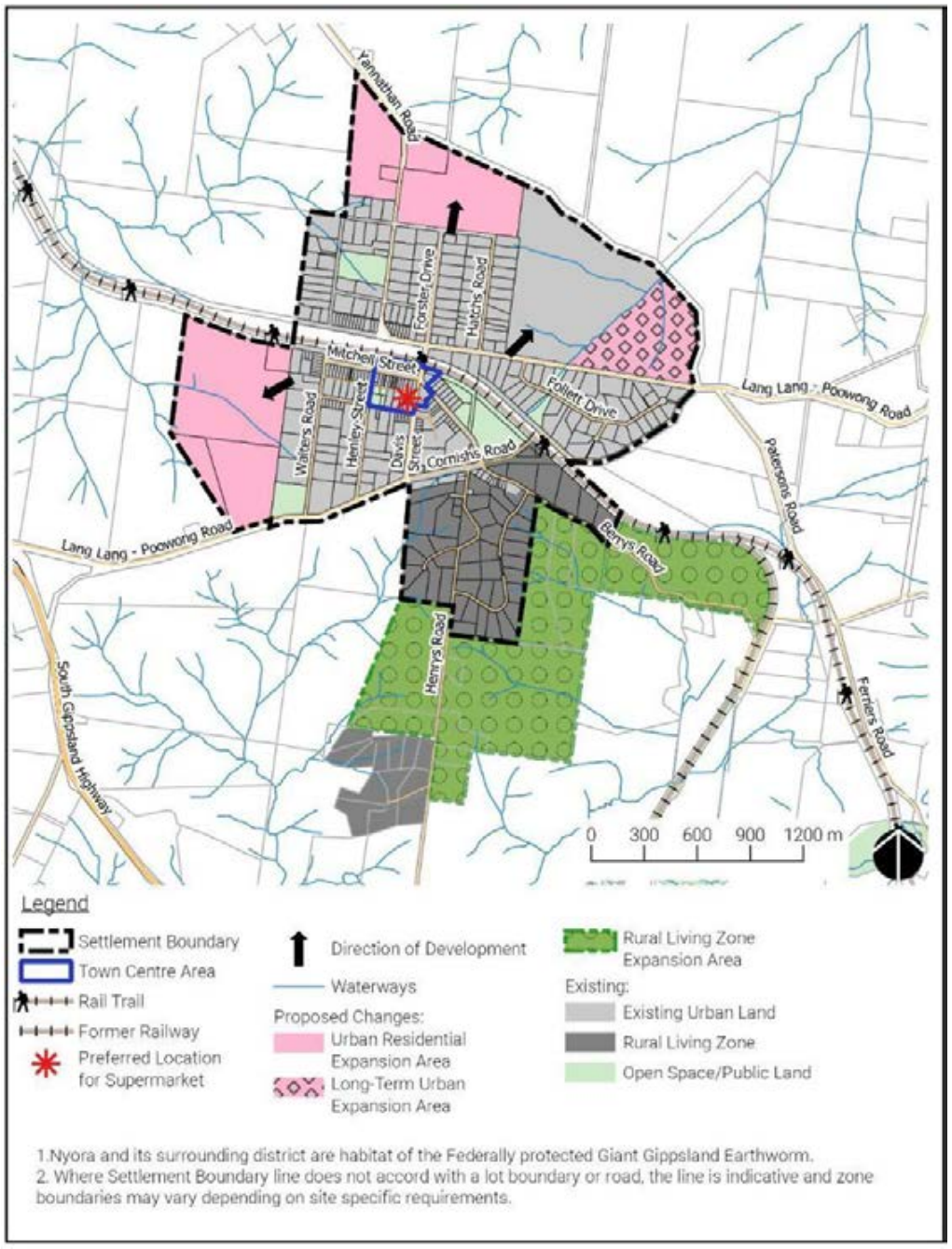
Discourage brightly illuminated signs, Major promotion signs, Reflective signs, Panel signs, High-wall signs and Sky signs.

Nyora Town Centre policy guideline

Consider as relevant:

- Constructing fences using building materials that reference country styles, such as through the use of timber, masonry or corrugated iron.

Nyora framework plan



Poowong strategies

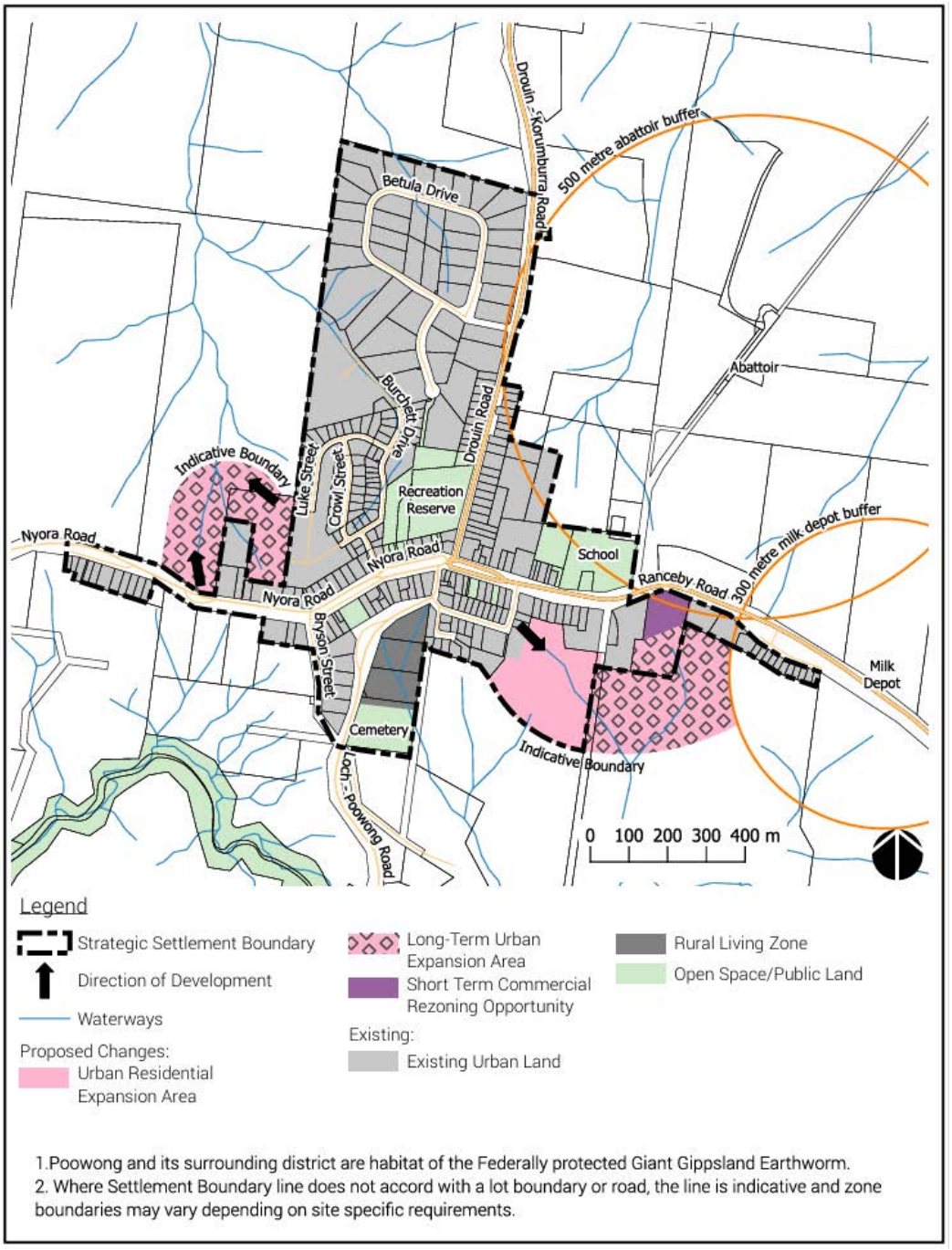
Retain and strengthen Poowong as a small service township by improving community, industrial and retail services, facilities and employment opportunities to support residents, surrounding agricultural communities and visitors.

Consolidate the Town Centre on the Poowong Ranceby Road.

Support the operation of the abattoir and milk processing factory and other industrial business as important employment providers in Poowong.

Protect the natural environmental qualities and landscape values of the township to retain its attraction for tourism and rural living.

Poowong framework plan



Toora strategies

Discourage any subdivision in the Township and Low Density Residential Zones unless:

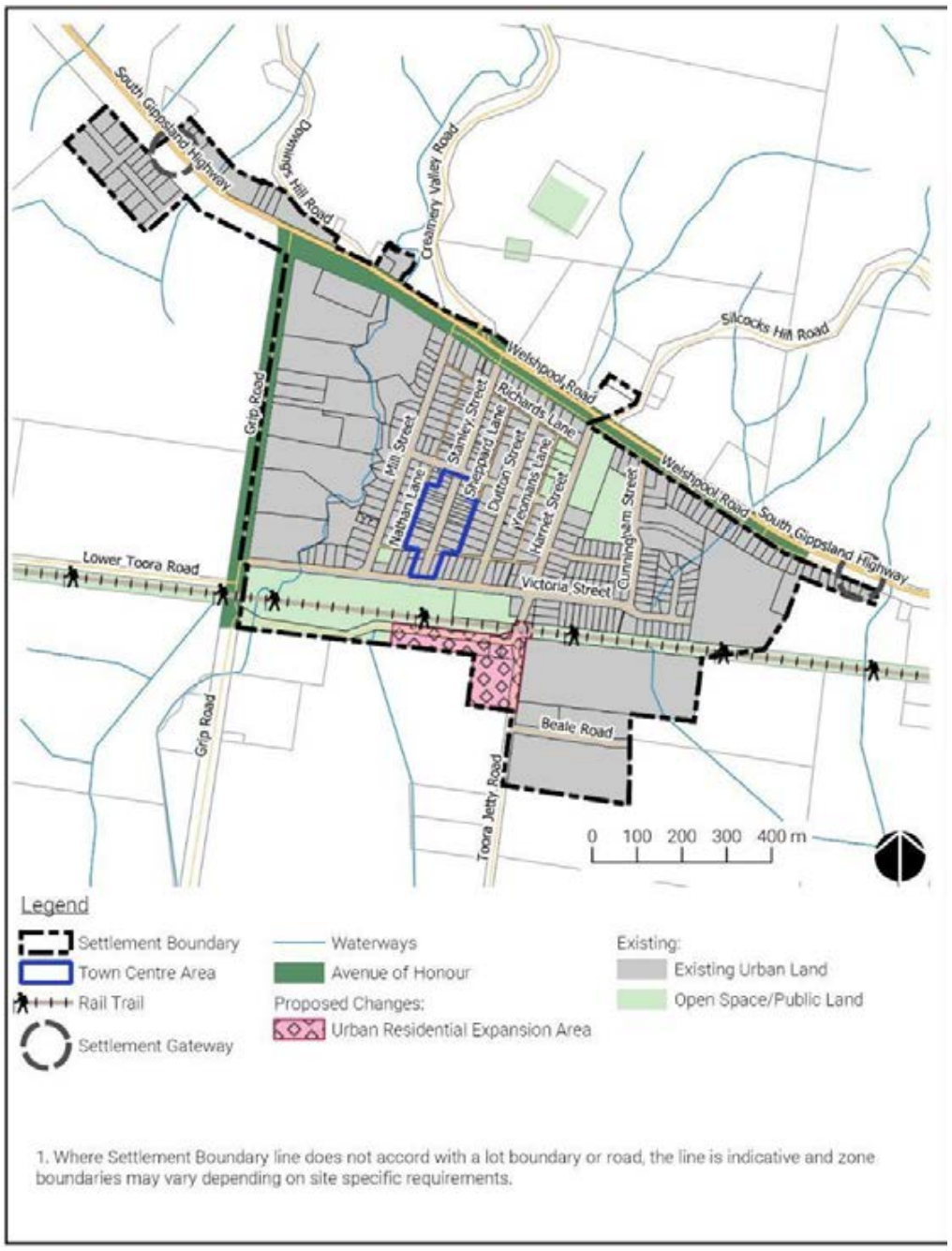
- Reticulated sewerage can be provided to the land.
- There is an identified need for additional residential subdivision within the town.

Encourage small-scale tourism within the Township Zone in Toora.

Conserve and enhance heritage character, in particular along Stanley Street, due to the contribution to the overall image of Toora.

SOUTH GIPPSLAND PLANNING SCHEME

Toora framework plan



11.01-1L-07 Villages – Koonwarra and Welshpool

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Policy application

This policy applies to the land identified on the Koonwarra and Welshpool framework plans.

General strategies

Promote ecologically sustainable and attractive forms of development that complement Koonwarra's and Welshpool's natural and built environmental characteristics.

Encourage development that is sympathetically designed and located to protect the environmental and landscape values of the surrounding area.

Koonwarra strategies

Encourage infill development of vacant lots within the Township Zone and Low Density Residential Zone.

Encourage boutique tourism associated with sustainability and/or gourmet food.

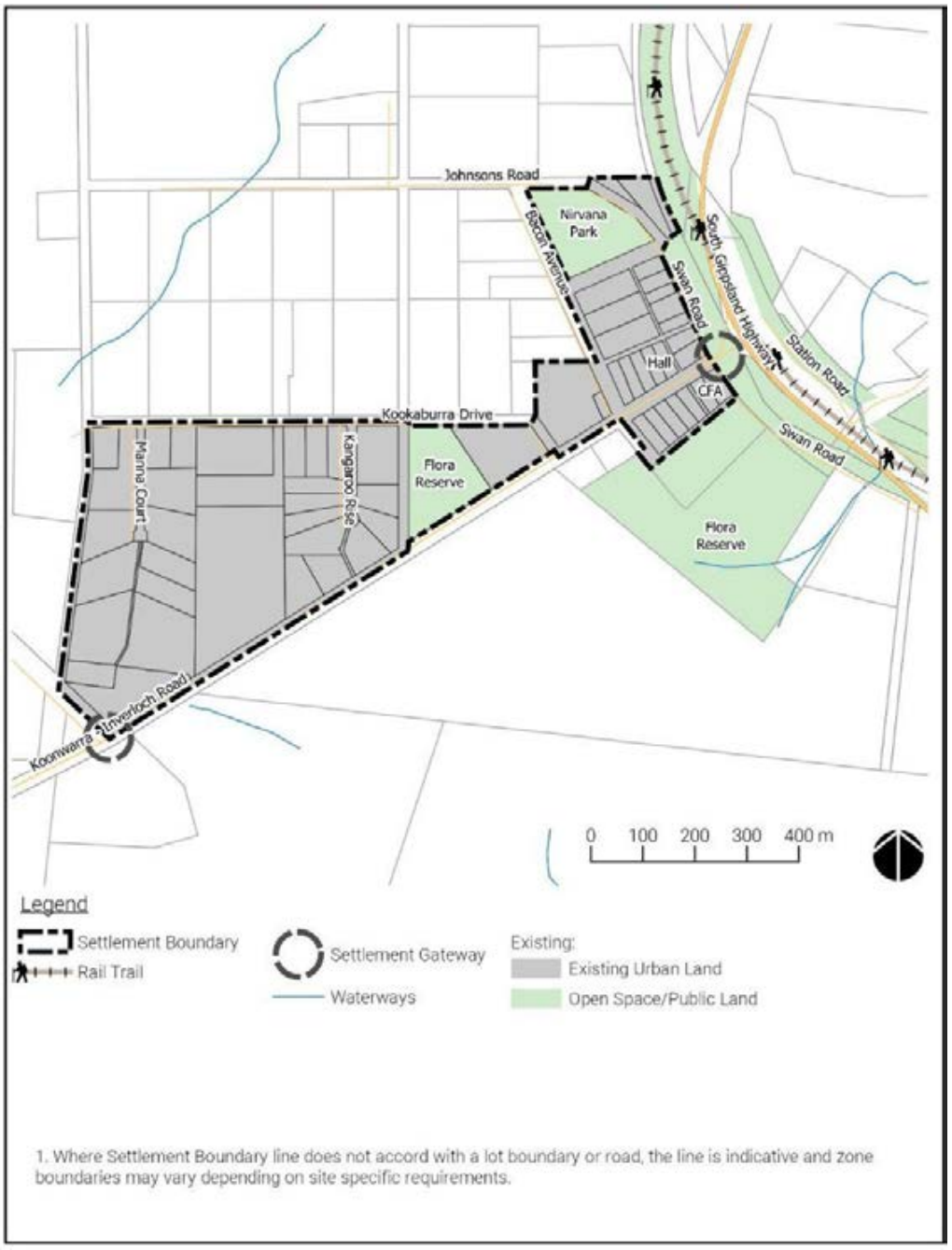
Welshpool strategies

Encourage infill development of vacant lots within the Township Zone.

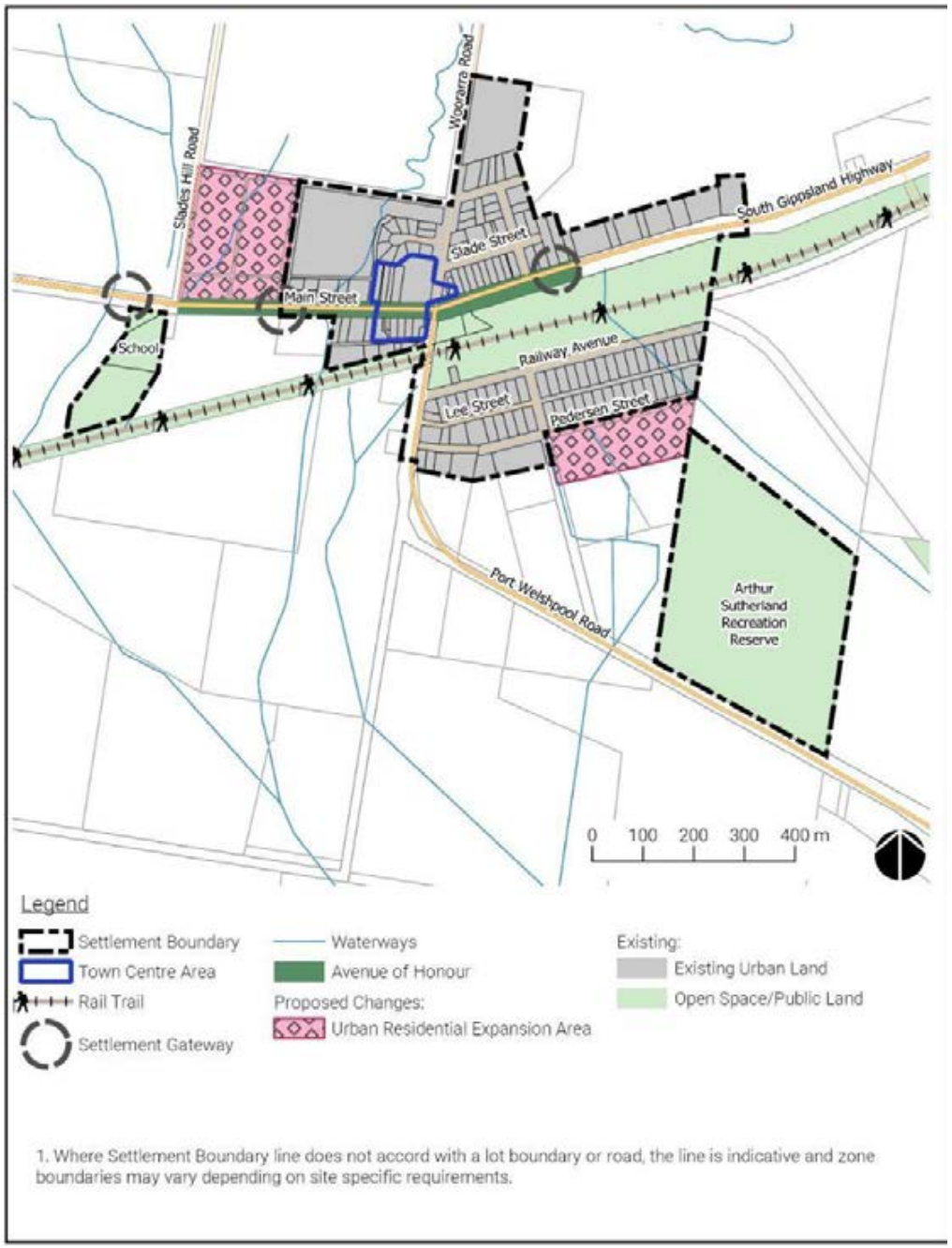
Focus commercial services and facilities in the Welshpool Town Centre Area.

Conserve and enhance heritage character due to its contribution to the overall ~~image~~ character [rewording for clarity] of Welshpool.

Koonwarra framework plan



Welshpool framework plan



11.01-1L-08

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Coastal Villages – Port Welshpool, Sandy Point, Tarwin Lower, Venus Bay, Walkerville, Waratah Bay and Yanakie

Policy application

This policy applies to the land identified on the Port Welshpool, Sandy Point, Tarwin Lower, Venus Bay, Walkerville, Waratah Bay and Yanakie framework plans.

General strategies

~~Maintain~~ Preserve the ~~low scale, holiday character~~character [rewording for clarity] of each Coastal Village ~~including~~ by maintaining the current level of housing density.

Maintain the rural buffer between Sandy Point and Waratah Bay.

Maintain the rural buffer between Tarwin Lower and Venus Bay.

Design development to minimise impact on the viewshed of key viewing locations, particularly within town approaches and areas of higher elevation in the coastal landscape.~~Design development to minimise the visual impact from key viewing locations, particularly town approaches and high points in the coastal landscape~~. [rewording for clarity]

Ensure that any expansion into the long term development areas identified on the relevant framework plans does not occur until:

- A significant proportion of vacant lots within the Township Zone and Low Density Residential Zone has been developed.
- Reticulated water and sewerage is made available.
- Further investigation is undertaken to confirm the extent of potential problems associated with acid sulphate soils and/or flooding.
- Further investigation is undertaken to confirm the location of sites of heritage significance.
- Further investigation is undertaken to confirm the location of sites of environmental significance.

Port Welshpool strategies

Encourage small-scale tourism within the Township Zone in Port Welshpool that complements the natural environment and landscape values of the region and takes advantage of proximity to tourist routes and access to the Great Southern Rail Trail.

Encourage medium-scale tourism development which is~~,~~ [rewording for clarity] compatible with any environmental constraints~~,~~ in the precinct in the Township Zone in the vicinity of Long Jetty at Port Welshpool.

Encourage aquaculture and other marine related activities at Port Welshpool.

Sandy Point strategies

Promote development that respects and enhances the coastal character of the village.

Promote long term development areas in locations that maintain pedestrian accessibility to the nearby foreshore and commercial centre.

Tarwin Lower strategies

Encourage infill development of vacant lots within the Township Zone and Low-Density Residential Zone.

Protect the environmental values of the Tarwin River environment and Anderson Inlet.

Focus new commercial and industrial use and development within the existing commercial precinct in ~~Evergreen Road~~River Drive between Walkerville Road and School Road.

Discourage commercial and industrial use and developments within ~~the~~ [rewording for clarity] residential areas.

Venus Bay strategies

Limit ~~projected~~ [removing superfluous wording] residential growth to the long term ~~development~~ urban expansion area~~s~~ identified on the Venus Bay Estate 1 framework plan.

Focus new commercial services and facilities in the Commercial 1 Zone and the Commercial 1 Zone Investigation Area in Jupiter Boulevard in Estate 1 in accordance with the Venus Bay Tourism Precinct Plan~~.~~ (June 2020).

Protect the environmental values of Anderson Inlet and Cape Liptrap Coastal Park.

~~Preserve the different styles of each estate.~~ [removing unnecessary / inappropriate directions]

Maintain the rural buffer between the first, second and third estates of Venus Bay, as well as between Venus Bay and Tarwin Lower.

Venus Bay policy guideline

Consider as relevant:

- Venus Bay Tourism Precinct Plan (South Gippsland Shire Council, June 2020) [referencing adopted policy document]

Walkerville strategies

Maintain Walkerville - Promontory View Estate, Walkerville North and Walkerville South as principally un-serviced holiday destinations.

Discourage any further commercial development in the Walkerville - Promontory Views Estate area, Walkerville North and Walkerville South~~ apart from non-retail commercial facilities which are aimed at the tourist market and which could be readily confined to a house or residential property.~~ [removing redundant directions]

Protect the environmental values of Cape Liptrap Coastal Park, the beaches, and the flora and fauna in and around the Walkerville settlements.

Ensure that [rewording for clarity] the design and siting of development in Walkerville – Promontory View Estate, Walkerville North and Walkerville South~~ is controlled to~~[rewording for clarity]:

- Minimises [rewording for clarity] visual intrusion of development into any public use areas and the beach.
- Maintains [rewording for clarity] continuous indigenous vegetation canopy.
- Reduces [rewording for clarity] distant visibility through the use of darker colours / non-reflective materials.
- ~~Preserve the different styles of each estate.~~ [removing unnecessary / inappropriate directions]

Maintains the rural, vegetated buffer between the subdivisions that comprise Walkerville Coastal Village.

Waratah Bay strategies

Protect the environmental values of Cape Liptrap Coastal Park, the beaches and flora and fauna in and around Waratah Bay.

Promote Waratah Bay as the gateway to Cape Liptrap Coastal Park and as a tourist destination for nature-based recreation.

Develop a network of habitat corridors and vegetation linkages throughout the Coastal Villag

Maintain the low level of commercial development within the Coastal Village.
Protect the identified landscape values of the area including the views across Waratah Bay, Wilsons Promontory and Cape Liptrap Coastal Park by:

- Maintaining the rural buffer between Waratah Bay and Sandy Point.
- Maintaining the unobtrusive coastal character of the ~~hamlet~~village. [rewording to align with MPS terms]

Waratah Bay policy guideline

Consider as relevant:

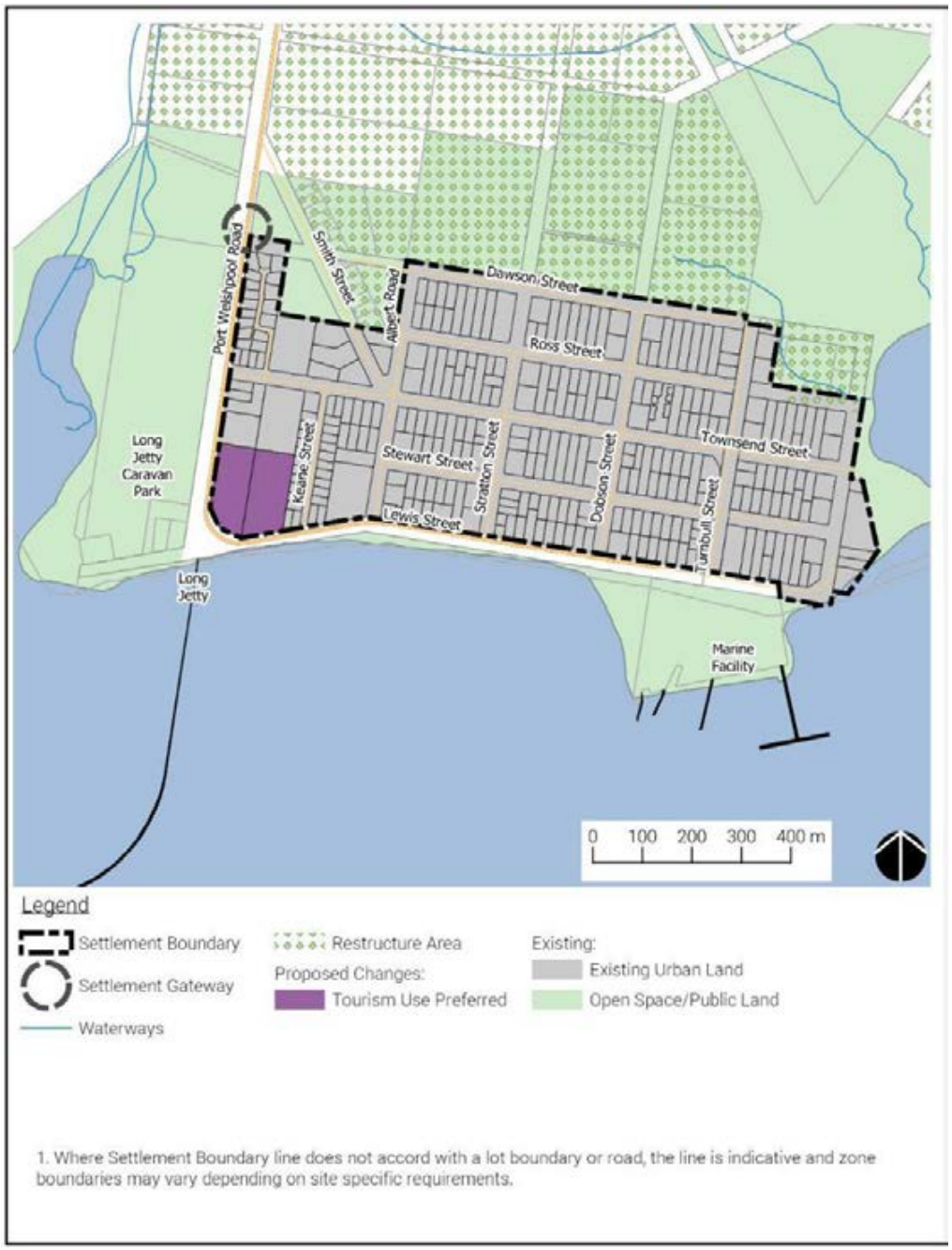
- Coastal Spaces Landscape Assessment Study (Planisphere, December 2006). [referencing adopted policy document]

Yanakie strategies

Direct commercial business, community and tourist services and facilities to the Town Centre on ~~the~~ Meeniyan Promontory Road. [correcting road name]

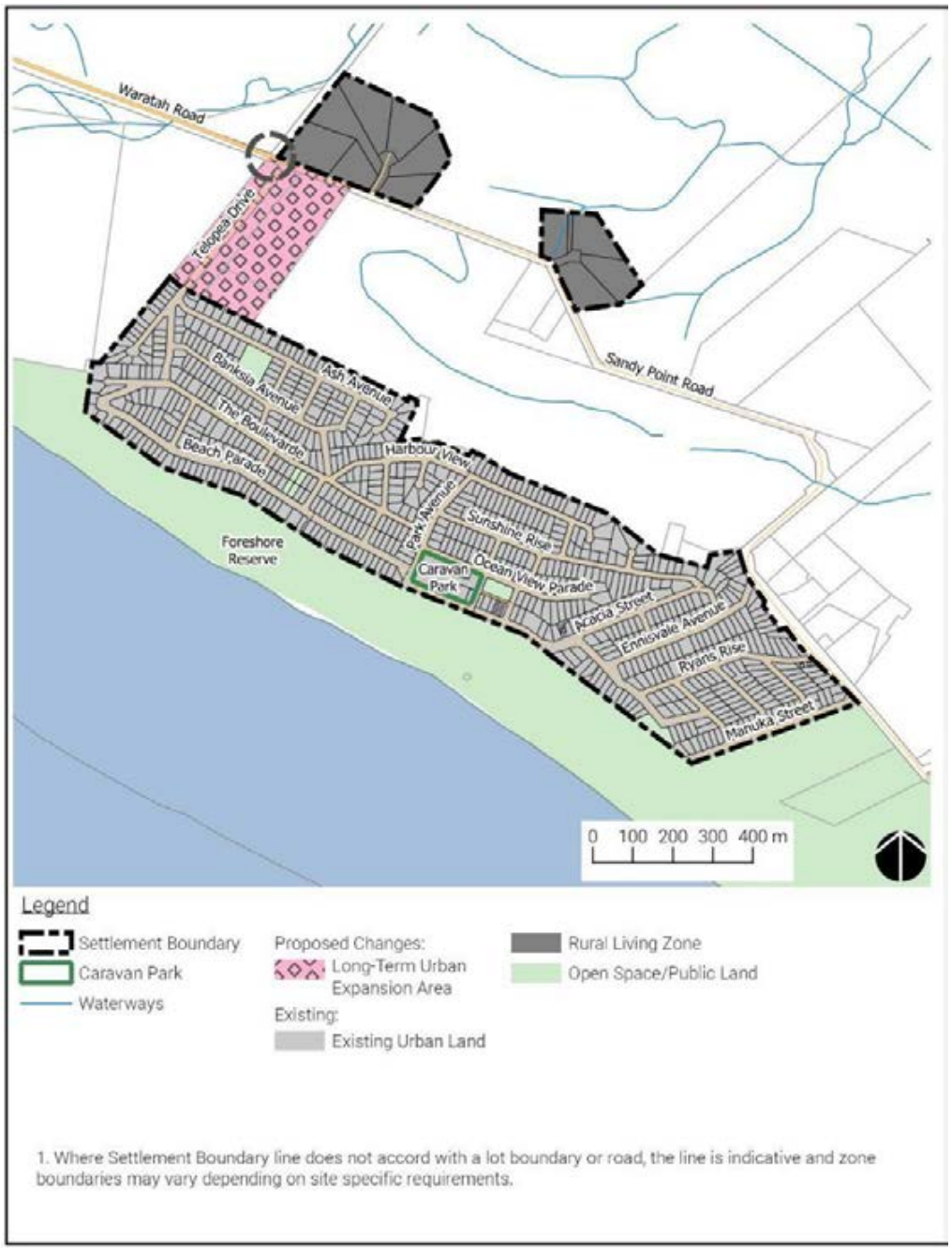
Encourage small-scale tourism development at Yanakie.

Port Welshpool framework plan



SOUTH GIPPSLAND PLANNING SCHEME

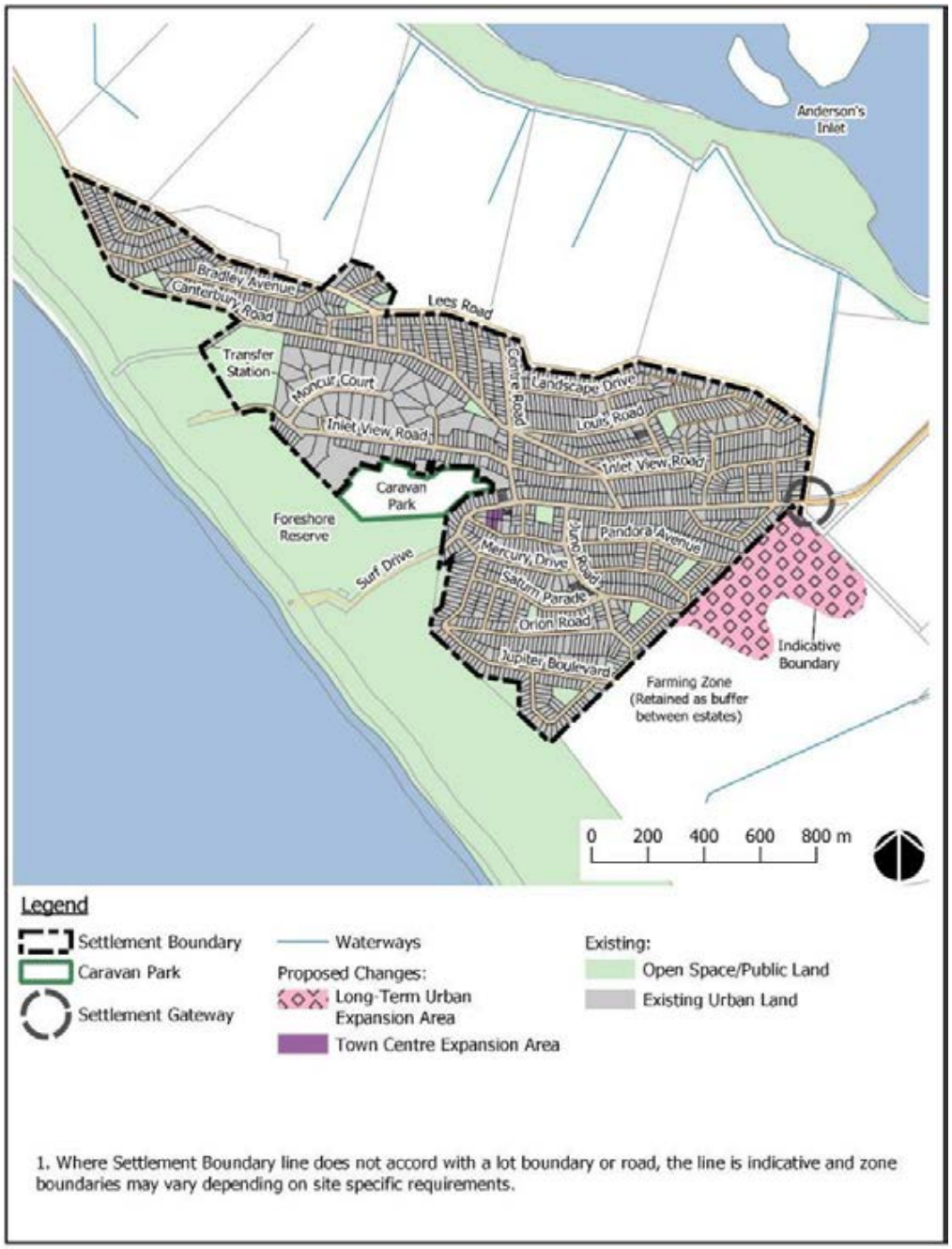
Sandy Point framework plan



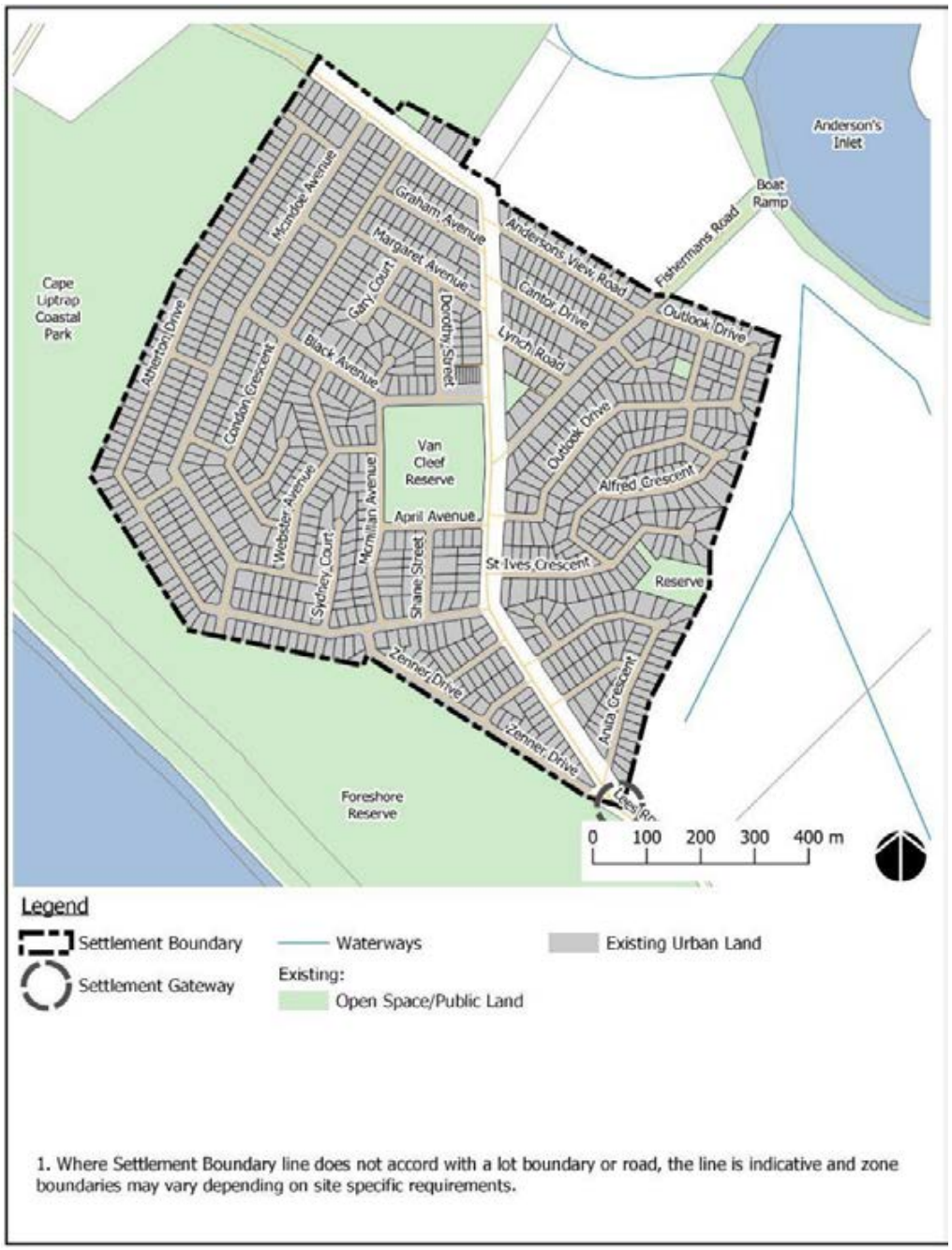
Tarwin Lower framework plan



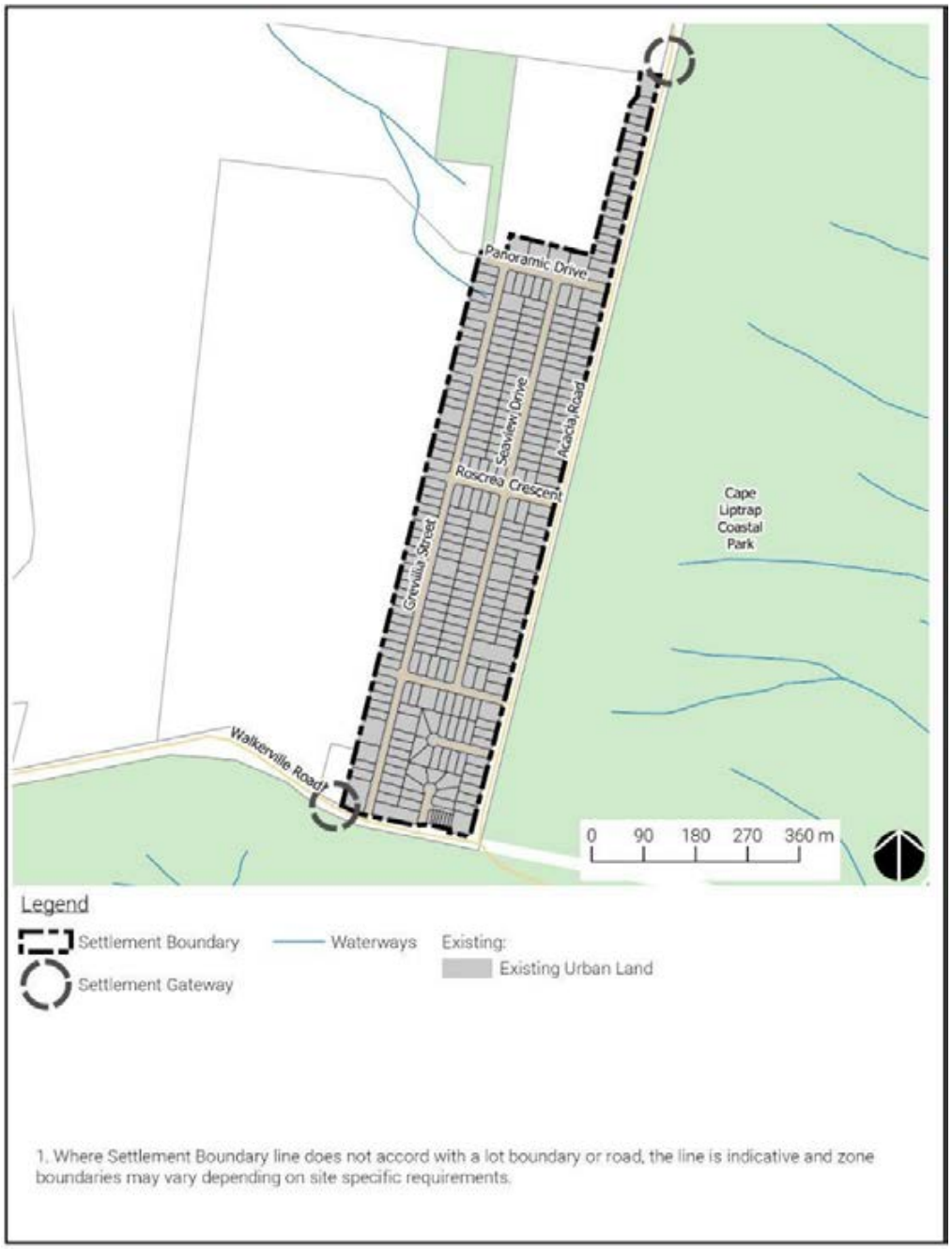
Venus Bay Estate 1 framework plan



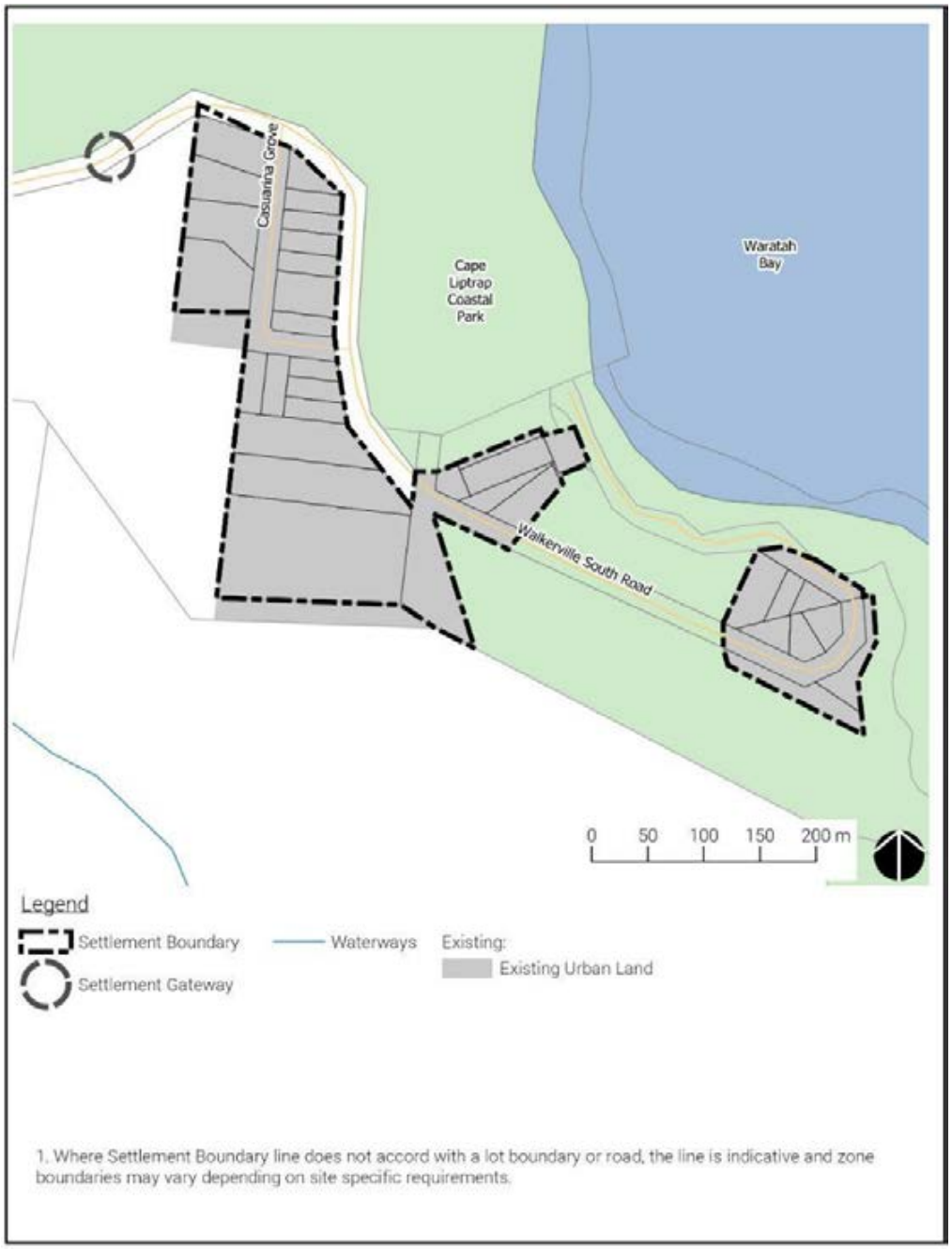
Venus Bay Estate 2 framework plan



Walkerville framework plan



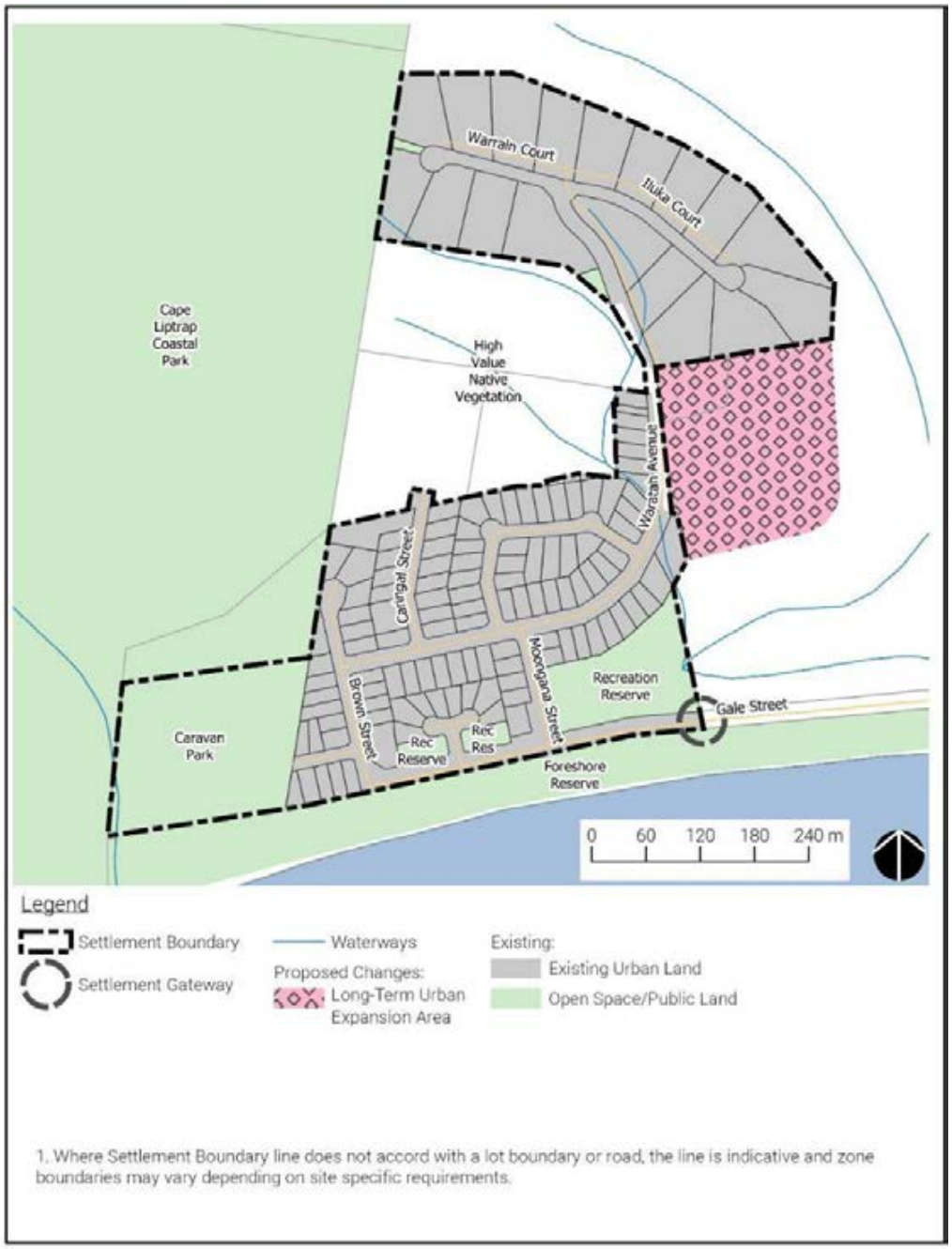
Walkerville South framework plan



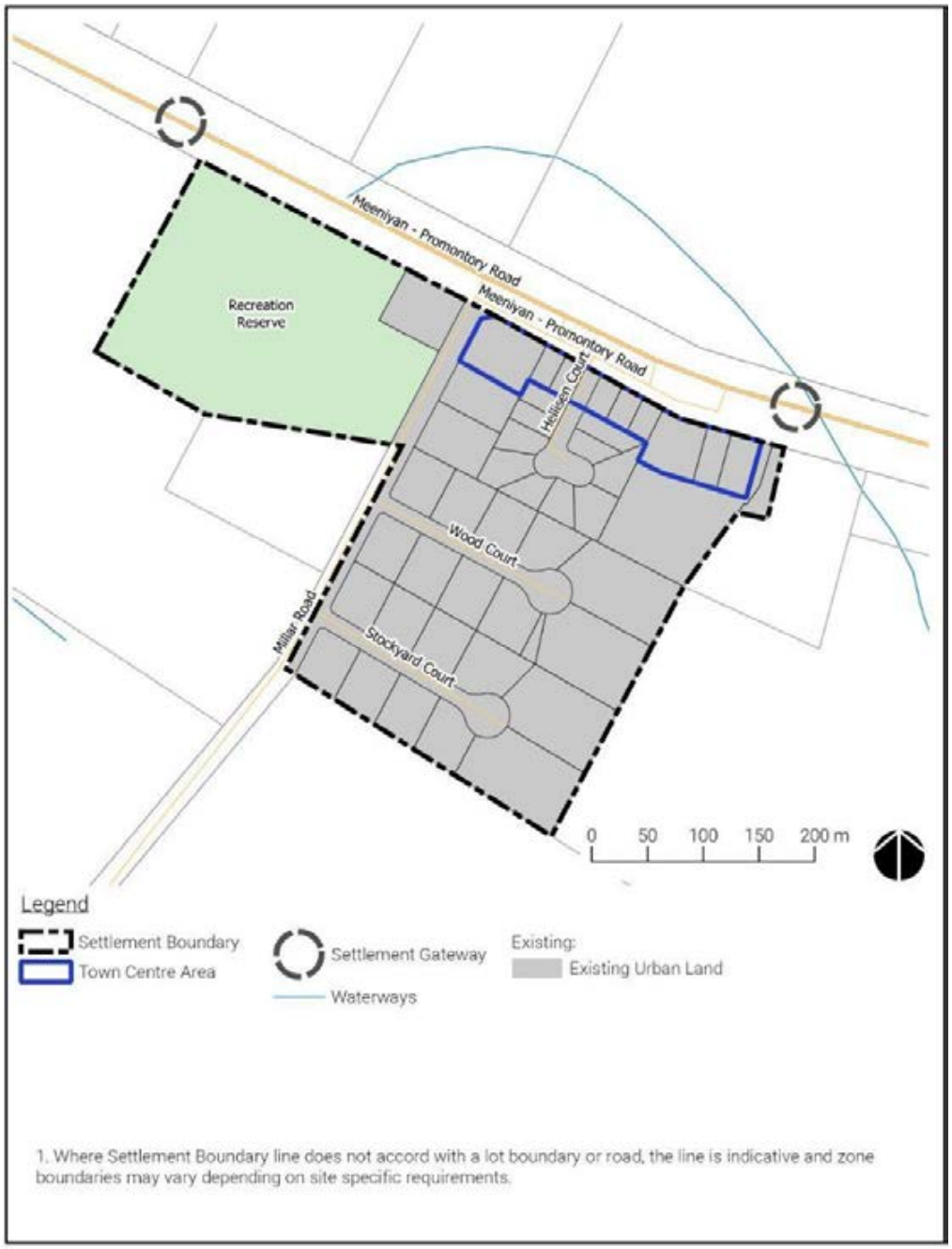
Walkerville North framework plan



Waratah Bay framework plan



Yanakie framework plan



11.01-1L-09
17/10/2024
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Hamlets – Bena, Buffalo, Dumbalk, Jumbunna, Kongwak, Mirboo, Port Franklin, Ruby and Stony Creek

Policy application

This policy applies to the land identified on the Bena, Buffalo, Dumbalk, Jumbunna, Kongwak, Mirboo, Port Franklin, Ruby and Stony Creek framework plans.

All Hamlets strategies

Support development of infrastructure that provides access to any future rail trail developed in hamlets adjoining the former railway line.

Encourage development that is sympathetically designed and located so as to protect the environmental and landscape values of the surrounding area.

Buffalo strategy

Allow for rural dwellings on small Crown lots in the vicinity of Hall Road and McPhee Street where the lot has been consolidated to comply with the Buffalo Restructure Plan.

Dumbalk strategy

Consolidate the Town Centre of Dumbalk as the preferred focus for commercial services and facilities.

Jumbunna strategy

Allow for dwellings on small lots in Cruickshank Road, Gooches Road, Hazel Road, Herring Lane, Lynn Street, McLeans Road, Rees Road and Taveners Road, where the lot has been consolidated to comply with the Jumbunna Restructure Plan.

Kongwak strategies

Consolidate the Town Centre of Kongwak as the preferred focus for commercial services and facilities.

Support tourism opportunities associated with Kongwak Market and the former Butter Factory.

Port Franklin strategies

Allow for rural dwellings on small Crown lots in Port Franklin Road (the historic Liverpool subdivision) where the lot has been consolidated to comply with the Port Franklin Road Restructure Plan or the Durston Road Restructure Plan.

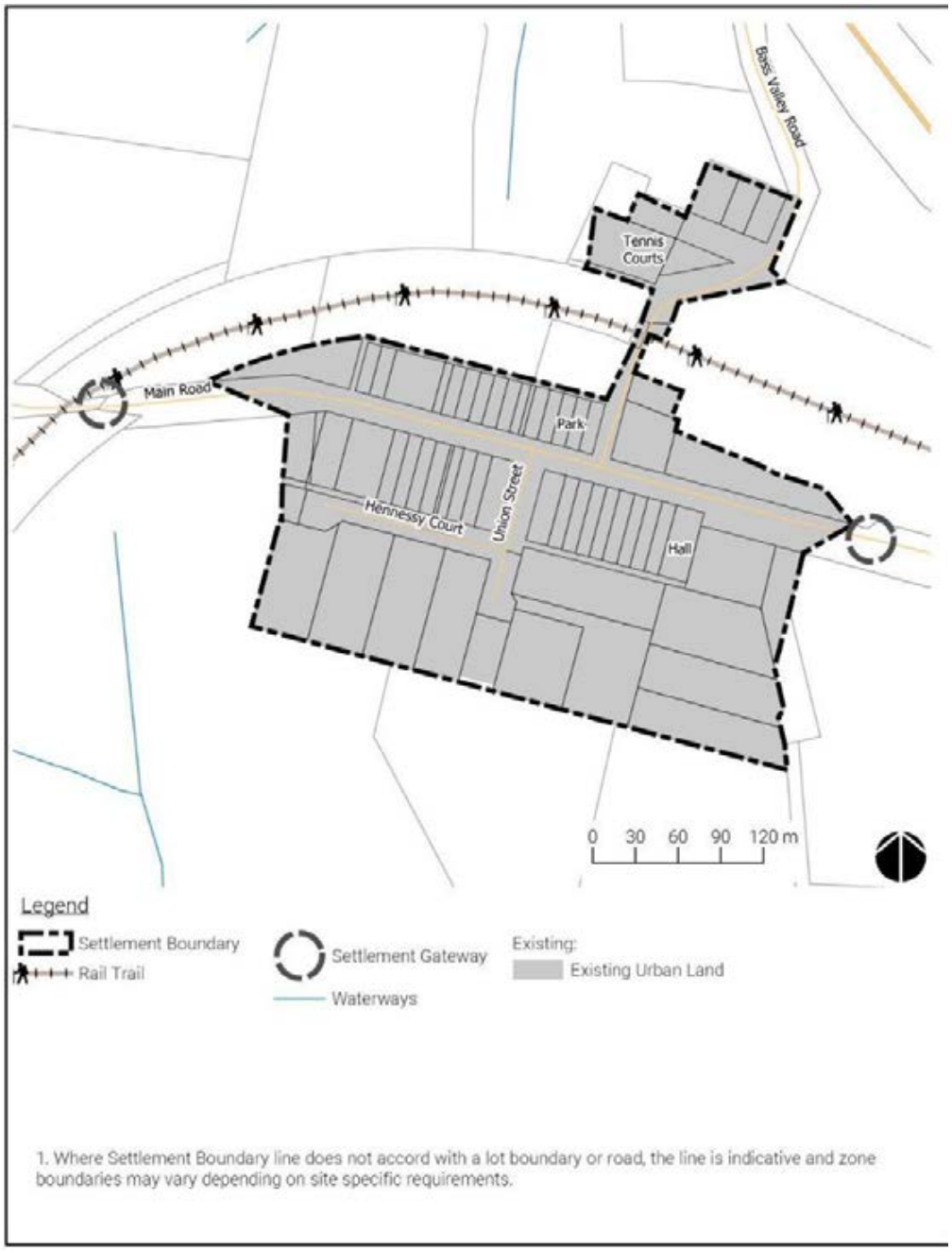
Discourage development in the absence of reticulated sewerage at Port Franklin.

Stony Creek strategies

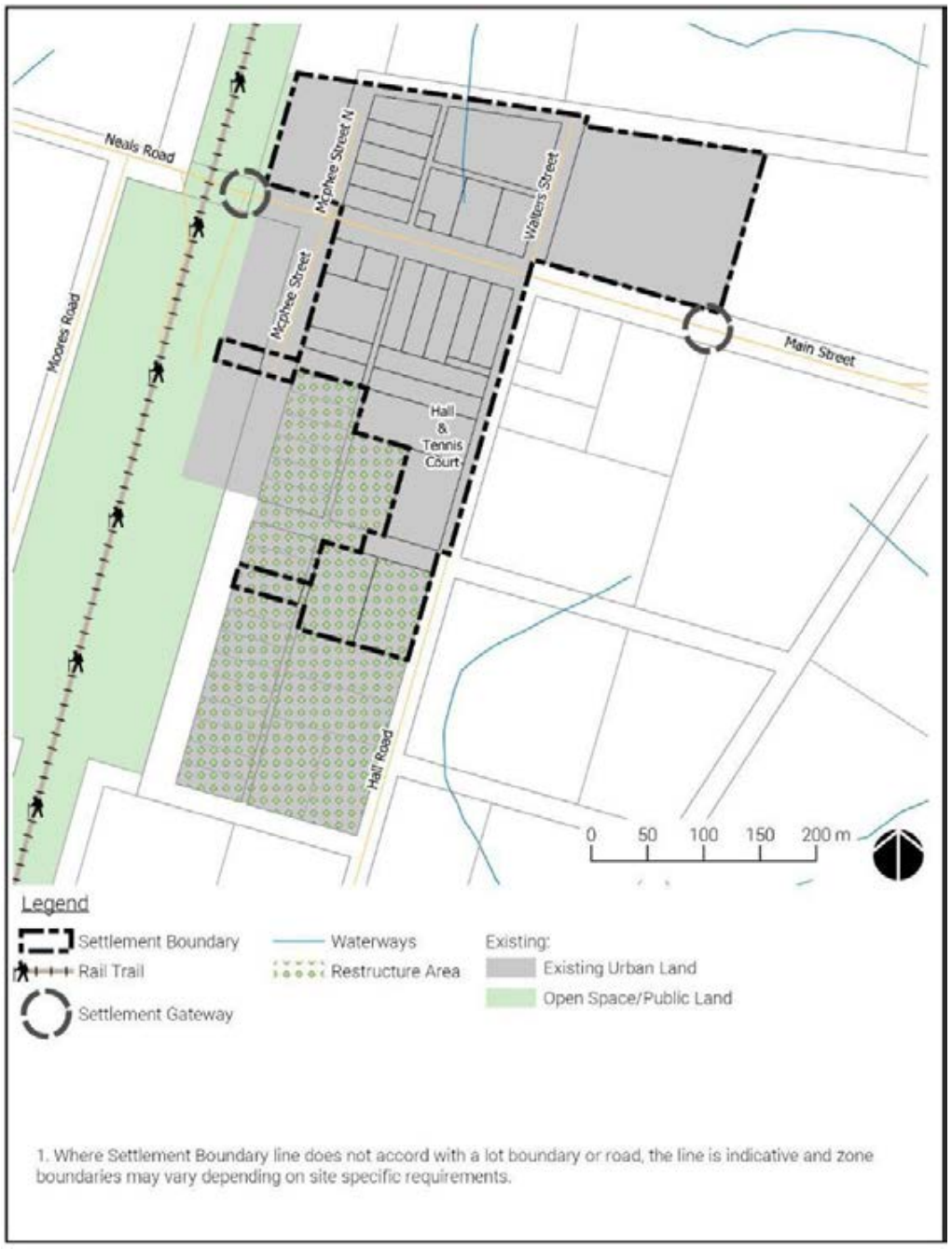
Discourage proliferation of rural dwellings on small Crown lots in Jacks Road where in accordance with the relevant Jacks Road Restructure Plan.

Promote equine related land uses between Stony Creek and Meeniyan.

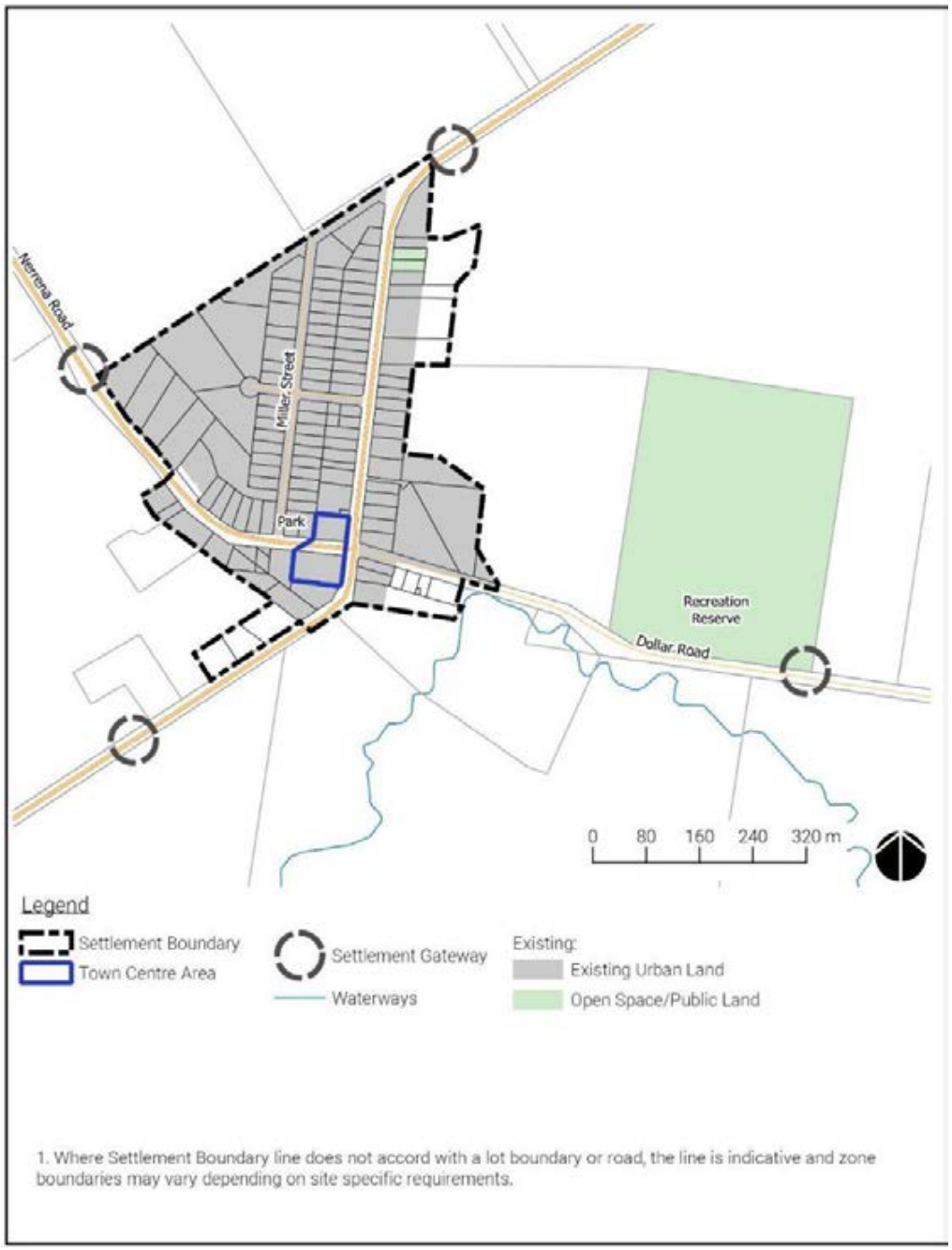
Bena framework plan



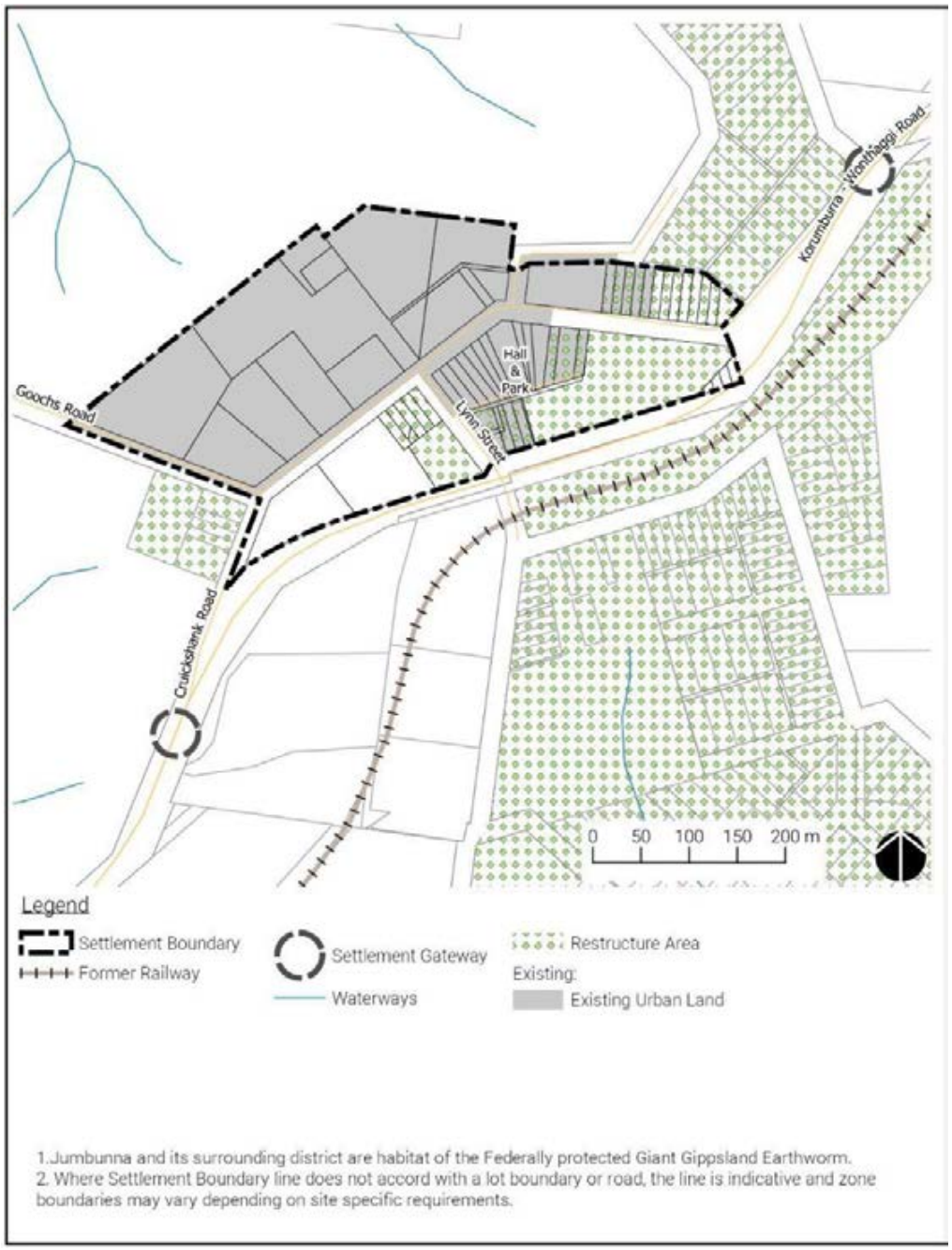
Buffalo framework plan



Dumbalk framework plan

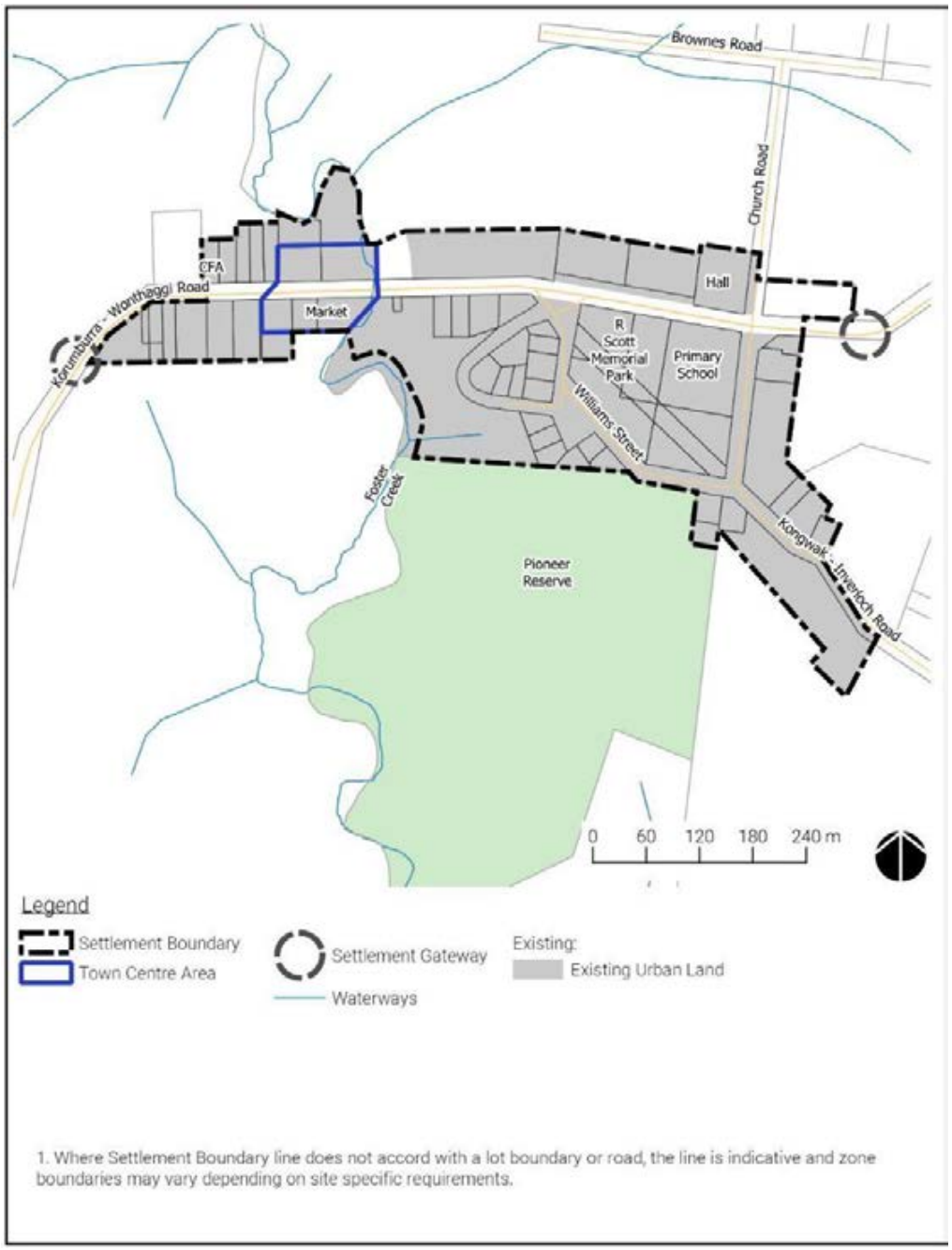


Jumbunna framework plan



SOUTH GIPPSLAND PLANNING SCHEME

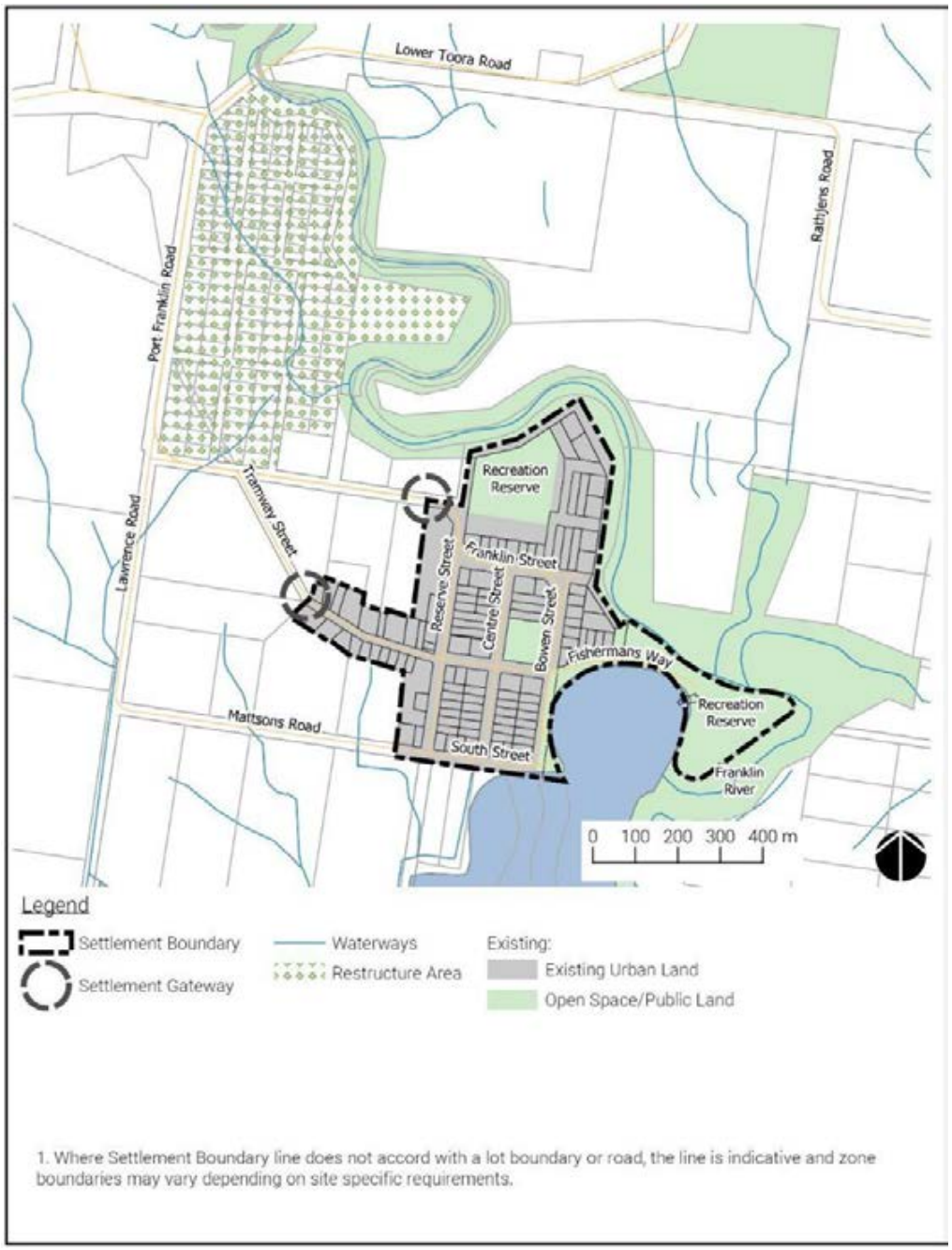
Kongwak framework plan



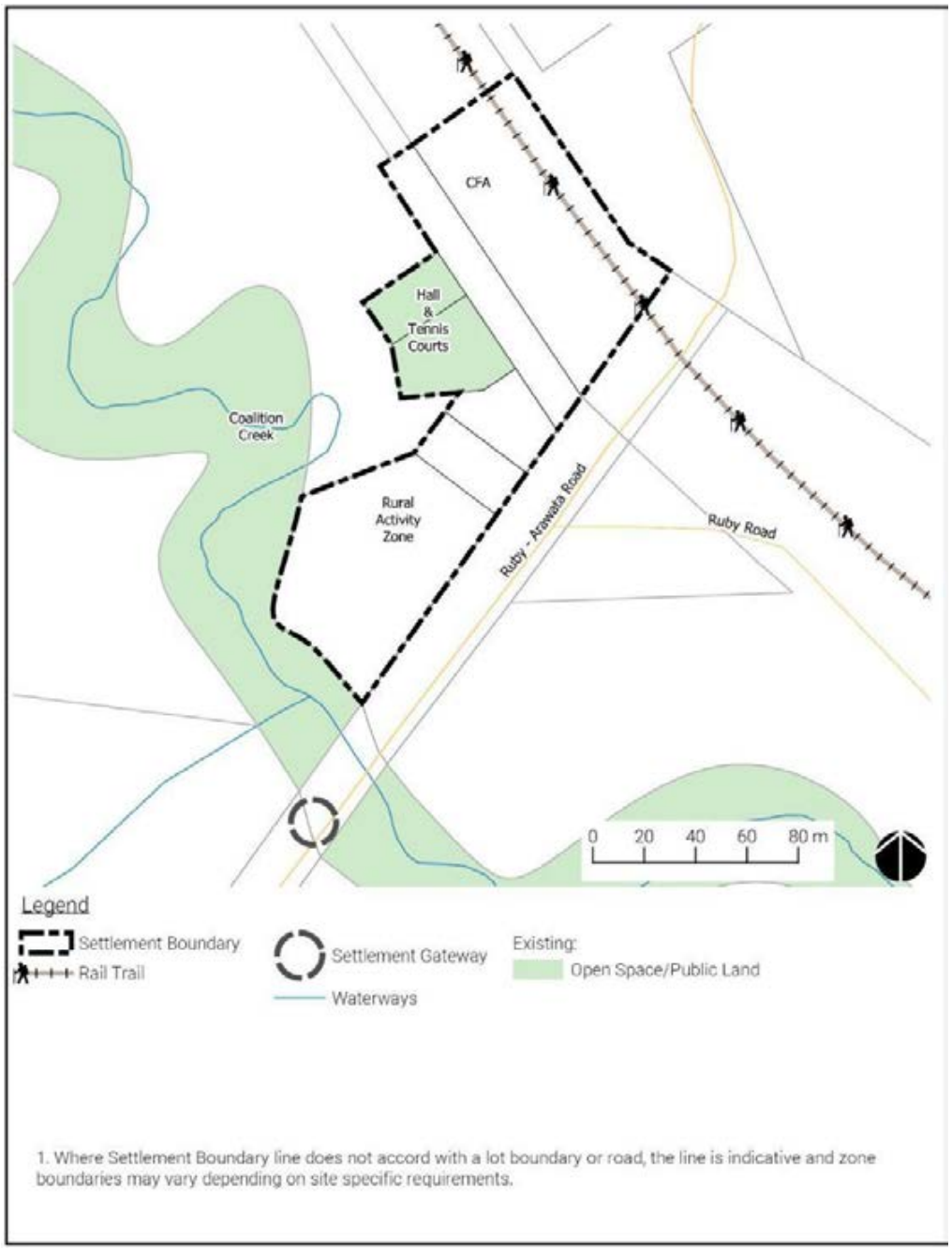
Mirboo framework plan



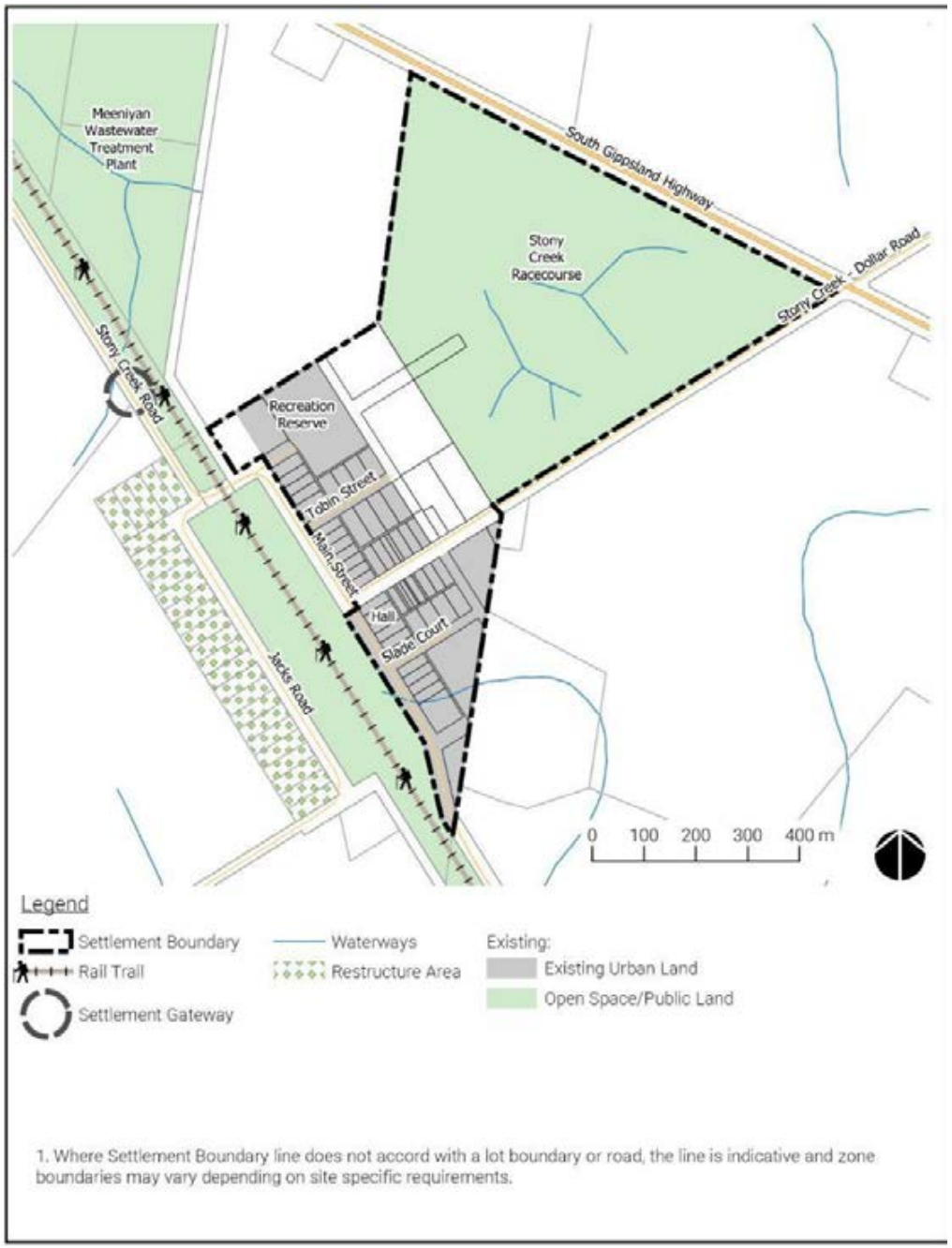
Port Franklin framework plan



Ruby framework plan



Stony Creek framework plan



11.01-1L-10

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Localities - Agnes, Arawata, Darlimurla, Hedley, Kardella, Nerrena, Strzelecki

Policy application

This policy applies to the land identified on the Agnes, Arawata, Darlimurla, Hedley, Kardella, Nerrena and Strzelecki framework plans.

All Localities strategies

Contain growth within the settlement boundary of the respective localities.

Discourage expansion outside of the settlement boundaries.

Protect agricultural, environmental and landscape values.

Reduce risks associated with environmental hazards.

Agnes strategies

Support small-scale tourism businesses that complement the natural environment, agricultural and landscape values of the region or are associated with proximity of the Great Southern Rail Trail.

Conserve and enhance the sense of arrival at Agnes by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

SOUTH GIPPSLAND PLANNING SCHEME

Agnes Framework Plan



Arawata strategies

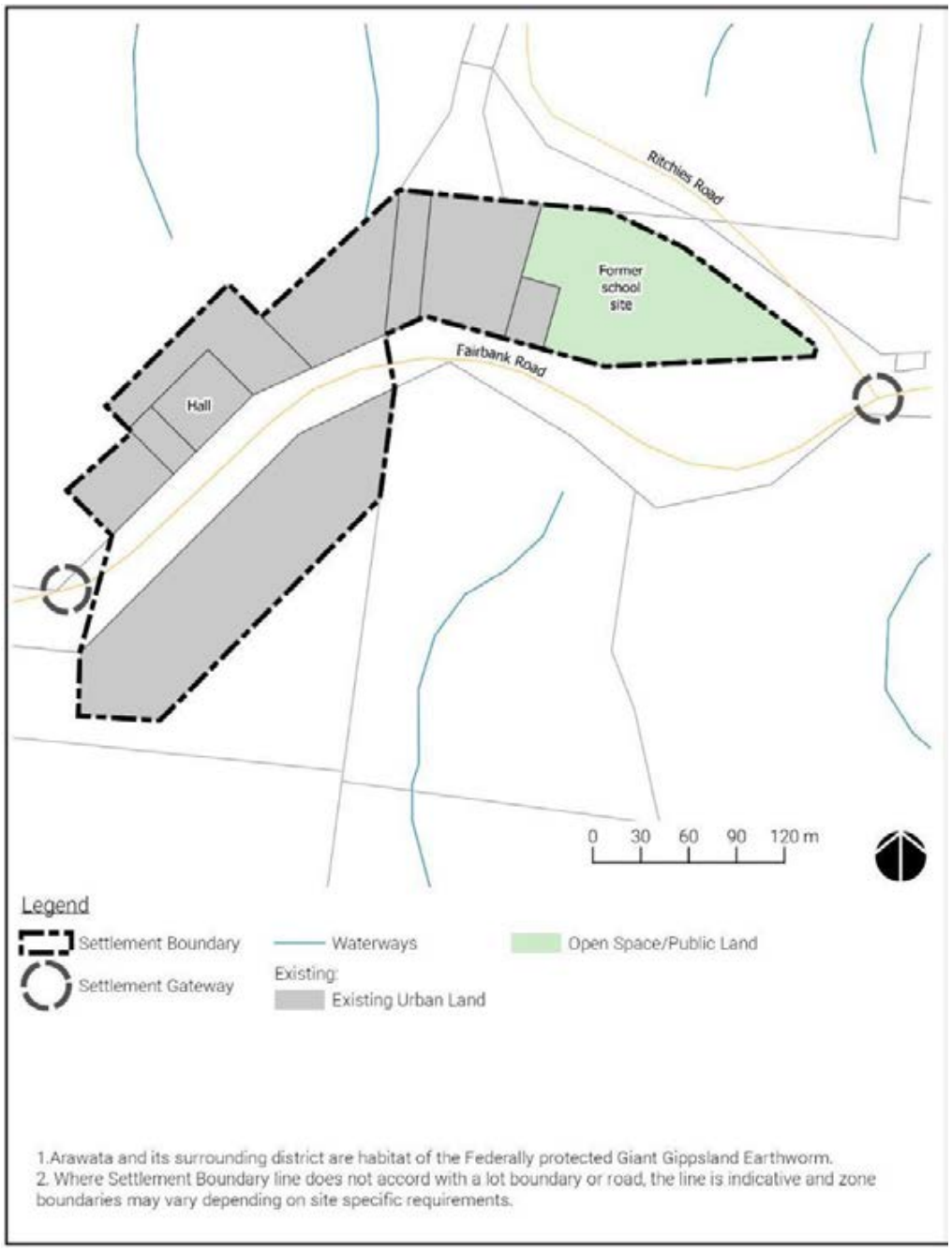
Discourage urban expansion on the south side of Fairbank Road.

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~ [removing inappropriate / unnecessary directions]

Enhance the sense of arrival at Arawata by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

~~Support protection of Giant Gippsland Earthworm habitat and populations.~~ [removing duplicated directions – see clause 12.01-1L]

Arawata Framework Plan



Support small-scale tourism businesses that complement the natural environment, agricultural and landscape values of the region or are associated with proximity of the Grand Ridge Rail Trail.

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~

[removing inappropriate / unnecessary directions]

Enhanc~~ing~~e the sense of arrival at Darlimurla by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

Support consolidation of small Crown lots. [rewording policy for clarity / summarising policy guideline direction.]

Darlimurla policy guidelines

Consider as relevant:

- ~~Allowing rural dwellings on small Crown lots on and near Cornell Road Darlimurla where the lot has been consolidated to comply with the Cornell Road Restructure Plan in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019).~~ [rewording for clarity]
- ~~Consolidating land parcels to~~ Pp reserve the rural landscape in accordance with the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019). [rewording for clarity]

Darlimurla policy document

Consider as relevant:

- The Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019).

Darlimurla Framework Plan



Hedley strategies

Support small-scale tourism businesses that complement the natural environment, agricultural and landscape values of the region ~~or~~ which are ~~associated with~~in proximity to~~of~~ ~~(the future extension of)~~ the Great Southern Rail Trail. [rewording for clarity]

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~[removing inappropriate / unnecessary directions]

Enhance the sense of arrival at Hedley by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

Support consolidation of small Crown lots. [rewording policy for clarity / summarising policy guideline direction.]

Hedley policy guidelines

Consider as relevant:

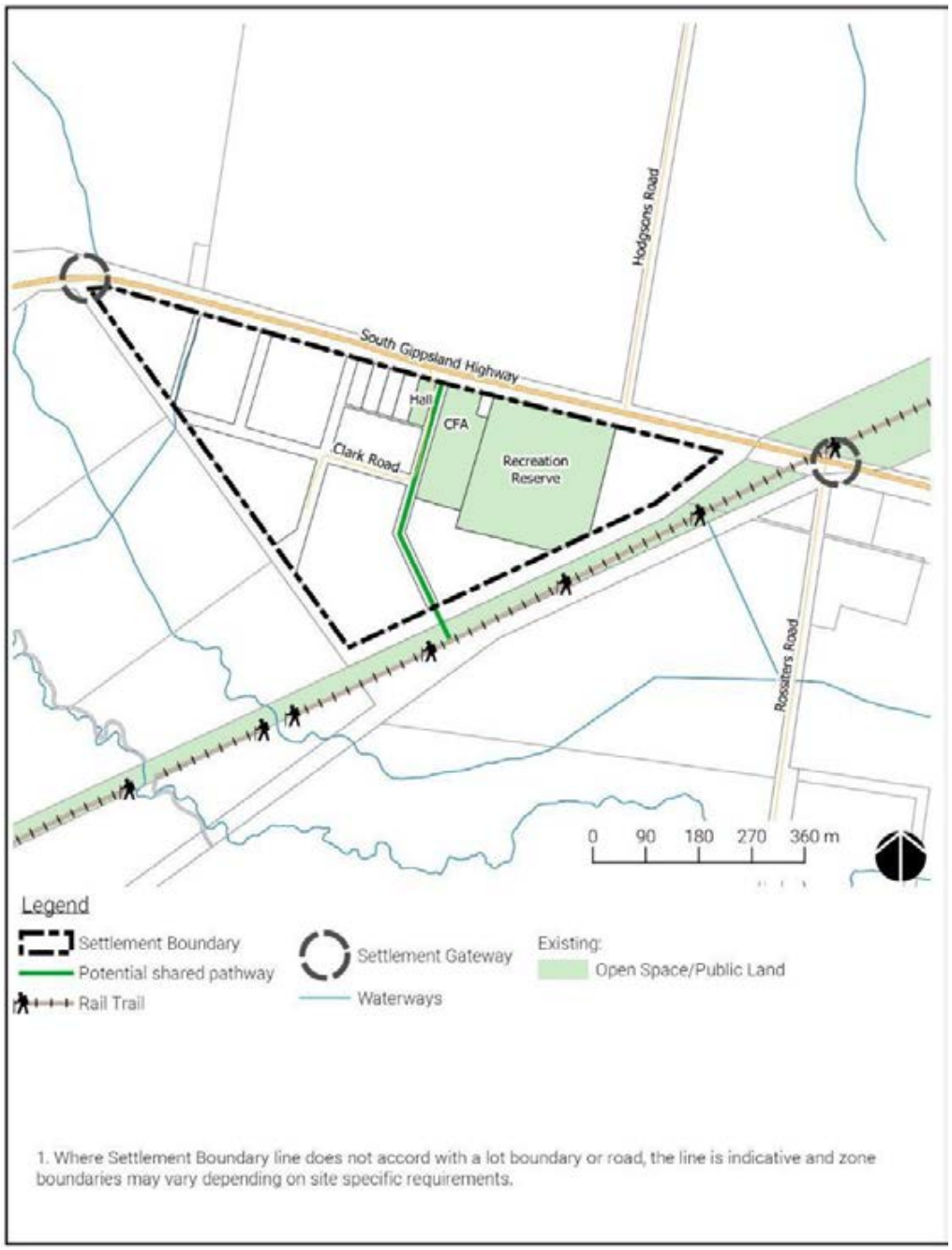
- ~~Allowing rural dwellings on small lots on Salmons Road Hedley where the lot has been consolidated to comply with the Salmons Road Restructure Plan in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019).~~ [rewording policy for clarity / summarising policy guideline direction.]
- ~~Consolidating land parcels to~~ Ppreserve the rural landscape in accordance with the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019). [rewording for clarity]

Hedley policy document

Consider as relevant:

- The Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019).

Hedley Framework Plan

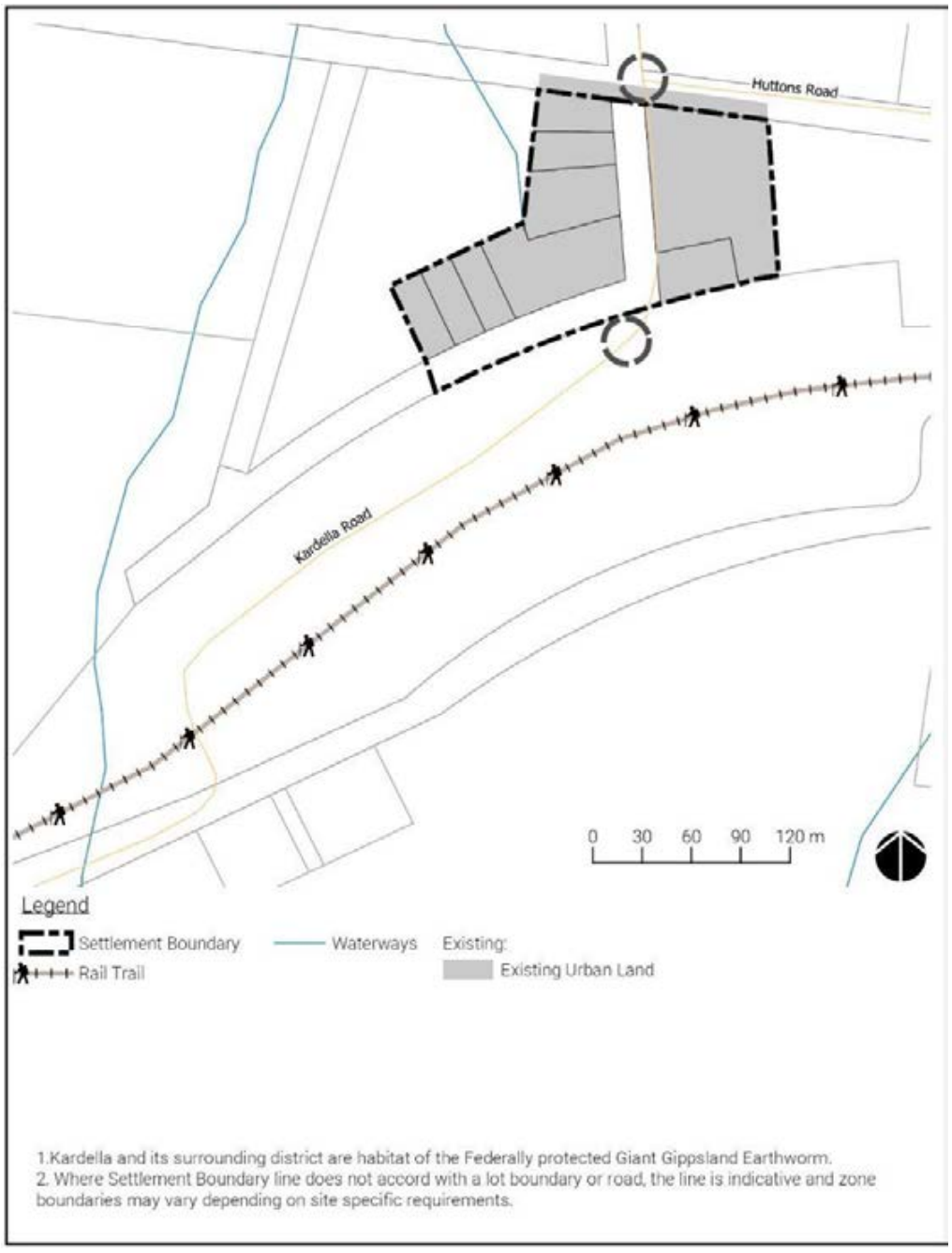


Kardella strategies

Enhance the sense of arrival at Kardella by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

~~Support protection of Giant Gippsland Earthworm habitat and populations~~[removing duplicated directions – see clause 12.01-1L]

Kardella Framework Plan

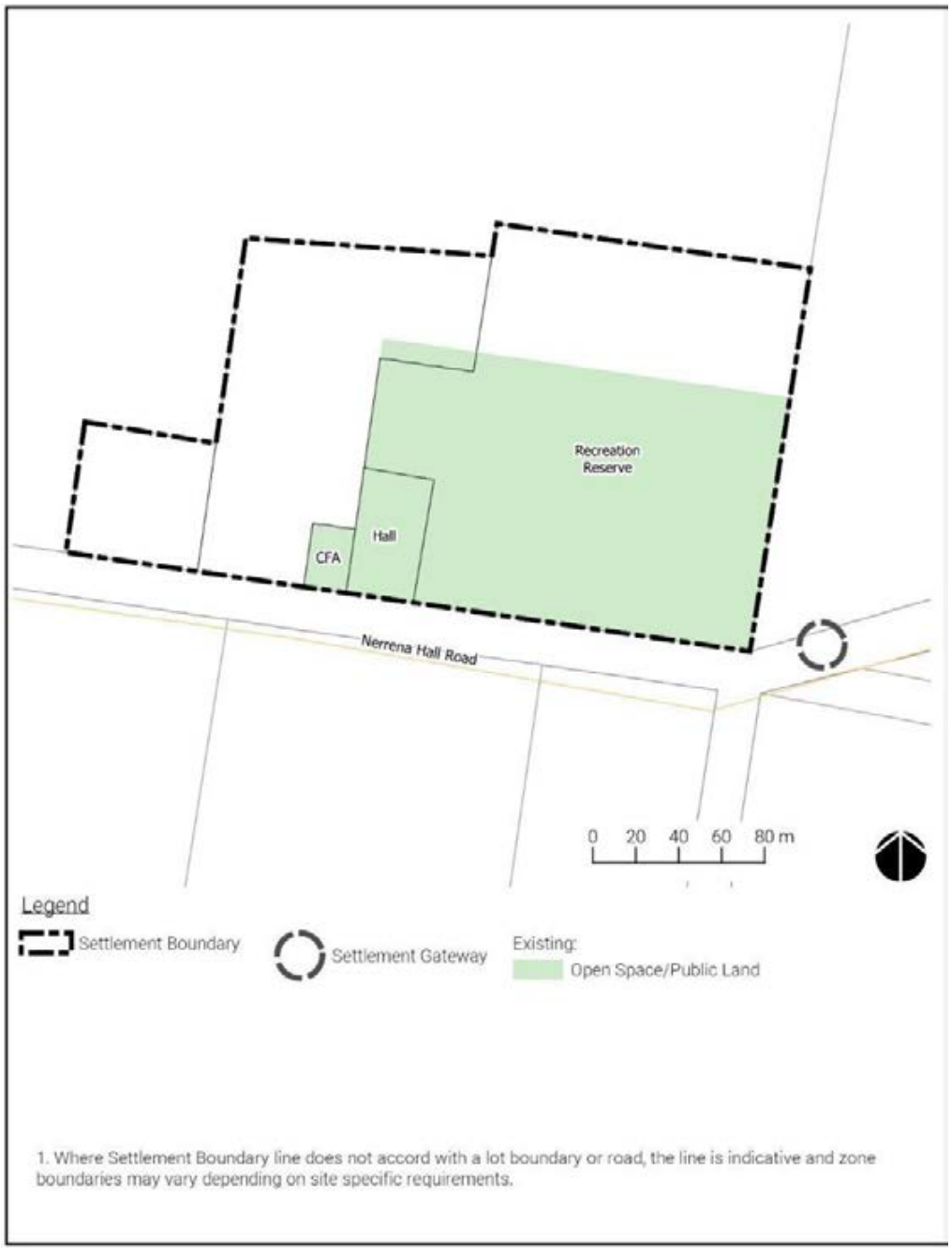


Nerrena strategies

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~ [removing inappropriate / unnecessary directions]

Enhance the sense of arrival at~~Enhance the~~ Nerrena ~~'sense of place'~~ [rewording for clarity] by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

Nerrena Framework Plan

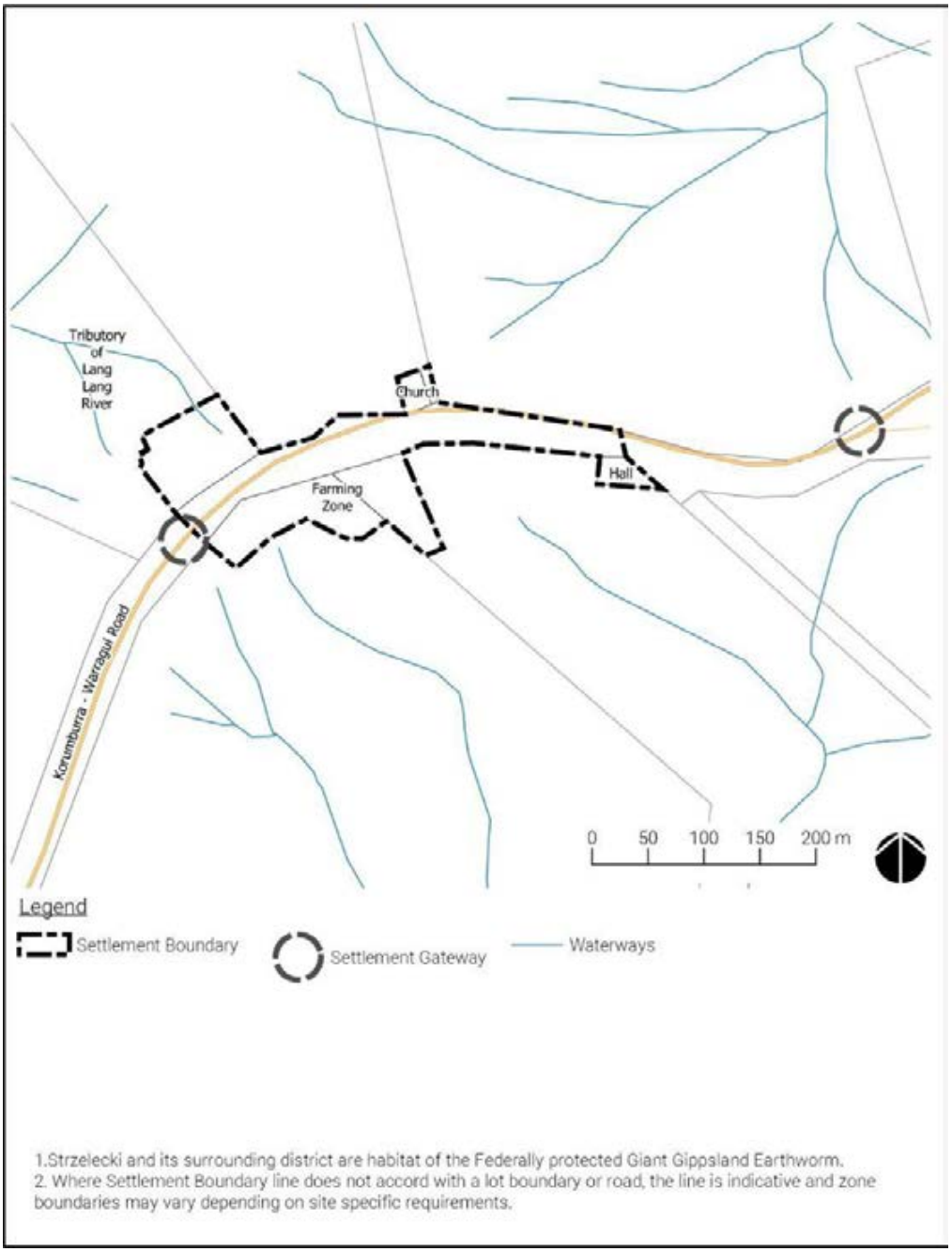


Strzelecki strategies

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~ [removing inappropriate / unnecessary directions]

Enhance the sense of arrival at ~~Enhance the~~ Strzelecki ~~'sense of place'~~ [rewording for clarity] by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

Strzelecki Framework Plan



11.01-1L-11

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Other localities

Policy application

This policy applies to all localities in the Shire not specifically identified in Clauses 11.01-1L-01 to 11.01-1L-10.

~~**Settlement strategies**~~

~~Provide an attractive and safe environment in the localities.~~ [removing general / duplicative shire wide policy directions]

~~Discourage development in areas susceptible to environmental hazards.~~ ~~.~~ [removing general / duplicative shire wide policy directions]

Landscape and built form strategies

Enhance the sense of arrival at locality settlements by encouraging sensitively designed and sited buildings and attractive landscaping treatments in locations adjoining settlement gateways.

Promote ecologically ~~sustainable and sympathetically~~sustainable, sympathetically [rewording for clarity] designed and well located [rewording for clarity] development that complements the environmental, topographical and landscape values of the surrounding area.

Enhance heritage places, including Avenues of Honour, in recognition of their contribution to the overall character of the settlement~~.~~

~~**Environmental strategies**~~

~~Support protection of Giant Gippsland Earthworm habitat and populations.~~[removing duplicated directions – see clause 12.01-1L]

~~Ensure that each development site is capable of on-site wastewater treatment and disposal that does not prejudice groundwater quality.~~ [removing inappropriate / unnecessary directions]

~~**Infrastructure strategies**~~

~~Encourage multiple uses of community facilities to maximise efficient use of the asset.~~ [removing inappropriate / unnecessary directions]

12.01-1L

~~03/03/2022 C127sgip~~ XX/XX/XXXX CXXXsgip

Biodiversity

Strategies

Encourage landholders to protect remnant vegetation on their land by fencing off areas of native vegetation and excluding stock.

Retain and enhance areas of remnant vegetation within urban areas.

Retain vegetation along waterways and natural drainage lines [rewording for clarity-from Mirboo North strategies 11.01-1L-05].

~~Protect and enhance areas of indigenous and native vegetation where possible in development.~~ [removing general / duplicative shire wide policy directions – see strategy above.]

Support protection of Giant Gippsland Earthworm habitat and populations.

12.05-2L-01 Coastal and hinterland landscapes

03/03/2022
C127sgip

General strategies

Ensure that development is subordinate to the natural, visual and environmental landscape character and significance.

Protect views of Mt Hoddle, the Welshpool Hills and the Corner Inlet Amphitheatre and other hinterland areas by avoiding development in these areas that is visually intrusive, particularly when viewed from the South Gippsland Highway, as well as from other key touring routes, lookouts and residences.

Discourage development on prominent ridgelines, particularly those close to the coast. Where development cannot be avoided in steep locations or prominent hill faces:

- Site development in the lowest third of the visible slope wherever possible.
- Set buildings and structures among existing vegetation or establish gardens with locally indigenous species.
- Design buildings to follow the contours or step down the site to minimise earthworks.
- Articulate buildings into separate elements and avoid visually dominant elevations.

Encourage the planting of indigenous vegetation for rehabilitation works and landscaping around development.

Retain existing shelterbelts and non-indigenous feature planting where they are features of the area and the species are non-invasive.

Settlement edge strategies

Use existing landscape features, (for example topography, vegetation coverage, vistas) to define edges to settlements, protecting the surrounding landscape character.

Scale the height and form of new development at the coastal edge of settlements to be sensitive to surrounding development, the surrounding landform and the visual setting of the settlement, particularly when viewed from the foreshore.

Support a hierarchy of built form within coastal settlements, with lower buildings adjacent to the foreshore and higher buildings away from the foreshore.

Between settlement strategies

Retain the natural and undeveloped character of the coastal strip between settlements by:

- Avoiding or siting and designing development.
- Using colours and materials that minimise contrast with the surrounding

landscape. Retain a dominant natural character, particularly near the coast, by:

- Setting development back from the coast in flatter locations.
- Avoiding loss of vegetation.
- Minimising the visibility and impact of pedestrian and vehicular access paths and site servicing.

Between settlement policy guideline

Consider as relevant:

- Whether the development is within 500 metres of the coast.

Hinterland strategies

Design buildings to respond to the natural setting in relation to siting, materials and colours to minimise visibility, particularly in prominent and highly visible locations and when viewed from main road corridors and key public use areas.

In open rural areas, ensure buildings are set back long distances from roads and/or group buildings in the landscape among substantial landscaping of indigenous or non-invasive exotic/native feature planting (including existing shelterbelts).

Maximise the undeveloped area of a lot and use permeable surfacing to support vegetation and minimise surface run-off.

Retain trees that form part of a continuous canopy and encourage trees to be planted in a position where they will add to a continuous canopy.

12.05-2L-02 Significant landscape character areas

17/10/2024
C129sgip

Policy application

This policy applies to the land identified on the Landscape Character Area map.

Character Area 1.3 – Bunurong Coast and Hinterland strategies

Retain clear views of the coastal dunes, cliffs and formations from coastal areas coastal roads.

Protect the character of the near-coastal hinterland by:

- Encouraging the progressive revegetation of rural land adjoining coastal reserves.
- Siting developments at long setback distances from the coast and out of view of key viewing locations.

Maintain extensive rural character outside settlements by siting:

- Development long distances apart, back from roads and amongst vegetation.
- Large-scale built development within or close to existing built areas to avoid dominance of built form over the open pastoral hinterland.

Character Area 1.4 – Tarwin Floodplain strategies

Protect locally significant views and vistas that contribute to the character of the Area, particularly expansive, open out views between Tarwin Lower and Venus Bay, and open views across Anderson Inlet.

Protect the flats between Townsend Bluff and Tarwin Lower from visually dominant development. Retain the sense of uncluttered openness throughout the Character Area.

Ensure that, where development on the flats cannot be avoided, low scale building forms and appropriate materials and colours that are not highly visible, particularly from main road corridors, are utilised.

Character Area 1.5 – Waratah Bay/Corner Inlet strategies

Protect the rural character and views that create a scenic ‘gateway’ to Wilsons Promontory, especially along Foster – Promontory Road, by restricting linear urban sprawl or the cluttering of built development.

Ensure that long stretches of the coastal strip remain free of development of any kind. Reduce the visibility of buildings or structures, within the coastal strip, outside settlements.

Manage development at the Corner Inlet coastal edge to retain intact natural coastal character by:

- Restricting heights of dwellings.
- Using colours that blend with the natural environment.
- Clustering development at already developed centres (e.g. Port Welshpool).

Restrict linear residential expansion of Waratah Bay along access road and avoid exposure of built form above low dunes.

Minimise clutter of built elements throughout hinterland areas to protect the rural character.

Character Area 2.3 – Cape Liptrap strategies

Maintain the dominance of the natural landscape and vegetation on hill faces and ridges throughout Cape Liptrap.

Preserve the landscape setting for landmarks or features of cultural heritage significance, such as the Cape Liptrap Lighthouse and limestone kilns at Walkerville.

Design and site development in Walkerville/Walkerville South by:

- Minimising visual intrusion of development into public use areas on the beach.
- Maintaining continuous indigenous vegetation canopy.
- Reducing distant visibility through the use of darker colours / non-reflective materials.

Ensure development is set back from the cliff top/coast to retain a dominant natural character and views to coastal and near-coastal hinterland features.

Character Area 3.2 – Welshpool Hills and Mount Hoddle strategies

Limit development from locating on ridge tops and visually prominent hill faces, particularly slopes visible from the coast and coastal hinterland such as between Mount Hoddle and the municipal boundary with Wellington Shire.

Encourage development to be tucked into the inland rolling topography and away from prominent viewing locations and skylines.

Ensure large scale infrastructure is sited outside of the coastal viewshed wherever possible and away from prominent locations.

Character Area 4.1 – Venus Bay Dunes strategies

Retain the natural and undeveloped character of the Bass Strait coastal edge by avoiding buildings and structures outside settlement boundaries.

Enhance the dominant vegetated character of the Venus Bay Peninsula as viewed from Anderson Inlet.

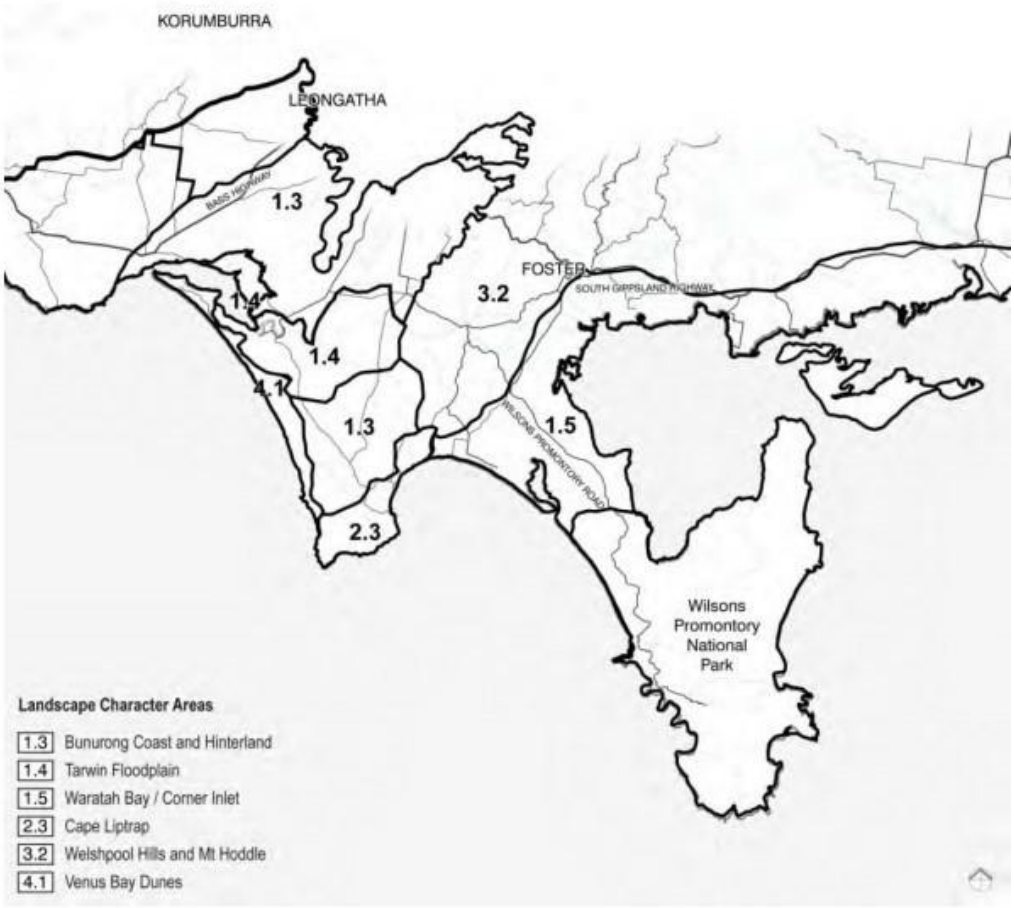
Ensure buildings are integrated with their surroundings by using darker colours and landscaping to minimise contrast and distant visibility, particularly on the eastern edge of the Character Area.

Policy document

Consider as relevant:

Coastal Spaces Landscape Assessment Study (Planisphere, December 2006) [referencing adopted policy document]

Landscape Character Area map



13.01-1L Natural hazards and climate change - South Gippsland

17/10/2024
C129sgip

Strategy

Plan Foster as a safer alternative to coastal township development.

13.02-1L Bushfire Planning - South Gippsland

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Strategies

Design use and development to provide more than one access route onto the public road network.

Encourage vulnerable and hazardous uses to not operate during the declared fire danger season unless it is essential.

Ensure that new rural lots and lots within the Low Density Residential Zone can provide the amount of defendable space required for any existing or future dwelling.

[NEW incorporating relevant VCAT recommendation as indicated in VCAT case findings for P883/2024 at 11 Grey Road, Mirboo North]

14.01-1L-01

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Rural dwellings

Policy application

This policy applies to applications for the use and development of dwellings in the Farming Zone on lots with an area of less than 40 hectares.

Strategies

Avoid dwellings that are for rural residential or lifestyle purposes and may conflict with the rural use of the land unless the dwelling is on an existing small lot.

Avoid dwellings unless:

- The dwelling is proposed in association with agriculture, is genuinely required to carry out a long-term agricultural activity on the land, is secondary to the use of the land for agriculture ~~-~~and will provide a net benefit to agricultural productivity.
- The dwelling is proposed on a lot that is predominantly occupied by remnant native vegetation.
- The agricultural activity requires the presence of a resident land manager and cannot be reasonably managed from an off-site location. [rewording for clarity – incorporating existing direction below]

Avoid dwellings that adversely impact:

- Any existing agricultural uses or activities on surrounding land.
- Environmental characteristics of the surrounding area.
- Rural character and landscape values of the area, including visual impact.
- Natural systems, water quality or water quantity in the locality.

Avoid dwellings in association with Grazing animal production or calf rearing.

~~Avoid dwellings in association with agricultural uses (other than Grazing animal production or calf rearing) unless:~~

- ~~The dwelling is necessary for the operation of and secondary to the use of the land for agriculture.~~
- ~~Any proposed agricultural use does not compromise the operation of adjacent or nearby agricultural activities.~~
- ~~The agricultural use cannot be reasonably managed from an off-site location.~~

Policy guidelines

Consider as relevant:

- A small lot for rural residential or lifestyle purposes is 4.1 hectares or less.
- A lot that is predominantly occupied by remnant native vegetation is a lot that is at least 50 per cent covered by remnant native vegetation or regrowth over 15 years old.~~remnant native vegetation or regrowth over 15 years old and at least 50 per cent cover of the lot.~~ [rewording for clarity]
- The use of Section 173 Agreements relating to the construction of supporting agricultural infrastructure in situations where agriculture has been used to justify the development of a dwelling.
- The use of a Whole Farm Plan relating to any application to use and develop a lot for a dwelling in association with an agricultural activity.

14.01-1L-02 Second and subsequent dwellings in rural areas

17/10/2024
C129sgip

Policy application

This policy applies to applications for the use and development of more than one dwelling on land in the Farming Zone.

Strategies

Avoid second or subsequent dwellings on lots unless they:

- Are necessary to carry out a long term agricultural use on the land and provide a net benefit to agricultural activity.
- Will not adversely affect the operation of agricultural uses on the land or on surrounding land.
- Maintain the rural character, landscape and environmental values of the area.

Consolidate lots in order to ensure that the dwelling(s) remain connected to the agricultural use of the land.

Locate second or subsequent dwellings on multi-lot farming properties on the same lot as the existing dwelling.

Policy guidelines

Consider as relevant:

- Restrict second and subsequent dwellings on lots less than 40 hectares.
- The use of a Section 173 Agreement to prevent the excision of a dwelling from the land through subdivision.
- The use of a Whole Farm Plan relating to any application to use and develop a lot for a dwelling in association with an agricultural activity.

14.01-1L-03 Rural dwellings on lots with remnant native vegetation

03/03/2022
C127sgip

Policy application

This policy applies to applications for use or development dwellings in the Farming Zone where the lot is at least 50 per cent covered by remnant native vegetation or regrowth over 15 years old.

Strategies

Support dwellings associated with the management of biodiversity and native vegetation only where:

- The lot is predominantly occupied by remnant native vegetation or regrowth where there is no or highly limited potential for an agricultural activity to occur.
- There is no or limited native vegetation removal required to facilitate the construction of a dwelling with associated bushfire protection measures, including those required to implement the defendable space and vehicle access requirements.

Policy guideline

Consider as relevant:

- The use of a restriction on title, section 173 Agreement or similar for the development and implementation of a land management plan that provides for the ongoing protection and management of the native vegetation and biodiversity on

site. This also includes the ongoing vegetation management associated with maintaining defendable space.

14.01-1L-04 Land use and dwellings in the Rural Activity Zone

~~03/03/2022 C127sgip~~ XX/XX/XXXX CXXXsgip

Policy application

This policy applies to all land within the Rural Activity Zone.

General strategies

Encourage use or development to be:

- Of modest scale, that is consistent with the land size, surrounding uses and the ability to blend with the landscape.
- Subservient to the landscape so as not to detract from the quality of the landscape and environment.

Encourage use and development to be self- sufficient in the provision of relevant infrastructure.

Land use strategies

Encourage a diverse range of agricultural activities.

Encourage tourism use and development that is compatible with agricultural production and the environmental attributes of the area.

Discourage uses that can be reasonably accommodated in an urban zone.

Land use policy guidelines

Consider as relevant:

- Encouraging the following uses:
  - Agriculture
  - Leisure and recreation
  - Group accommodation associated with tourist or recreational activities (including backpacker accommodation, camping and caravan park, cabins, residential hotel / motel etc)
  - Restaurant (but only in association with a tourist / recreational activity)
  - Primary Produce sales
  - Winery
- Discouraging the following uses:
  - Cattle feedlot
  - Convenience shop
  - Intensive animal production
  - Landscape and gardening supplies
  - Manufacturing sales other than products made from local rural produce
  - Place of assembly where land is to used for more than 10 days in a calendar year.
  - Residential Hotel [updating land use terms as per MDF&C]
  - Store

- Bar
- Timber production

Dwellings strategies

Support dwellings:

- On small lots if they are in conjunction with a separate tourism venture on the lot.
- Where the location of the dwelling will not adversely affect the operation and expansion of adjoining and nearby agricultural uses.

Discourage dwellings in association with Grazing animal production~~,~~ and calf rearing~~,~~ on medium size lots.

Dwellings policy guidelines

Consider as relevant:

- A small lot as having an area of 4.1 hectares or less.
- A medium size lot as having an area of between 4.1 and 40 hectares.
- The use of a Section 173 Agreement to prevent the subdivision of the lot containing the dwelling.

Policy document

Consider as relevant:

- *South Gippsland Rural Land Use Strategy* (South Gippsland Shire Council, 2011)

14.01-1L-05 Subdivision in the Farming and Rural Activity Zones

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Policy application

This policy applies to applications to subdivide land in the Farming Zone and the Rural Activity Zone.

Subdivision to accommodate existing dwellings strategies

Allow the subdivision of land to accommodate an existing dwelling only where:

- The existing dwelling is no longer reasonably required for the carrying out of agricultural activities in the long term.
- There are beneficial agricultural outcomes for the land by excising the dwelling.
- The excision of the dwelling is compatible with and will not reduce the potential for farming or other legitimate rural land uses on the land, adjoining land and the general area.
- It is a re-subdivision of existing land titles where that potential exists. Land from former road reserves, lots under the minimum lot size specified under the schedule to the zone created by consolidation or other subdivision process and historic lots on former inappropriate Crown settlements and townships cannot be used for this purpose.

Avoid dwelling excisions that increase the number of lots unless they:

- Provide no opportunity available for re-subdivision of the balance lot(s).
- Contain balance (remaining) lot(s) that is/are greater than the minimum lot size specified in the schedule to the zone.

Avoid further subdivision to accommodate another existing dwelling where a dwelling has already been excised.

Minimise the size of a dwelling lot to only that necessary for the dwelling and appurtenant structures, while maintaining an adequate distance around dwellings to limit impacts on agricultural activities.

Avoid excisions that result in ‘axe-handle’ or island style lots.

Avoid a house lot excision that is likely to lead to a concentration of lots that would change the general use and character of the rural area.

Encourage the consolidation of rural lots in the Farming Zone.

Subdivision to accommodate existing dwellings policy guidelines

Consider as relevant:

- Restricting excisions to dwellings that have existed on the land on or before 16 December 1999.
- The use of a Section 173 Agreement for the excision of dwelling(s) that prevents the development of any additional dwelling on a balance lot(s) with an area of less than 40 hectares.
- The size of a dwelling lot for an excised dwelling (including appurtenant structures) to be no more than 2 hectares.

Re-subdivision of existing lots without a dwelling strategies

Avoid the subdivision of existing lots unless it results in the enhancement of existing or proposed agricultural activities.

Avoid subdivision of existing lots that create lots that are not viable for agricultural uses.

Re-subdivision of existing lots without a dwelling policy guidelines

Consider as relevant:

- Allowing a lot that is under 4.1 hectares where it is for a non residential use.
- The use of a Section 173 Agreement that prevents the development of any dwelling on a lot under 4.1 hectares.

Policy document

Consider as relevant:

- *South Gippsland Rural Land Use Strategy* (South Gippsland Shire Council, 2011)

14.01-2L-01 Sustainable agricultural land use - South Gippsland

17/10/2024
C129sgip

Strategies

Support agriculture, food and fibre production to remain competitive and significant contributors to the local and national economies.

Support agricultural industries that use regenerative land management practices to ensure the long-term viability of land.

14.01-2L-02 Marine industry and farm forestry

~~17/10/2024~~
~~C129sgip~~
XX/XX/XXXX
CXXXsgip

Strategies

Support ~~and facilitate~~ [rewording for clarity] the development of the marine industry, including uses such as wild harvest and aquaculture ventures, in appropriate locations where environmental impacts can be appropriately managed.

Support ~~and facilitate~~ [rewording for clarity] the development of farm forestry in appropriate locations, such as land~~-~~ less suited to higher value agricultural production, including diary and crop raising.

15.01-1L-01

17/10/2024 C129sgip

Urban design

Strategies

Encourage a building design, layout and landscaping for all development, that respects the existing character and strategic context of the site, particularly at the highway entrances to towns and settlement gateways.

Locate infrastructure away from highly scenic locations, key views and coastal locations, or, in the case of powerlines and other utility services, [rewording for clarity] underground, wherever possible. ~~in the case of powerlines and other utility services.~~

Locate access tracks and other infrastructure in areas of low visibility, preferably in previously cleared locations.

Avoid the use of materials that contrast with the landscape.

Encourage the use of vegetation to screen infrastructure from key viewing corridors and public use areas.

~~Encourage reticulated electricity to be provided using underground cabling.~~ [rewording for clarity]

15.01-1L-02

03/03/2022
C127sgip

Signs

Policy application

This policy applies to all signs that require a permit.

Strategies

Discourage signs, such as third party promotion signs, [rewording for clarity] that do not relate to the use or development of the land on which they are sited ~~(third party promotion signs)~~.

Avoid visual clutter across the landscape, such as large, visually intrusive or brightly coloured signs and signs located [rewording for clarity] at settlement entrances and exits.

Design signs so that the:

- Size, design and colour of signage~~s~~ does [rewording for clarity] not detract from the visual amenity of the surrounding environment.
- Location, design and size of signage compliments the architectural character of the building on which it is fixed.
- Sign does not dominate the building on which it is fixed or the land on which it is

sited. Discourage signs above parapets, fascias or rooflines of buildings.

Limit the number of suspended under-verandah signs per shopfront to allow for equity to shop owners and visibility.

Discourage signs that obscure architectural features and detailing, windows and door openings or verandahs, particularly on buildings of identified heritage significance.

Encourage above-verandah signs to be mounted to the building upper fascia or parapet at right angles to the road, rather than mounted directly to a verandah.

Limit signs that project above the skyline or profile of a building.

Discourage pole signs that exceed the building height of adjacent buildings or project over a footpath or road formation.

Policy guidelines

Consider as relevant:

- Limiting suspended under-verandah signs to one per shopfront, except on large premises where the limit should be one per every [rewording for clarity] ten metres of shopfront.
- Discouraging home occupation signs that are illuminated or exceed one square metre~~s~~ in size.

15.01-2L-01 Building design – residential

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Policy application

This policy applies to all applications for residential development.

Strategies

Design residential development in small towns to be sustainable and sympathetic to the existing character of these towns.

Orient and site dwellings and other accommodation to optimise the use of active solar energy generation, passive solar energy, energy efficiency principles and natural, year-round daylight.

Encourage the retention and planting of indigenous vegetation to:

- Screen dwellings and ancillary outbuildings from adjoining properties, roads and nearby public space.
- Assist in decreasing greenhouse gas emissions.

Encourage dwellings and accommodation to respond to the surrounding natural environment through siting, minimising cut and fill, and use of exterior building materials, finishes and colours that are non reflective and blend with the surrounding natural environment.

Site and design dwellings and other accommodation types to minimise the potential impacts of climate change, including factors such as water usage, thermal comfort, maintaining access and protection from environmental risks such as storms, inundation, erosion and bushfires.

15.01-2L-02

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

~~Industrial development~~Building design – Industrial [Reworded as per MDF&C]

Policy application

This policy applies to all applications for industrial development.

Objective

To ensure that industrial development is safe and functional in its layout and sympathetic to the appearance and amenity of the area. [NEW suggested objective from existing strategies]

Strategies.

~~**Design industrial development to be:**~~

- ~~Safe and functional in its layout.~~
- ~~Sympathetic to the appearance and amenity of the area.~~ [relocating to new objective]

Design industrial development to minimise adverse impacts on existing neighbouring uses.

Design buildings and building additions so that their height and bulk ~~enhances~~ does not detract from [rewording for clarity] the visual amenity of the surrounding area.

Ensure buildings are set back from the frontage generally in line with the setback of buildings on adjoining properties.

Encourage all buildings and building additions to incorporate passive solar and energy efficient design principles in their siting and design.

Encourage external finishes of walls and roofs to be brick, stone, concrete, colour impregnated steel cladding or other non-reflective material.

Discourage the use of fences along site frontages. [rewording from strategy below]

Provide landscaping on sites in place of fences along site frontages and along boundaries of sites adjacent to a General Residential or Township ~~.~~[Zone. [rewording from strategy below]

Provide landscaping that: ~~along boundaries of sites adjacent to a General Residential or Township Zone containing residential development to screen the activities on the site.~~[rewording for clarity]

- Is low maintenance. ~~.~~[rewording for clarity]
- Uses indigenous vegetation. ~~.~~[rewording for clarity]
- Screens areas where visibility for safety is not essential. ~~.~~[rewording for clarity]
- Defines areas of pedestrian and vehicular movement. ~~.~~[rewording for clarity]

Encourage on-site infiltration trenches to be incorporated into landscaping areas to minimise stormwater run-off from the site.

Design industrial development to respond to the environmental context and address drainage, waste management and all forms of pollution.

Encourage the provision of shared infrastructure such as car parking, power and telecommunications.

Provide parking, loading, servicing and storage facilities to meet the needs of occupants. Locate staff car parking areas and external storage areas at the rear of the site.

Ensure external storage areas are screened from adjoining sites or nearby roads through the use of landscaping or fencing.

Design car parking areas so that vehicles are able to enter and exit the site in a forward motion.

Policy guidelines

Consider as relevant:

- Where no adjoining buildings exist, setting buildings back a minimum of seven metres from the site frontage.
- Siting and designing buildings to maximise the use of natural light and solar energy.
- ~~Encouraging~~ Utilising [rewording for clarity] north-facing windows to maximise solar efficiency.
- Where fencing along the frontage of the site is necessary, encouraging fences to be a minimum of fifty percent (50 per cent) transparent, not exceed 1.8 metres in height and be constructed out of non-reflective materials.
- Providing a strip of landscaping a minimum of two metres in width along the principal road frontage of the site. [rewording for clarity]
- ~~Providing a minimum two metre wide strip of landscaping along the front title boundary (principal road frontage) of the site.~~ [rewording for clarity]
- Locating areas able to be used for stockpiling at least 10 metres from drainage lines and surrounding them with batter(s) and silt fences. [rewording for clarity]
- ~~Locating stockpiles at least 10 metres from drainage lines and surrounding them by batter(s) and silt fences.~~ [rewording for clarity]
- Locating customer car parking in the area of the site between the landscaping strip and the building envelope.

Policy document

Consider as relevant:

- *Leongatha Industrial Land Supply Study* (Meinhardt, 2013)

15.01-3L

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Subdivision design - South Gippsland

Strategies

Restructure old and inappropriate subdivisions to:

- Limit new dwellings on vacant lots.
- Consolidate lots not suitable for the development of dwellings.
- Preserve the rural landscape.

Avoid subdivision patterns that create closed courts which discourage connection of roads for active pedestrian use. [relocated policy direction -from clause 11.01-1L-05].

Promote site responsive residential subdivision design with a mix of lot sizes and configurations that minimise the impact of earthworks [relocated policy direction -from clause 11.01-1L-03].

Ensure that subdivision designs respond to the topographic, landscape and environmental constraints of the land [relocated policy direction -from clause 11.01-1L-05].

15.01-6L

~~03/03/2022 C127sgip~~
XX/XX/XXXX CXXXsgip

Open farmed landscapes

Policy Application [NEW]

This policy applies to all land within the Farming Zone and the Rural Activity Zone. [NEW suggested policy application]

Strategy

Protect open farmed landscapes from inappropriate dwelling development by avoiding:

- Development on ridgelines.
- Development that visually impacts on the landscape due to colour, building outline, size, mass, reflectivity, earthworks, vegetation clearance or siting.

15.03-1L

~~03/03/2022 C127sgip~~
XX/XX/XXXX CXXXsgip

Heritage

Policy application

This policy applies to all heritage places included in the Heritage Overlay.

General strategies

Facilitate buildings, works or subdivision where it will assist in the short or long term conservation of the place by:

- Maintaining, protecting, restoring, repairing or stabilizing significant fabric.
- Supporting the continued original use of the building by enabling it to be upgraded to meet present day requirements and standards, including improved energy efficiency.
- Allowing an alternative use ~~(where this is permitted by the zoning or in accordance with the Heritage Overlay Schedule)~~ [removing unnecessary directions] when the original use of the building is no longer viable.

Demolition strategies

Discourage the demolition of a building or works that contribute to the significance of a heritage place.

Discourage the demolition of part of a building or works unless:

- The fabric to be removed is not of primary significance and its removal will not adversely affect the significance of the place.
- It will assist in the long term conservation of the place.

Development or works strategies

Encourage development that assists in revealing the significance of the place.

Discourage development that would alter, destroy or conceal any fabric that contributes to its significance, except where it can be demonstrated that any alteration is reversible.

Ensure that the siting, size, height, setback, materials, form and colour of new development are sympathetic to the elements that contribute to the significance of a heritage place, including its context.

Distinguish new development from heritage fabric whilst being sympathetic to the heritage context. Discourage development that mimics or copies an earlier style.

Discourage buildings or works that will have an adverse effect upon a significant tree identified by the *South Gippsland Heritage Study* (2004), or any tree that contributes to the setting of a heritage place.

Policy document

Consider as relevant:

- *South Gippsland Heritage Study* (David Helms, 2004)

16.01-1L

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Housing supply in South Gippsland

Objective

To ensure that housing supply is sufficient to meet demand. [NEW suggested objective]

Strategies

Encourage medium density housing close to the commercial centres of Leongatha, Korumburra, Foster and Mirboo North.

Locate dwellings, retirement villages and rooming houses on flat land within 400 metres of retail uses and health and community services. ~~close to retail, community and health services.~~ [reworded for clarity]

Design dwellings so that they can be adapted to meet changing lifecycle circumstances and the needs of diverse households.

Encourage the development of social housing where medical and community services are available, for diverse and special household needs (including low income households, people with disabilities) in Leongatha, Korumburra, Foster, Mirboo North and Meeniyan.

Support housing options with convenient access to secondary and further education, employment and transport ~~for younger people~~ [rewording to remove unnecessary directions]

Encourage ~~nursing home accommodation~~Residential aged care facilities [rewording land use terms as per MDF&C] in ~~Principal, Large District~~regional service centres [rewording to align with Plan for Victoria] and regional centres ~~District towns~~ [reworded to align with the Strategic Framework Plan] where medical and ~~aged care~~community services are readily available.

Encourage the development of retirement villages, ~~hostel accommodation~~ rooming houses [rewording land use terms as per MDF&C] and medium density housing to accommodate an ageing population.

Discourage the development of dwellings on small lots in old Crown township areas except where either:

- The land is zoned Township Zone or Rural Living Zone; or
- The development is in accordance with the relevant Restructure Plan in the Schedule to Clause 45.05.

~~**Policy guideline**~~

~~Consider as relevant:~~

- ~~Locating retirement villages, hostel accommodation and medium density housing on flat or gently sloping land within 400 metres of shops, health and community services.~~ [rewording to remove unnecessary directions]

16.01-2L

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Housing affordability - South Gippsland

Objective

To ~~significantly~~ [rewording to remove unnecessary directions] increase access to affordable and social housing.

Strategies

Ensure affordable and social housing are included in residential developments.

Ensure affordable and social housing is provided within walking distance of services and amenities.

Promote development that includes the provision of affordable housing.

Policy document

Consider as relevant:

- *South Gippsland Social and Affordable Housing Strategy* (Hornsby & Co, 2022)
- *South Gippsland Shire Council Community Health and Wellbeing Plan (2025-2029),* (South Gippsland Shire Council, 2025) [referencing adopted policy document]

17.01-1L Diversified economy – South Gippsland

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Strategies

Encourage the development of meat processing facilities to support the local agricultural sector.

Promote the Leongatha, Korumburra, Foster and Mirboo North industrial precincts as locations for manufacturing industries.

Support value adding opportunities associated with timber production to maximise the economic benefits to the municipality.

~~Encourage opportunities for the expansion of industry and the provision of related infrastructure.~~ [rewording to remove unnecessary directions]

~~Direct industrial uses to within existing industrial precincts.~~ [rewording to remove unnecessary directions]

Support the development and expansion of industrial use and port-related industries at Barry Beach.

Encourage the development of equine and horse racing related industries around Stony Creek. Encourage industries that develop products from the reuse and recycling of industrial waste. Encourage and promote niche industries such as the packaging and export of natural spring water.

Policy document

Consider as relevant:

- *South Gippsland Economic Development Strategy (2021-2031)*, (South Gippsland Shire Council, 2021) [referencing adopted policy document]

17.02-1L

~~31/07/2018 VC148~~
XX/XX/XXXX CXXXsqip

Commercial, office and retail uses

Objective

To provide a 15 year supply of commercial land. [NEW suggested objective]

Strategies

Discourage the establishment of office and retail developments outside existing commercial areas.

Encourage the redevelopment of existing retail facilities within town centres.

Support new retail development on key redevelopment sites within established town centres.

Support commercial development that enhances the amenity of the towns, is safe and functional in its layout.

17.03-1L

~~03/03/2022 C127sgip~~
XX/XX/XXXX CXXXsqip

Industrial land supply

Objective

To provide a 15 year supply of industrial land. [NEW suggested objective derived from policy guideline]

Strategies

Provide sufficient industrial land, including large lots in strategic locations for the expansion of food manufacturing businesses and related new businesses~~, particularly in dairy related and value add industries~~.

Discourage encroachment of sensitive land uses on industrial uses, particularly where industrial noise, odour, lighting and truck movements may cause amenity concerns.

~~**Policy guideline**~~

~~Consider as relevant:~~

- ~~Providing sufficient industrial land supply to allow for a minimum of 15 years growth.~~ [rewording as objective]

17.04-1L

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Tourism - South Gippsland

Strategies

Encourage outdoor education and adventure type tourism activities.

Support the development of larger scale tourism infrastructure capable of attracting year round visitation, such as conference centres and major accommodation venues, in appropriate locations, including within settlement boundaries and at locations that are close to Wilsons Promontory.

Encourage accommodation uses for rail trail users close to and accessible from the rail trails.

Facilitate the provision of public transport and flexible transport services appropriate for users of the rail trails.

Facilitate the provision of services and facilities to support rail trail users in settlements along the rail trail.

Promote tourism and other economic development that complements the natural environment and landscape values of the region [relocating policy from Mirboo strategies clause 11.01-1L-05].

Encourage small-scale tourism within the Township Zones in the Villages and Hamlets that complement the natural environment, agricultural and landscape values of the region and takes advantage of proximity to tourist routes and access to the Great Southern Rail Trail.

Support improved visitor accommodation that encourages tourists to visit and remain longer in the region.

Encourage greater tourism promotion and co-ordination within Foster to build upon the town's role as the gateway to Wilsons Promontory [relocating policy from Foster strategies clause 11.01-1L-05].

Policy documents

Consider as relevant:

- ~~*Economic Development and Tourism Strategy 2015-2020* (South Gippsland Shire Council, 2015)~~ South Gippsland Economic Development Strategy (2021-2031), (South Gippsland Shire Council, 2021) [updating adopted policy document reference]
- *South Gippsland Rural Land Use Strategy* (South Gippsland Shire Council, 2011)
- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*
- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

- *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 on the Victorian Coast (Department of Environment, Land, Water and Planning, 2020)*

18.02-1L

~~17/10/2024~~ ~~C129sgip~~ XX/XX/XXXX CXXXsgip

Walking - South Gippsland

Objective

To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

Strategiesy

Prioritise access improvements connecting key attractions, specifically those used by younger and older people. [relocating policy from Mirboo North strategies clause 11.01-1L-05]

Encourage the provision of universal access as part of new development, with paths connecting to existing footpath infrastructure. [relocating policy from Mirboo North strategies clause 11.01-1L-05]

Enhance the network of trails and footpaths to improve all-ability connections between towns and key destinations including tourism sites, health services, education facilities and rail trails.~~.~~

Policy documents

Consider as relevant:

- *South Gippsland Paths and Trails Strategy (South Gippsland Shire Council, 2010)* [referencing adopted policy document]

18.02-4L Road system - South Gippsland

~~17/10/2024 C129sgip~~, XX/XX/XXXX CXXXsgip

Strategy

Encourage the development of road underpasses for the movement of stock.

Locate and design new development and road traffic improvements so they do not compromise the longer-term potential return of rail services to Melbourne. [relocating a shire wide transport policy from 11.01-1L-01 and 11.01-1L-03].

18.02-5L Freight - South Gippsland

17/10/2024 C129sgip

Strategy

Ensure that adequate provision is made for transport interchange facilities in proximity to the highway network.

18.02-6L Ports - South Gippsland

17/10/2024 C129sgip

Strategies

Facilitate the development of a deep-water port at Barry Point to open up opportunities for linkages to national and international markets.

Facilitate the use and expansion of the terminal facility at Port Welshpool for recreation, passenger, tourism and freight activities.

18.02-7L Leongatha Aerodrome/Airport

03/03/2022 C127sgip

Strategies

Encourage aviation-related industrial and commercial activities that support the provision of regular freight and passenger services from Leongatha Aerodrome.

Ensure that Aerodrome Road is upgraded in association with large scale expansion of the Aerodrome.

19.01-2L Alternative energy sources - South Gippsland

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Strategies

Encourage investment in renewable, clean and community energy.

Discourage structures associated with alternative energy production that detrimentally affect the character of the area.

Discourage tall structures on ridgelines or in view corridors.

Minimise the potential impact of alternative energy sources on public health and safety, including fire hazard.

~~Encourage investment in renewable, clean and community energy.~~

Policy document

Consider as relevant:

- *Renewable Energy Impact and Readiness Study*, (Urban Enterprise, 2024) [referencing adopted policy document]

19.02-1L Health facilities - South Gippsland

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Strategy

Support ~~and promote~~ [removing unnecessary verb] the development of preventive health facilities and services, as well as acute health care facilities and services.

~~**Policy document**~~

~~Consider as relevant:~~

- ~~*South Gippsland Municipal Public Health and Wellbeing Plan* (South Gippsland Shire Council, 2013)~~ [removing reference to redundant policy document]

19.02-2L Education facilities - South Gippsland

17/10/2024 C129sgip

Strategies

Encourage the retention and improvement of existing education facilities.

Facilitate the development of Leongatha as the centre for education, as a means of attracting and retaining tertiary and technical training programs.

19.02-4L Community facilities - South Gippsland

17/10/2024 C129sgip

Strategies

Provide a range of health, recreational support and social facilities to maintain the independence and wellbeing of older persons.

Encourage the provision of adaptable community facilities that can be used by a range of user groups within the Shire.

Facilitate the provision of a range of family and childcare facilities across the Shire.

Encourage the provision of multi-purpose meeting venues for use by community

groups.

Support upgrades to amenities at existing leisure and recreation facilities to improve physical access and use.

19.03-2L Infrastructure design and provision - South Gippsland

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Strategy

Provide a consistent approach to the design and construction of infrastructure across the municipality.

Ensure new developments are connected to the reticulated sewerage system where available. [relocating shire wide infrastructure policy direction from 11.01-1L-06]

Policy guideline

Consider as relevant:

- An approved precinct structure plan for subdivision and development.

Policy document

Consider as relevant:

- *Infrastructure Design Manual* (Local Government Infrastructure Design Association, ~~2022~~2025) [updating document reference]

19.03-3L Integrated water management - South Gippsland

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Strategies

~~Support provision of reticulated sewerage to un-serviced townships.~~ [removing inappropriate / unsupported policy direction]

Progressively upgrade wastewater disposal and drainage infrastructure for existing development to current standards.

~~Promote the use of new technology in wastewater system design, testing and management.~~ [removing inappropriate / unsupported policy direction]

Encourage the use of best practice water sensitive urban design measures for new developments.

Policy guideline

Consider as relevant:

- Establishing artificial wetlands, retention basins and stormwater pollution traps to control the quality and quantity of stormwater run-off from urban areas.

19.03-4S Telecommunications

04/11/2022 VC226

Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

19.03-4L

17/10/2024 C129sgip

Telecommunications conduits - South Gippsland

Policy application

This policy applies to an application to subdivide land.

Objective

To facilitate broadband telecommunications services in a timely, efficient and cost effective manner and provide a network of open access conduits for optical fibre cabling.

Strategies

Encourage new subdivision to provide open access underground conduits to carry optical fibre at the development stage, where warranted.

Vest ownership of conduits in Council and allow them to be transferred to another agency or a telecommunications carrier at a later date.

Provide easements in favour of Council where conduits cross private land.

17/10/2024
C129sgip

SCHEDULE 1 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ or LDRZ1.**

1.0
25/07/2019
C121sgip

Subdivision requirements

	Land	Area (hectares)
Minimum subdivision area (hectares)	None specified	

2.0
25/07/2019
C121sgip

Outbuilding permit requirements

Dimensions above which a permit is required to construct an outbuilding (square metres)
None specified.

17/10/2024
C129sgip

SCHEDULE 1 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ or MUZ1**.

SOUTH GIPPSLAND MIXED USE AREAS

1.0 Objectives

15/07/2013
VC100

None specified.

2.0 Clause 54 and Clause 55 requirements

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

3.0 Maximum building height requirement

15/07/2013
VC100

None specified.

4.0 Exemption from notice and review

15/07/2013
VC100

None specified.

5.0 Application requirements

15/07/2013
VC100

None specified.

6.0 Decision guidelines

25/07/2019
C121sgip

None specified.

17/10/2024
C129sgip

SCHEDULE 1 TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as **TZ or TZ1**.

SOUTH GIPPSLAND TOWNSHIPS

1.0 Neighbourhood character objectives

25/07/2019
C121sgip

None specified.

2.0 Clause 54 and Clause 55 requirements

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

3.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

03/05/2024
VC255

None specified.

4.0 Application requirements

03/05/2024
VC255

None specified.

5.0 Decision guidelines

03/05/2024
VC255

None specified.

SOUTH GIPPSLAND PLANNING SCHEME

25/07/2019
C121sgip

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1.**

SOUTH GIPPSLAND GENERAL RESIDENTIAL AREA

1.0 Neighbourhood character objectives

25/07/2019
C121sgip

None specified.

2.0 Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement

03/05/2024
VC255

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

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

03/05/2024
VC255

None specified.

5.0 Application requirements

03/05/2024
VC255

None specified.

6.0 Decision guidelines

03/05/2024
VC255

None specified.

SOUTH GIPPSLAND PLANNING SCHEME

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0
25/07/2019
C121sgip

Land	Maximum leasable floor area for Office (square metres)
None specified.	None specified.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

1.0

25/07/2019
C121sgip

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)
None specified.	None specified.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0

25/07/2019
C121sgip

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified.	None specified.	None specified.

17/10/2024
C129sgip

SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ1.**

1.0 Subdivision and other requirements

17/10/2024
C129sgip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	1 hectare
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	1 hectare
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres).	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres).	None specified	None specified
Minimum setback from a boundary (metres).	None specified	None specified
Minimum setback from a dwelling not in the same ownership (metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

17/10/2024
C129sgip

SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2.**

1.0
17/10/2024
C129sgip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	4 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	4 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	None specified	None specified
Minimum setback from a boundary (metres)	None specified	None specified
Minimum setback from a dwelling not in the same ownership (metres)	None specified	None specified
Minimum setback from a waterway, wetlands or designated flood plain (metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

17/10/2024
C129sgip

SCHEDULE 3 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ3.**

1.0 Subdivision and other requirements

17/10/2024
C129sgip

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	2 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land	2 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	None specified	None specified
Minimum setback from a boundary (metres)	None specified	None specified
Minimum setback from a dwelling not in the same ownership (metres)	None specified	None specified
Minimum setback from a waterway, wetlands or designated flood plain (metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	None specified
Earthworks which increase the discharge of saline groundwater	None specified

~~17/10/2024~~
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SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ or RCZ1.**

CONSERVATION VALUES

Maintain the natural landscape features of the environment.

Continue the existing farming uses and discourage further urban expansion.

1.0 Subdivision and other requirements

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	Land	Area/Dimensions/Number
Minimum subdivision area (hectares).	All land	40 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	All land~~150 square metres~~ [as per MDFC]	150 square metres~~None specified~~ [as per MDFC]
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).	All land~~200 square metres~~ [as per MDFC]	200 square metres~~None specified~~ [as per MDFC]
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

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SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ or FZ1.**

1.0
~~17/10/2024~~
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CXXXsgip

Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	80 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	40 hectares
Maximum area for which no permit is required to use land for timber production (hectares).	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: • The Head, Transport for Victoria is the acquiring authority; and • The purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: • The Head, Transport for Victoria is not the acquiring authority; and • The purpose of the acquisition is for a road.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres
Minimum setback from a waterway, wetlands or designated flood plain (metres) [as per MDFC]	None specified [as per MDFC]	None specified [as per MDFC]
~~Earthworks which change the rate of flow or the discharge point of water across a property boundary.~~		None specified

Permit requirement for earthworks	Land
Earthworks which increase the discharge of saline groundwater.	None specified

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SCHEDULE 1 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ or RAZ1.**

Purpose

To provide for a range of land use and development that does not adversely affect surrounding uses.

To recognise the need to strengthen and diversify the economic base of the Shire.

To provide a flexible approach to the consideration of land use and development proposals to off-set the adverse effects of economic restructuring and climate change on the agricultural sector.

To encourage opportunities that contribute to population stability and growth in the Shire.

To recognise the natural beauty and "pure" image of the Shire.

1.0

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Subdivision and other requirements

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All Land	80 hectares
Minimum area for which no permit is required to use land for timber production (hectares).	Land within the Significant Landscape overlay	40 hectares
	All Other Land	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: • The Head, Transport for Victoria is the acquiring authority; and • The purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: • The Head, Transport for Victoria is not the acquiring authority; and • The purpose of the acquisition is for a road.	40 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres).	All Land	100 metres
Minimum setback from a waterway, wetlands or designated flood plain (metres) [as per MDFC]	None specified [as per MDFC]	None specified [as per MDFC]

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0 Permit exemptions and conditions

25/07/2019
C121sgip

Public land	Use or development	Conditions
None specified.	None specified.	None specified.

2.0 Advertising sign requirements

25/07/2019
C121sgip

Land	Advertising Sign Category
None specified.	None specified.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

25/07/2019
C121sgip

Public land	Use or development	Conditions
None specified.	None specified.	None specified.

2.0 Sign requirements

25/07/2019
C121sgip

Land	Sign Category
None specified.	None specified.

3.0 Use and development of land specified in an Incorporated Plan

25/07/2019
C121sgip

None specified.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0 Permit exemptions and conditions

25/07/2019
C121sgip

Public land	Use or development	Conditions
None specified.	None specified.	None specified.

2.0 Sign requirements

25/07/2019
C121sgip

Land	Sign Category
None specified.	None specified.

3.0 Use and development of land specified in an Incorporated Plan

25/07/2019
C121sgip

None specified.

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~~C121sgip~~
XX/XX/XXXX
CXXXsgip

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1.**

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To recognise or provide for the use and development of land for earth and energy resources industry.

To encourage interim use of the land compatible with the use and development of nearby land.

To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

1.0
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~~VC217~~
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Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
~~Extensive animal husbandry~~Grazing animal production [Updating land use terms as per MDF&C] Home based business Informal outdoor recreation Minor utility installation Railway Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal keeping, Animal training, Apiculture, ~~Extensive~~ Aanimal husbandry, Horse stables, and Intensive animal husbandry) [Updating land use terms as per MDF&C]	
Domestic a~~A~~nimal husbandry~~keeping (other than Animal boarding)~~ [Updating land use terms as per MDF&C]	Must be no more than four animals.
~~Caretaker's house~~ [Updating land use terms as per MDF&C] ~~Dependent person's unit~~ [Updating land use terms as per MDF&C]	
Industry (other than Materials recycling, Refuse disposal, and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.

Use	Condition
~~Landscape gardening supplies~~ [Updating land use terms as per MDF&C] Leisure and recreation (other than Informal outdoor recreation) ~~Manufacturing sales~~ [Updating land use terms as per MDF&C]~~Materials recycling~~ [Updating land use terms as per MDF&C]Place of assembly (other than Amusement parlour and Nightclub) ~~Refuse disposal~~ [Updating land use terms as per MDF&C] Transfer station (other than Automated collection point) Utility installation (other than Minor utility installation)	
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

~~Must not be a purpose listed in the table to Clause~~ [as per MDF&C] **Use**
Accommodation (other than Caretaker's house and Dependent person's unit)
Amusement parlour
Animal boarding
Animal training
Cinema based entertainment facility
Horse stables
Intensive animal husbandry
Nightclub
Office
Retail premises (other than Landscape gardening supplies and Manufacturing sales)
Saleyard
Service station
Transport terminal
Veterinary centre

2.0 Use of land

25/07/2019
C121sgip

None specified.

3.0 Subdivision

25/07/2019
C121sgip

None specified.

4.0 Buildings and works

17/10/2024
C129sgip

Permit requirement

No permit is required to construct a building or carry out works for the following:

- A modification necessary to comply with a direction or licence under the *Dangerous Goods Act 1985* or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the *Environment Protection Act 1970*.

5.0 Signs

25/07/2019
C121sgip

None specified.

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~~C121sgip~~
XX/XX/XXXX
CXXXsgip

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2.**

WARATAH PARK TOURIST FACILITY

Purpose

To provide for the use of the land for the purpose of a tourist facility, incorporating a function centre, restaurant, accommodation and ancillary uses.

To ensure that the use and development of the tourist facility is sympathetic to the landscape and the environment of the locality.

To provide for the subdivision of the land to facilitate the development and coordinated management of accommodation associated with the tourist facility.

1.0
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CXXXsgip

Table of uses

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Crop raising (other than Timber Production)	
~~**Dependent person's unit**~~ [Updating land use terms as per MDF&C]	~~Must be the only dependent person's unit on the land.~~ ~~Must meet the requirements of Clause 2.0 of this schedule.~~
~~**Extensive animal husbandry**~~**Grazing animal production** Updating land use terms as per MDF&C]	
Home occupation	
Mineral exploration	Must meet the conditions of Clause 52.08-2
Mining	Must meet the conditions of Clause 52.08-2
Minor utility installation	
Natural systems	
S~~earch for s~~tone exploration [Updating land use terms as per MDF&C]	Must not be costeaning or bulk sampling
~~**Road**~~ [Updating land use terms as per MDF&C]	~~Must meet the requirements of Clause 62.01~~
Any use listed in Clause 62.01	

SOUTH GIPPSLAND PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Accommodation (other than a Dwelling~~,~~ or Caretaker's house ~~or Dependant Person's Unit~~) [Updating land use terms as per MDF&C]	Must only be used for short term accommodation in conjunction with the Waratah Park Tourist Facility.
Caretaker's house	Must be the only caretaker's house on the land. Must only be used in conjunction with the Waratah Park Tourist Facility. Must meet the minimum requirements of Clause 2.0 of this schedule.
Dwelling	Must be the only dwelling on the land. Must only be used as a permanent residence by the owners and/or managers of the Waratah Park Tourist Facility. Must meet the minimum requirements of Clause 2.0 of this schedule.
~~**Function centre**~~ [Removing unconditioned uses]	
~~**Restaurant**~~ [Removing unconditioned uses]	
S~~earch for s~~tone exploration – If the Section 1 condition is not met [Updating land use terms as per MDF&C]	
Any other use not in Section 1 or 3 [Updating land use terms as per MDF&C]	

Section 3 – Prohibited

Use
Industry (other than Automated collection point)
~~**Any other use not in Section 1 or 2**~~ [MDF&C]

2.0
17/10/2024
C129sgip

Use of land

Permit requirement to use the land for a tourist accommodation cabin or caretaker's house

An agreement under Section 173 of the *Planning and Environment Act 1987* must be entered into with the owner that:

- Prohibits the use of the tourist accommodation cabins for permanent accommodation.
- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 31 consecutive days or more than 93 days per calendar year.
- The caretaker's house must only be used by a person/persons responsible for the management and security of the Waratah Park Tourist Facility.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

Unless the circumstances do not require, an application to use land for a tourist accommodation cabin must be accompanied by the following information, as appropriate:

- A land capability assessment and on-site wastewater management design report which includes an accurate assessment of the volume of waste likely to emanate from the use and the resultant environmental impact.
- The maximum number of persons proposed to be accommodated within each unit/cabin at any one time.
- The number of car parking spaces proposed to be provided per unit/cabin. A traffic and engineering report on access.
- Details of how access to each unit/cabin is to be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- A brief report explaining how the accommodation units/cabins will be managed and maintained.

Unless the circumstances do not require, an application to use land for a function centre or restaurant must be accompanied by the following information, as appropriate:

- A land capability assessment and on-site wastewater management design report which includes an accurate assessment of the volume of waste likely to emanate from the use and the resultant environmental impact.
- The proposed hours of operation.
- The maximum number of persons proposed to be accommodated on the site at any one time. The number of car parking spaces proposed to be provided.
- How land not required for immediate use is to be maintained.

Exemption from notice and review

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1)(2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- Proposed hours of operation for the proposed function centre/restaurant. The availability of and connection to services.
- Method of on-site waste water treatment and disposal. The provision of car parking.
- The maintenance and management of the land.

3.0 Subdivision

17/10/2024
C129sgip

Permit requirement

One lot may be created that contains the existing Waratah Park Tourist Facility manager's dwelling, function centre, restaurant, accommodation units and associated outdoor areas.

Other lots may be created that contain an existing tourist accommodation cabin or caretaker's house. Areas ancillary to each cabin (such as driveway access, car parking, wastewater disposal areas and ancillary facilities) may be incorporated within common property on the plan of subdivision.

For each lot created that contains a tourist accommodation unit/cabin or a caretaker's house, an agreement under Section 173 of the Planning and Environment Act 1987 must be entered into with the owner of each lot that:

- Prohibits the use and development of the land for any purpose other than a tourist accommodation cabin or caretaker's house in conjunction with the Waratah Park Tourist Facility.
- Prohibits the use and development of each lot for the purposes of permanent accommodation. In the case of the caretaker's house, the house must only be used by a person/persons responsible for the management and security of the tourist accommodation cabins.
- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 42 consecutive days or more than 150 days per calendar year.
- Provides for the management and on-going maintenance of the land and facilities within the areas of common property.

The agreement must be registered on each title.

Vacant lots may be created, provided that a planning permit has first been issued for the use and development of the land for tourist accommodation cabins and caretaker's house in accordance with the provisions of sub-section 2.0 and 4.0 of this Schedule.

For each vacant lot created, an agreement under Section 173 of the *Planning and Environment Act 1987* must be entered into with the owner of each lot that:

- Prohibits the use or development of the land for any purpose other than a tourist accommodation cabin or caretaker's house in conjunction with the Waratah Park Tourist Facility.
- Requires the development of the land to be completed in accordance with an approved planning permit that has been issued under the provisions of this zone.
- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 42 consecutive days or more than 150 days per calendar year.
- Provides for the management and on-going maintenance of the land and facilities within the areas of common property.

The agreement must be registered on each title.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows for each lot:
  - The location and dimensions of existing development or proposed building envelopes, car parking areas and driveway access.
  - The location and dimensions of wastewater treatment and disposal areas.
  - Any areas of common property.

- A land capability assessment which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If a staged subdivision, show how the balance of the land may be subdivided.

Exemption from notice and review

An application for the land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1)(2) and (3) and the review rights of Section 82(1) of the Act.

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The capability of each lot and/or area of common property to treat and retain all waste water on-site in accordance with the State Environment Protection Policy (Waters of Victoria).
- The availability and provision of utility services, including electricity, drainage, water and communications.
- Measures to ensure that the proposed accommodation units/cabins are only used for short term accommodation in conjunction with the Waratah Park Tourist Facility and appropriate mechanisms are in place for the management and maintenance of each cabin and common property area.

4.0 Buildings and works

17/10/2024
C129sgip

Permit requirement

A permit is required to construct a building or construct or carry out works.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- A site layout plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works, including setbacks from boundaries of the site.
  - Location and dimensions of all access, internal driveways, car parking and loading areas.
  - Proposed landscaping areas.
  - All wastewater treatment and disposal areas.
  - The location of a water supply for both domestic and fire fighting purposes.

  - Any vegetation proposed to be removed, destroyed or lopped.

- Floor plans and elevations drawn to scale to show the height, exterior finishes and colour of all buildings and works.
- Surface treatment and construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape plan that includes:
  - A planting schedule incorporating only locally indigenous species which includes the description and number of species proposed to be planted, proposed extent of vegetation community "net gain" and shelterbelt requirements.
  - A ten metre wide, double fenced, tree plantation adjacent to the eastern boundary of the site.
  - Surfaces to be constructed, a site works specification and method of preparing, draining, watering and maintaining the vegetation.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The movement of vehicles providing for supplies, waste removal and emergency services.
- The location and dimensions of site access and car parking spaces.
- Outdoor lighting.
- Stormwater discharge.
- The external finishes of the buildings to ensure they blend with the surrounding environment.
- Measures to cope with fire.
- Landscape treatment.
- Any natural or cultural values on or near the land.

5.0 Signs

25/07/2019
C121sgip

None specified.

~~25/07/2019~~
~~C121sgip~~
XX/XX/XXXX
CXXXsgip

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3.**

PORT AREAS

Purpose

To provide for the development of the Barry Beach Port as a key area of the State for the interchange, storage and distribution of goods.

1.0
~~14/11/2022~~
~~VC227~~
XX/XX/XXXX
CXXXsgip

Table of uses

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the *Apiary Code of Practice, May 1997*.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
~~Road~~ [MDF&C] S~~earch for s~~tone exploration [MDF&C] ~~Tramway~~ [removing duplicative content]	
Mineral exploration Minor utility installation	
Mining	Must meet the conditions of Clause 52.08-2
~~Railway~~ [MDF&C] ~~Road~~ [MDF&C]	
Search for stone	Must not be costeaning or bulk sampling
Tramway	
Wharf	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Transport Terminal (other than wharf) Industry (other than Automated collection point) Utility installation Warehouse	Must be directly associated with and reliant upon the port.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

~~Any other use not in Section 1 or 2~~ [MDF&C]

2.0
17/10/2024
C129sgip

Use of land

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report which demonstrates a need or significant benefit for the use to establish close to the port or associated uses.
- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environmental Protection Authority.
- Whether a licence under the *Dangerous Goods Act 1985* is required.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land and water.
  - Traffic, including hours of delivery and dispatch.
  - Light spill or glare.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01 in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The effect that the use may have on nearby existing or proposed uses for or associated with the port.
- The effect that nearby existing or proposed uses for or associated with the port may have on the proposed use.
- Whether there is a demonstrated need or significant benefit associated with any proposed industry, transport terminal, utility installation (other than minor utility installation) or warehouse, in it being located near port facilities or associated uses.
- The drainage of the land.
- The availability and connection of services.
- Provision of fire protection and other emergency services.
- The effect of traffic likely to be generated on roads including the need for traffic management plans and works to the satisfaction of the responsible authority to minimise any adverse impacts.

3.0
25/07/2019
C121sgip

Subdivision

None specified.

4.0
17/10/2024
C129sgip

Buildings and works

Permit requirement

A permit is not required for buildings and works which:

- Provide for navigational beacons or aids;
- Rearrange, alter, renew or maintain plant if the area or height of the plant is not increased;
- Comply with a directions or licence under the *Dangerous Goods Act 1985* or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the *Environment Protection Act 1970.*
- Provide for railways, road or tramway;
- Alter electrical or gas services or telephone lines;
- Alter plumbing services which do not affect the drainage of the land;
- All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - The proposed use of all existing and proposed buildings.
  - The provision of on-site vehicle parking.
  - Loading and unloading areas.
  - Internal vehicle movements
  - Site entrance and exit points.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Features above or below water.
- Elevation drawings and plans (to scale) and information showing the profile and maximum heights of proposed buildings and equipment installations.
- Detailed plans and elevations for works associated with the development of any new wharf area.
- Details of materials, finish, colour of the external surfaces and coverings of buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
- Details relating to the staging of development and an appropriate time scale in which each stage of development should be completed.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- Any natural and cultural values on or near the land.
- The effect of the proposed development on future development of the land and adjoining area for port and port related uses.
- The effect that the development may have on environmental values in the waters of Corner Inlet, particularly on marine flora and fauna.
- Traffic generation and traffic management proposals.
- The adequacy of provision for parking and site access.
- The location and extent of loading, storage and service areas.
- The adequacy of excising roads and infrastructure to support the proposed development.
- The built form and visual impact of the proposed development, including signage.
- The objectives and likely effectiveness of the proposed landscaping treatment.
- The adequacy of stormwater discharge.

5.0 Signs

25/07/2019
C121sgip

Sign requirements are at Clause 52.05. All land located within this Schedule to this zone is in Category 2.

SOUTH GIPPSLAND PLANNING SCHEME

~~25/07/2019~~ ~~C121sgip~~ XX/XX/XXXX CXXXsgip

SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ4.**

WILSONS PROMONTORY GATEWAY TOURIST FACILITY

Purpose

To provide for the use of the land for the purpose of a tourist facility, incorporating a function centre, restaurant, accommodation, retail facility and ancillary uses.

To ensure that the use and development of the tourist facility is sympathetic to the landscape and the environment of the locality.

To provide for the subdivision of the land to facilitate the development and coordinated management of accommodation associated with the tourist facility.

1.0 Table of uses

~~14/11/2022~~ ~~VC227~~ XX/XX/XXXX CXXXsgip

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Crop raising (other than Timber production) **Grazing animal production** **Home based business** **Informal outdoor recreation** **Minor utility installation**	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than a Dwelling, Caretaker's house)	Must only be used for short term accommodation in conjunction with the Wilsons Promontory Gateway Tourist Facility.
Caretaker's house	Must be the only caretaker's house on the land. Must only be used in conjunction with the Wilsons Promontory Gateway Tourist Facility. Must meet the minimum requirements of Clause 2.0 of this schedule.
Exhibition centre **Food and drink premises** **Function centre** **Interpretation centre** **Museum** **Restaurant** **Shop (other than Adult sex product shop or Restricted retail premises)**	Must only be used in conjunction with the Wilsons Promontory Gateway Tourist Facility
Any other use not in Section 1 or 3 [MDF&C]	

Section 3 - Prohibited

[redacted]

Dwelling (other than Caretaker's house)
Industry (other than Automated collection point)
~~**Any other use not in Section 1 or 2**~~ [MDF&C]

2.0 Use of land

17/10/2024
C129sgip

Permit requirement to use the land for a tourist accommodation cabin or caretaker's house

An agreement under Section 173 of the *Planning and Environment Act 1987* must be entered into with the owner that:

- Prohibits the use of the tourist accommodation cabins for permanent accommodation.
- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 31 consecutive days or more than 93 days per calendar year.
- The caretaker's house must only be used by a person/persons responsible for the management and security of the Wilsons Promontory Gateway Tourist Facility.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A land capability assessment and on-site wastewater management design report which includes an accurate assessment of the volume of waste likely to emanate from the use and the resultant environmental impact.
- The maximum number of persons proposed to be accommodated within each unit/cabin at any one time.
- The number of car parking spaces proposed to be provided per unit/cabin.
- A traffic and engineering report on access.
- Details of how access to each unit/cabin is to be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- A brief report explaining how the accommodation units/cabins will be managed and maintained.
- Unless the circumstances do not require, an application to use land for a function centre or restaurant must be accompanied by the following information, as appropriate:
- A land capability assessment and on-site wastewater management design report which includes an accurate assessment of the volume of waste likely to emanate from the use and the resultant environmental impact.
- The proposed hours of operation.

- The maximum number of persons proposed to be accommodated on the site at any one time. The number of car parking spaces proposed to be provided.
- How land not required for immediate use is to be maintained.

Exemption from notice and review

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1)(2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- Proposed hours of operation for the proposed function centre/restaurant. The availability of and connection to services.
- Method of on-site waste water treatment and disposal. The provision of car parking.
- The maintenance and management of the land

3.0
17/10/2024
C129sgip

Subdivision

Permit requirement

Lots may be created that contain a tourist accommodation unit/cabin. Areas ancillary to each cabin (such as driveway access, car parking, waste water disposal areas and ancillary facilities) may be incorporated within the common property on the plan of subdivision.

For each lot created that contains a tourist accommodation unit/cabin or a caretaker's house, an agreement under Section 173 of the *Planning and Environment Act 1987* must be entered into with the owner of each lot that:

- Prohibits the use and development of the land for any purpose other than a tourist accommodation cabin or caretaker's house in conjunction with the Wilsons Promontory Gateway Tourist Facility.
- Prohibits the use and development of each lot for the purpose of permanent accommodation.

The caretaker's house must only be used by a person/persons responsible for the management and security of the tourist accommodation cabins.

- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 31 consecutive days or more than 93 days per calendar year.
- Provides for the management and on-going maintenance of the land and facilities within the areas of common property.

The agreement must be registered on each title.

Vacant lots may be created, provided that a planning permit has first been issued for the use and development of the land for tourist accommodation cabins and caretaker's house in accordance with the provisions of sub-section 2.0 and 4.0 of this Schedule.

For each vacant lot created, an agreement under Section 173 of the Planning and Environment Act 1987 must be entered into with the owner of each lot that:

- Prohibits the use or development of the land for any purpose other than a tourist accommodation cabin or caretaker's house in conjunction with the Wilsons Promontory Gateway Tourist Facility.
- Requires the development of the land to be completed in accordance with an approved planning permit that has been issued under the provisions of this zone.
- Requires that a tourist accommodation cabin must not be resided in by the owner or any other person for more than 31 consecutive days or more than 93 days per calendar year.
- Provides for the management and on-going maintenance of the land and facilities within the areas of common property.

The agreement must be registered on each title.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- A plan drawn to scale which shows for each lot:
- The location and dimensions of existing development or proposed building envelopes, car parking areas and driveway access.
- The location and dimensions of wastewater treatment and disposal areas.
- Any areas of common property.
- A land capability assessment which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If a staged subdivision, show how the balance of the land may be subdivided.

Exemption from notice and review

An application for the subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1)(2) and (3) and the review rights of Section 82(1) of the Act.

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The capability of each lot and/or area of common property to treat and retain all waste water on-site in accordance with the State Environment Protection Policy (Waters of Victoria).
- The availability and provision of utility services, including electricity, drainage, water and communications.
- Measures to ensure that the proposed accommodation units/cabins are only used for short term accommodation in conjunction with the Wilsons Promontory Gateway

- Tourist Facility and appropriate mechanisms are in place for the management and maintenance of each cabin and common property area.
- Vehicle access via an all-weather road with dimensions adequate to accommodate emergency vehicles

4.0
17/10/2024
C129sgip

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

No accommodation or residential buildings are to be constructed on land with a natural surface below 5m Australian Height Datum.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- A site layout plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works, including setbacks from boundaries of the site.
  - Location and dimensions of all access, internal driveways, car parking and loading areas.
  - Proposed landscaping areas.
  - All wastewater treatment and disposal areas.
  - The location of a water supply for both domestic and fire fighting purposes.
  - Any vegetation proposed to be removed, destroyed or lopped.
- Floor plans and elevations drawn to scale to show the height, exterior finishes and colour of all buildings and works.
- Surface treatment and construction details of all drainage works, driveways, vehicle parking and loading areas.
- A report from a suitably qualified person addressing the possible presence of Coastal Acid Sulphate Soil on the site.
- A landscape plan that includes:
  - A planting schedule incorporating only locally indigenous species which includes the description and number of species proposed to be planted, proposed extent of vegetation community “net gain” and shelterbelt requirements.
  - A ten metre wide, double fenced, tree plantation adjacent to the eastern boundary of the site.
  - Removal and control of any weed species, as listed in the “Common Weeds of Gippsland – South Gippsland Shire” brochure or similar publication.

- Surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the vegetation.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

General issues

- The movement of vehicles providing for visitors, supplies, waste removal and emergency services.
- The location and dimensions of site access and car parking spaces.

  Outdoor lighting.
- Stormwater discharge.
- The external finishes of the buildings to ensure they blend with the surrounding

  environment. Measures to cope with fire.
- Landscape treatment.
- Any natural or cultural values on or near the land.
- The creation of any new access to Corner Inlet is prohibited.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The location of on-site effluent disposal areas and any on-site retention of stormwater to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including, roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

5.0
25/07/2019
C121sgip

Signs

- None specified.

25/07/2019
C121sgip
XX/XX/XXXX
CXXXsgip

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ5.**

SPI ELECTRICITY PTY LTD LEONGATHA DEPOT

PURPOSE

To promote the use and development of the ~~the~~ [rewording for clarity] land consistent with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document.

To provide for the continued use and development of the Leongatha Depot in a manner which minimises the impact on the amenity of the surrounding area.

1.0
14/11/2022
VC227
XX/XX/XXXX
CXXXsgip

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Industry (other than Automated collection point)	Must be in accordance with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document
Minor utility installation	
Office	Must be in accordance with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document
Store	Must be in accordance with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Any other use not in Section 1 or 3	~~Must be in conjunction with a Section 1 use~~ [MDF&C]

Section 3 - Prohibited

Use
~~All other uses~~ [MDF&C]

2.0
17/10/2024
C129sgip

Use of land

Use of land should comply with the Australian Radiation Protection & Nuclear Safety Agency (ARPANSA) standards (or any subsequent update by these agencies).

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.

3.0
25/07/2019
C121sgip

Subdivision

None specified.

4.0
17/10/2024
C129sgip

Buildings and works

A permit is not required to construct a building or carry out works if undertaken in accordance with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document.

Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The *SPI Electricity Pty Ltd Leongatha Depot 2013* Incorporated Document.
- The views of South Gippsland Water.
- The interface with adjoining areas, especially the relationship with residential and recreation areas.
- The interface with the streetscape, including the location of access points at the property boundaries and the landscaping of land adjoining a road.
- The design and elevation treatment of buildings and their appurtenances.
- The illumination of buildings and their immediate spaces.
- The drainage of the land.
- The effect of traffic to be generated on roads.
- Provision for vehicles providing for supplies, waste removal and emergency services.

5.0
~~25/07/2019~~
~~C121sgip~~
XX/XX/XXXX
CXXXsgip

Signs

Sign requirements are at Clause 52.05. All land located within this Schedule to this zone is in ~~Cateogry~~Category [fixing typo]2.

SOUTH GIPPSLAND PLANNING SCHEME

SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ6**.

KOONWARRA AGRICULTURAL SERVICES PRECINCT

Purpose

- To provide for agricultural services that complement and have a nexus with the region's saleyards facility including supply, transport, maintenance and repairs to enhance agricultural production.
- To provide for activities within the zone that will not challenge the services and functions of nearby urban centres.
- To facilitate development which is visually sympathetic to the rural landscape especially when viewed from the highway.

1.0 Table of uses

~~01/12/2023 VC217~~
XX/XX/XXXX CXXXsqip

Section 1 - Permit not required

Use	Condition
Agriculture **(other than ~~Animal keeping, Intensive animal husbandry,~~ Rice growing and Timber production)** [MDF&C]	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
~~**Extensive animal husbandry**~~**Grazing animal production** [MDF&C]	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Cattle Feedlot	Must meet the requirements of Clause 53.08. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995
Convenience restaurant	Must be in conjunction with a Service station
~~**Equestrian supplies**~~ [MDF&C]	
~~**Horse stables**~~ [MDF&C]	
~~**Primary produce sales**~~ [MDF&C]	
~~**Road freight terminal**~~ [MDF&C]	

Rural Industry (other than sawmill, abattoir)	The use is to service or repair plant or equipment used in agriculture only
~~**Service station**~~ [MDF&C]	
Store	Storage must be in conjunction with an agricultural production use
Take away food premises	Must be in conjunction with a Service station
Trade supplies	Must only be in conjunction with an agricultural production use
~~**Utility installation**~~ [MDF&C]	
~~**Veterinary centre**~~ [MDF&C]	
Any other use not in Section 1 or 3	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 3 - Prohibited

Use	Condition
Accommodation	
Art and craft centre	
Child care centre	
Cinema based entertainment facility	
Education centre	
Industry (other than Automated collection point and Rural industry)	
Leisure and recreation	
Office	
Place of assembly	
Retail premises (other than Equestrian supplies, Primary produce sales, Take away food premises, Trade supplies)	
Warehouse (other than Store)	

2.0 Use of land

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

Exemption from notice and review

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose and/or processes to be used on the land and how they directly support agricultural production.
- How land that is not required for immediate use is to be maintained.
- Whether a works approval or waste discharge licence is required from the Environment Protection Authority.
- Whether a notification under the *Occupational Health and Safety (Major Hazard Facilities) Regulations 2000* is required, a licence under the *Dangerous Goods Act 1985* is required, or ~~afire~~a fire [rewording for clarity]protection quantity under the *Dangerous Goods (Storage and Handling) Regulations 2000* is exceeded.
- A comprehensive traffic impact assessment prepared to the satisfaction of the responsible authority in consultation with the relevant road authority, that identifies the pattern and location of the arterial road network of the area including existing roads, and the location and details of any required:
  - Road widening.
  - Access points.
  - Bus lanes and stops.
  - The details of any hours of operation.
- The likely effects, if any, on the neighbouring land uses, including:
  - Noise levels.
  - Air-borne emissions including odours.
  - Emissions to land or water.
  - Light spill or glare.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The effect that a proposed use may have on nearby agricultural areas or uses which are sensitive to off-site effects having regard to any comments or directions of the referral authorities.
- The effect that nearby activities may have on the proposed use.
- Any effect to the service potential of nearby urbanised centres, including Koonwarra and Leongatha.
- The type and quantity of goods to be stored, processed or produced.
- The availability of and connection to services.
- The effect of traffic to be generated on roads and the opinion of the relevant road authority.
- The interim use of those parts of the land not required for the proposed use~~.~~

3.0
17/10/2024
C129sgip

Subdivision

Permit requirement

A permit is required to subdivide land.

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act

Application Requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The efficient and orderly subdivision of land having regard to essential services (notably wastewater servicing), open space and roads.
- A stormwater management plan addressing runoff collection and treatment within the lot boundary and incorporates the extent of retarding/detention infrastructure. Plans are required to include:
  - Water sensitive urban design techniques which provide for the protection of natural systems.
  - Integration of stormwater treatment into the landscape.
  - Improved water quality.
  - Reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- A traffic management plan detailing vehicle, bicycle and pedestrian access points at the property boundaries, overall traffic flow, car parking, external traffic impacts, relevant treatments and any other pertinent information.
- A street network that:
  - promotes connection with current and proposed networks.
  - supports building frontages which promote passive surveillance of the street network.
- A site plan drawn to scale showing:
  - The boundaries and dimensions of the site.
  - The layout of existing and future buildings and works.
  - Proposed landscape areas, including screening and a description of the vegetation
  - Provisions of pedestrian and bicycle access to the Rail Trail.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- The potential uses of the proposed lots and their boundaries being of sufficient size and dimension to accommodate future users.
- Any natural or cultural features on or near the land.
- The logical and safe movement of traffic.
- Provision of pedestrian and bicycle access connecting to the existing network.
- The ability of each lot created to manage wastewater.

4.0 Buildings and works

~~17/10/2024~~ ~~C129sgip~~ XX/XX/XXXX CXXXsgip

Permit requirement

No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- A building or works which rearrange, alter or renew plant if the area or height of the plant is unaltered.
- A rainwater tank with a capacity of more than 4,500 litres if the following requirements are met:
  - The rainwater tank is not located within the building's setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

The following requirements apply to construct a building or construct or carry out works:

- No building shall exceed a maximum building height of 10 metres above natural ground level. [rewording for clarity - from existing application requirements]
- Development must include canopy tree plantings that, at maturity, will soften the visual impact of new development when viewed from within and outside the development area, especially adjoining and distant views to the site from the highway. [rewording for clarity - from existing application requirements]
- Development must provide pedestrian and bicycle access to the Rail Trail. [rewording for clarity - from existing application requirements]

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level. [NEW suggested requirements to address strategies]
  - ~~Building height no more than two storeys (ten metres), above natural ground level.~~ [reworded as a strategy]
  - The interface between adjacent proposed and ~~land~~existing land uses, ~~proposed and existing with the intent to reduce potential conflict and improve connections with future infrastructure~~. [Reworded requirements to address strategies]

- The details of any outdoor storage or lighting.
- Details of any proposed fencing in response to adjoining land uses.

  Driveways, parking areas, loading and unloading areas, external storage, and screened waste storage areas.
- Vehicle movement, manoeuvring, and access ways within the site.
- ~~Provision of pedestrian and bicycle access to the Rail Trail.~~ [reworded as development requirement]
- A construction management plan specifying how construction activity will be managed.
- Construction details of all drainage works, driveways, and vehicle parking and loading areas.
- The location, type and design details of signage.

- A detailed landscaping plan, identifying all proposed landscaping with particular regard to the interface with surrounding open spaces, roads and other neighbouring uses. ~~The landscape plan must include canopy tree plantings (at maturity) to soften the visual impact of new development when viewed from within and outside the development area, especially adjoining and distant views to the site from the highway.~~ [reworded strategies]

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- Availability of and connection to reticulated services.
- The impact of signage, particularly illuminated signage, on the rural highway environment.
- The capability of the land to accommodate the proposed development where access to reticulated services is not available.
- The movement of pedestrians, cyclists and vehicles.
- Exterior design, active frontages, illumination of buildings and their immediate surrounds.
- Landscaping of parking areas to provide amenity.
- Landscaping to provide buffers between developments.
- The interim management of land not immediately required for development.
- Access for emergency services to water supplies on site.
- The responsibility for the maintenance of buildings, landscaping and paved areas.
- Provision of pedestrian and bicycle access to the Rail Trail.
- The development of the land in relation to building design, site layout, storage areas, signage and landscaping must appropriately respond to the high visual amenity of the locality and the land's prominent location on a highway and tourist route

~~**Maintenance**~~

~~All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.~~ [removing inappropriate directions]

5.0
25/07/2019
C121sgip

Signs

- Sign requirements are at Clause 52.05. All land located within this Schedule to this zone is in Category 3.

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ7.**

VENUS BAY CAMPING AND CARAVAN PARK [reworded for clarity]

Purpose

To implement the Planning Policy Framework and the Municipal Planning Strategy.

To recognise and provide for the ongoing use of the site for ~~the~~ a c~~C~~amping and c~~C~~aravan p~~P~~ark [land use as per MDF&C] and related tourism facilities at 113A Jupiter Boulevard, Venus Bay. [reworded for clarity]~~.~~

To ensure that the development of the c~~C~~amping and c~~C~~aravan p~~P~~ark [land use as per MDF&C] and its facilities takes place in an orderly and proper manner and does not cause an unreasonable loss of amenity to the surrounding area.

To provide for sustainable tourism activities and a range of accommodation opportunities which complement the c~~C~~amping and c~~C~~aravan p~~P~~ark [land use as per MDF&C] use.

1.0

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

Table of uses

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Camping and caravan park	
~~**Extensive**~~ **Grazing A**~~**a**~~**nimal ~~Husbandry~~production** [land use as per MDF&C]	
Minor utility installation	
Caretaker's house	Must be the only Caretaker's house on the land.
Informal Outdoor Recreation	Must be in conjunction with the Camping and Caravan Park.
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications Facility	Buildings and works must meet the requirements of Clause 52.19.
Any use listed in Clause 62.01 ~~See Section 1 of 37.01-1 for relevant provisions~~ [land use as per MDF&C]	Must meet the requirements of Clause 62.01

SOUTH GIPPSLAND PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture and ~~extensive animal husbandry~~Grazing animal production) [land use as per MDF&C]	
Backpacker's Lodge	Must be used in conjunction with the Camping and Caravan Park
Carpark	~~Must be used in conjunction with the Camping and Caravan Park~~
Child care centre	~~Must be used in conjunction with the Camping and Caravan Park~~
Convenience shop	
Hostel	
Minor sports and recreation facility	
Office	Must be used in conjunction with the Camping and Caravan Park
Restaurant	
Restricted recreation facility	
Take away food premises	
Utility installation (other than Minor utility installation)	
Renewable energy facility	
Any other use not in Section 1 or 3 ~~See Section 2 of 37.01-1 for relevant provisions~~ [land use as per MDF&C]	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house, Camping and Caravan Park, Backpacker lodge and Hostel)
Adult bookshop
Crematorium/Cemetery
Education Centre
Earth and energy resources industry
Fuel Depot
Industry (other than Automated collection point)
Leisure and recreation (other than Minor sports and recreation facility and Informal Outdoor Recreation)
Place of Assembly
Retail premises (other than Restaurant and Convenience shop)
Research centre
Service station
Veterinary centre
Warehouse

2.0
~~17/10/2024~~
~~C129sgip~~
XX/XX/XXXX
CXXXsgip

Use of land

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the type of activities to be carried out.
- How the proposed use supports, or is ancillary to, the use of the land for a Camping and Caravan Park.
- The likely effects, if any, on adjoining land, including but not limited to;
  - noise levels;
  - traffic;
  - the hours of delivery and dispatch of goods and materials (including garbage collections);
  - hours of operation; and,
  - potential light spill.
- How the proposed use will respond to the bushfire risk.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General issues

- The need to protect the ongoing use of the Camping and Caravan Park and to support appropriate ancillary uses complementary to the Camping and Caravan Park.
- The capability of the land to accommodate the proposed use in relation to existing infrastructure and services.
- The effect of traffic to be generated on roads.
- Any impact upon the existing use of the land and the surrounding area especially adjoining residential areas and public use areas.

Environmental issues

- The capability of each lot and/or area of common property to treat and retain all wastewater on-site ~~in accordance with the State Environment Protection Policy (Waters of Victoria).~~[removing redundant policy reference]
- The impact of the proposed use on the natural physical features and resources of the area, in particular on vegetation, soil and water quality.
- The impact of the proposed use on flora, fauna and landscape.
- The impact of the proposed use on the adjoining foreshore areas.
- The need for the planting of additional locally indigenous vegetation to complement the existing vegetation on the site and adjoining foreshore areas.
- Whether the proposed use adequately responds to bushfire risk.

3.0

~~17/10/2024~~
~~C129sgip~~
XX/XX/XXXX
CXXXsgip

Subdivision

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report which explains how the proposed subdivision promotes the purpose of the zone and is supported by the decision guidelines of the Planning Scheme and the - zone. The report must address how the subdivision will facilitate the ongoing use of the land for a Camping and Caravan Park.
- A Bushfire Management Plan that shows any bushfire mitigation measures to be relied upon in the subdivision of the land.
- A plan drawn to scale which shows for each lot:
  - The location and dimensions of existing development, car parking areas and driveway access.
  - Proposed building envelopes.
  - The natural topography and features of the site.
  - The location and dimensions of wastewater treatment and disposal areas.
  - Any areas of common property.
- A land capability assessment which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General issues

- The need to protect the ongoing use of the Camping and Caravan Park and to support appropriate ancillary uses complementary to the Camping and Caravan Park.
- The capability of the land to accommodate the proposed development in relation to existing infrastructure and services.
- The effect of traffic to be generated on roads.
- Any impact upon the existing use of the land and the surrounding area especially adjoining residential areas and public use areas.

Environmental issues

- The capability of each lot and/or area of common property to treat and retain all waste water on-site in accordance with the State Environment Protection Policy (Waters of Victoria).
- The impact of the proposed subdivision on the natural physical features and resources of the area, in particular on vegetation, soil and water quality.

- The impact of the proposed subdivision on the flora, fauna and landscape.
- The impact of the proposed subdivision on the adjoining foreshore areas.

4.0

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~~C129sgip~~
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CXXXsgip

The need for the planting of additional locally indigenous vegetation to complement the existing vegetation on the site and adjoining foreshore areas.

Whether the proposed subdivision adequately responds to the bushfire risk.

Buildings and works

Permit requirement

No permit is required to construct a building or construct or carry out works for the following:

- An alteration or extension to an existing building provided the floor area of the alteration or extension is not more than 10 square metres.
- A rainwater tank.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report which explains how the proposed development promotes the purpose of the zone and how the proposed development is supported by the decision guidelines of the Planning Scheme and the zone.
- A report which addresses how the buildings and works will respond to bushfire risk.
- A Site Context Plan drawn to scale which shows:
  - The boundary and dimensions of the site.
  - The natural topography and features of the site.
  - Adjoining roads, tracks and pathways.
  - The location, height and purpose of surrounding buildings and works.
- Detailed Architectural Plans drawn to scale which show:
  - Floor and roof plans.
  - Elevation drawings showing the colour, materials of all buildings and works.
  - Proposed landscape areas.
- A land capability assessment which demonstrates that the treatment and retainment of all wastewater is in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and

(3) and the review rights of Section 82(1) of the Act except where new buildings and works are proposed to be located 30 metres or less from the boundary of the Special Use Zone.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General issues

- The need to protect the ongoing use of the Camping and Caravan Park and to support appropriate ancillary uses complementary to the Camping and Caravan Park.
- The capability of the land to accommodate the proposed development in relation to existing infrastructure and services.
- The effect of traffic to be generated on roads.
- Any impact upon the amenity of the existing use of the land and any impacts on the amenity of the surrounding area especially the interface with adjoining residential areas and other public use areas.

Environmental issues

- The capability of each lot and/or area of common property to treat and retain all wastewater on-site in accordance with the State Environment Protection Policy (Waters of Victoria).
- The impact of the proposed development on the natural physical features and resources of the area, in particular on vegetation, soil and water quality.
- The impact of the proposed development on the flora, fauna and landscape.
- The impact of the proposed development on the adjoining foreshore areas.
- The need for the planting of additional locally indigenous vegetation to complement the existing vegetation on the site and adjoining foreshore areas.
- Whether the proposed development adequately responds to the bushfire risk.

Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads and vistas.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The need for building materials to be non-reflective or of colours that complement the surrounding landscape.
- Whether the proposed development maintains the landscape significance of the area.
- The extent of landscaping proposed around buildings and throughout the site, including the use of indigenous species to minimise the visual impact of buildings.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the proposed development will require traffic management measures.
- Access points for vehicles, cyclists, pedestrians, and service vehicles (including deliveries, waste removal, emergency services and public transport) and circulation around the site.
- The provision of car parking and bicycle parking.
- The need to ensure that any landscaping does not increase the risk from bushfire.

5.0

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CXXXsgip

Signs

Advertising sign requirements are at Clause 52.05. All land located within the Camping and Caravan Park Special Use Zone is in Category 3.

~~17/10/2024~~
~~C129sgip~~
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CXXXsgip

SCHEDULE 8 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ8.**

EXTRACTIVE INDUSTRY

Purpose

To recognise or provide for the use and development of land for extractive industry.

To protect land for extractive industry and minimise land use conflict.

To prohibit uses that are incompatible with the existing or future use and development of land for extractive industry.

To encourage land management practices and rehabilitation that minimise adverse impact on the use and development of nearby land.

1.0
~~01/12/2023~~
~~VC217~~
XX/XX/XXXX
CXXXsgip

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Extractive industry	Must meet the requirements of Clause 62.01
Grazing animal production **Home based business** **Railway** **Tramway**	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Apiculture, Animal husbandry, Domestic animal husbandry, and Grazing animal production)	
~~**Caretaker's house**~~	[removing unconditioned uses]
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than five animals.
Industry (other than Materials recycling, Refuse disposal and Transfer station)	Must be used in conjunction with extractive industry.

~~Landscape gardening supplies~~	[removing unconditioned uses]
~~Leisure and recreation~~	[removing unconditioned uses]
~~Manufacturing sales~~	[removing unconditioned uses]
~~Materials recycling~~	[removing unconditioned uses]
~~Refuse disposal~~	[removing unconditioned uses]
Transfer station (other than Automated collection point)	
Utility installation (other than Minor utility installation and Telecommunication facility)	
~~Warehouse~~	[removing unconditioned uses]
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Accommodation (other than Caretaker's house, Camping and Caravan Park, Backpacker lodge and Hostel)
Adult bookshop
Crematorium/Cemetery
Education Centre
Earth and energy resources industry
Fuel Depot
Industry (other than Automated collection point)
Leisure and recreation (other than Minor sports and recreation facility and Informal Outdoor Recreation)
Place of Assembly
Retail premises (other than Restaurant and Convenience shop)
Research centre
Service station
Veterinary centre
Warehouse

2.0
XX/XX/XXXX
CXXXsqip
~~19/08/2021~~
~~VC196~~

Use of land

The following decision guidelines apply to an application for a permit under clause 37.01, in addition to those specified in clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

3.0
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CXXXsqip
~~19/08/2021~~
~~VC196~~

- Whether the use is compatible with existing and future extractive uses.
- Whether the use adversely impacts on the existing and future productive extraction of the resource.

4.0
XX/XX/XXXX
CXXXsqip
~~19/08/2021~~
~~VC196~~

Subdivision

Buildings and works

A permit is required to construct a building or construct or carry out works.

The following decision guidelines apply to an application for a permit under clause 37.01, in addition to those specified in clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether development is compatible with existing and future extractive industry uses.

- Whether use or development may adversely impact on the existing and future productive extraction of the resource.
- Whether development is designed and sited in a location which minimises amenity impacts from resource extraction operations and transportation.

5.0

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~~19/08/2021~~
~~VC196~~

Signs

None specified.

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

AREAS OF NATURAL SIGNIFICANCE

1.0 Statement of environmental significance

25/07/2019 C121sgip

South Gippsland contains a number of areas of natural significance including numerous Flora and Fauna Reserves. There are also important sites within the various National, State and Coastal Parks and other reserves throughout the Shire, as well as along roadside reserves and on privately owned land. The clearing of native vegetation and the introduction of weeds and vermin remain important issues.

2.0 Environmental objective to be achieved

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

To preserve and enhance existing indigenous flora and fauna and ~~.~~conserve areas of high environmental and landscape quality. [rewording for clarity - MDF&C]

~~To conserve areas of wildlife habitats and allow for the generation and regeneration of habitats.~~ [deleted objectives as per MDF&C]

~~To conserve areas of high environmental and landscape quality, ensuring development minimises adverse environmental impact.~~ [deleted objectives as per MDF&C]

~~To ensure that development reinforces existing flora through the revegetation of valleys and drainage lines.~~ [deleted objectives as per MDF&C]

~~To protect the views of identified significant vistas.~~ [deleted objectives as per MDF&C]

3.0 Permit requirement

17/10/2024 C129sgip

A permit is not required to construct the following buildings or to construct or carry out the following works:

Agricultural activities

- Agricultural activities including ploughing, fencing and the construction of a dam with a capacity of less than 3000 cubic metres.
- Buildings or works specifically identified in a whole farm plan prepared to the satisfaction of the responsible authority.

Infrastructure

- The layout of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.

Buildings and works

- Buildings and works undertaken by or on behalf of the Department of Energy, Environment and Climate Action on coastal Crown Land under relevant legislation.
- Buildings and works undertaken by or on behalf of Parks Victoria in relation to its obligations under relevant legislation.

A permit is not required to remove, destroy or lop vegetation in a domestic garden.

4.0 Application requirements

17/10/2024
C129sgip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The location of all waterways and drainage line, including permanent and temporary streams and wetlands.
- The extent and type of all vegetation to be removed or cleared.
- A report of the impact the use or development will have on the likelihood of erosion, land degradation and land stability on the land and adjoining land.

5.0 Decision guidelines

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The purpose of the overlay.~~ [removing redundant directions]
- The conservation and enhancement of the area.
- The preservation of and the impact on the natural environment and the need for preventing erosion.
- The need to retain a buffer strip of native vegetation adjacent to roads, coastal areas, watercourses and property boundaries.
- The need to protect the scenic quality and visual integrity of the landscape.
- The management of vegetation necessary to minimise bushfire hazard. [rewording for clarity]
- The importance of retaining any vegetation unique to the area concerned.
- The importance of retaining any habitats which support local native fauna.
- Any alternative method of constructing or carrying out of the development or works.

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2**.

SPECIAL WATER SUPPLY CATCHMENT AREAS

1.0
25/07/2019 C121sgip

Statement of environmental significance

Approximately 30 percent of land in South Gippsland Shire is located in a water catchment that are used to provide water for human consumption, domestic use, agriculture and industrial activities. These catchments are declared as 'Special Water Supply Catchment Areas' as defined in the *Catchment and Land Protection Act 1994*.

Special Water Supply Catchments cover large areas with water take-off points occurring in the lower parts of catchments. Land use or development within Special Water Supply Catchments and in close proximity of the water take-off points should be managed carefully to minimise the impact on water quality.

Cumulative use or development in catchments over extended time periods has the potential to gradually diminish water quality and increase risk to human health. The management of use or development in catchments must focus on the long term protection of the natural asset and strongly encourage the implementation of measures to avoid detrimental impacts on water quality and quantity.

2.0
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Environmental objective to be achieved

To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply.

~~To ensure that development activity and land management practices are consistent with environmental values and the long term conservation of potable water supply resources.~~ [deleted objectives as per MDF&C]

~~To minimise the impact of residential development and intensive farming activity in Special Water Supply Catchment areas, particularly near water supply take-off points and storage reservoirs.~~ [deleted objectives as per MDF&C]

~~To encourage retention of native vegetation and the establishment of new vegetation cover, particularly within 30 metres of a waterway.~~ [deleted objectives as per MDF&C]

~~To consider the cumulative impact of use and development on Special Water Supply Catchments over an extended time period having regard to both climate variability and anticipated reduced inflows in catchments .~~ [deleted objectives as per MDF&C]

~~To minimise the impact of development in townships without reticulated sewerage, particularly having regard to small lot sizes, existing water contamination levels and the long term expectation that small towns will remain unsewered.~~ [deleted objectives as per MDF&C]

~~To ensure new development proposals meet best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient, pathogenic and sediment flows.~~ [deleted objectives as per MDF&C]

~~To protect public health from the risk of waterborne diseases.~~ [deleted objectives as per MDF&C]
~~C121sgip~~

3.0
XX/XX/XXXX CXXXsgip ~~25/07/2019~~

Permit requirement

A permit is not required for the following:

- Buildings, works, subdivision of land, or to remove, destroy or lop any vegetation on a lot connected to ~~where~~ reticulated sewer ~~is connected to the lot~~. [rewording for clarity]
- Buildings and works associated with the use of the land for a single dwelling on a lot greater than 40ha, other than:
  - Buildings and works that will generate wastewater or effluent requiring permissions under Section 53L of the *Environment Protection Act 1970* (to construct, install or alter a septic tank system).
  - ~~Buildings and works associated with the use of the land for a single dwelling on a lot of 40 hectares or greater.~~ [relocated above for clarity]
  - Buildings and works associated with the use of land for intensive animal husbandry or industry. [rewording for clarity]
- Building and works located more than 100 metres from a waterway or more than 300 meters from a water supply reservoir or potable water supply take-off structure, unless the building and works will:
  - generate wastewater or effluent requiring permissions under Section 53L of the *Environment Protection Act 1970* (to construct, install or alter a septic tank system).
  - be associated with the use of land for intensive animal husbandry or industry. [rewording for clarity]
- Buildings and works associated with 'informal outdoor recreation' or a 'telecommunication facility' provided it does not require permanent onsite waste water or effluent treatment.
- Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk or preserve public safety.
- The removal, destruction or lopping of vegetation which is non-native to Victoria except where the vegetation is within 30 metres of a waterway, wetland, flood plain[1] or water supply reservoir[2].
- Earthworks associated with timber production that meets all the relevant requirements of the Code of Practice for Timber Production 2007 (as amended).
- A subdivision by a public authority, or a utility provider, provided the subdivision does not create a new lot within 100 metres of a waterway, wetland, flood plain[1] and/or within 300 metres of a water supply reservoir[2] or potable water supply take-off structure.
- A ~~n outdoor~~ sign~~/structure~~ [rewording for clarity]
- Buildings and works specifically identified in a whole farm plan approved by the responsible authority and water supply authority.
- A ~~W~~wind or solar energy facility~~mills and solar units~~. [rewording land use as per state policy]
  - ~~Buildings and works where they are located more than 100 metres from a waterway or more than 300 meters from a water supply reservoir or potable water supply take-off structure, other than:~~

~~o Building and works~~ ~~ll generate waste water or effluent requiring permissions under Section 53L of the *Environment Protection Act 1970* (to construct, install or alter a septic tank system).~~

- ~~Buildings and works associated with the use of land for intensive animal husbandry or industry.~~
- ~~An outdoor sign/structure.~~
- ~~Buildings and works specifically identified in a whole farm plan approved by the responsible authority and water supply authority.~~
- ~~Windmills and solar units.~~ [reworded for clarity]

Permit requirement explanatory notes:

Flood plain[1]. For the purpose of this schedule a flood plain is land included in a planning scheme overlay flood control and land affected by the 100 year Average Recurrence Interval flood level (1 in 100 year flood level) recognised and mapped by the relevant floodplain management authority.

Water supply reservoir[2]. The requirement for a planning permit within 300 metres of a water supply reservoir (measured from the full supply level) does not apply to proposals on land outside of the water supply reservoir capture slope (downhill of the reservoir) or any circumstance where the water supply reservoir is an above ground structure.

4.0 Application requirements

17/10/2024
C129sgip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Land Capability Assessment (in accordance with the background document *EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management* (as amended) demonstrating the land is capable of absorbing sewage and sullage effluent generated on the lot in accordance with the background document *EPA Code of Practice - Onsite Wastewater Management (Publication 891.3)* (as amended).
- A report, prepared by a suitably qualified person, demonstrating that:
  - The design of any wastewater treatment system will ensure that nutrients, pathogens or other pollutants from wastewater will not enter any waterway, wetland, flood plain or water supply reservoir or otherwise detrimentally affect the designated beneficial uses of groundwater or surface water.
  - Activities will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland in accordance with EPA Victoria publication - Construction Techniques for Sediment Pollution Control 1991 or any superseding document(s).
  - Any removal, destruction or lopping of native vegetation will not compromise the quality of water within proclaimed catchment areas.
  - The siting of buildings and wastewater treatment systems will not compromise the quality of water within declared catchment areas.
- Details of slope (including contours at an appropriate scale), soil type, extent of excavation and vegetation, including details of any proposed new plantings.

- Where buildings or works are proposed within 30 metres of a waterway, a revegetation plan.

5.0
17/10/2024
C129sgip

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The likely impacts of the proposed development on water quality and quantity in the water supply catchment.
- The potential cumulative impact of development on the quality and quantity of water in the water supply catchment over extended periods of time.
- Whether new development proposals will lead to an increase in the amount of nutrients, pathogens or other pollutants reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near takeoff points are appropriate.
- Any relevant catchment management plan, policy, strategy or Ministerial Direction, including the *Ministerial Guideline for Planning Permit Applications in Open Potable Water Supply Catchment Areas* or any superseding document.

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO3**.

COASTAL SETTLEMENTS

1.0 Statement of environmental significance

25/07/2019 C121sgip

South Gippsland contains some of Victoria's most significant coastal areas. Wilsons Promontory, Corner Inlet, Waratah Bay, Shallow Inlet, Walkerville, Cape Liptrap, Venus Bay and Andersons Inlet are all important coastal areas. They are important for their environmental, economic, recreational, cultural, heritage values and rugged appeal. While obviously of immense interest, it is important that the coast is protected from inappropriate development and mismanagement of both coastal and inland areas.

2.0 Environmental objective to be achieved

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

To protect and enhance the natural beauty,~~-~~ environmental quality and ecological processes of the coastal area.

~~To protect and enhance the environmental quality of the coastal area.~~ [deleted objectives as per MDF&C]

~~To minimise the risk of erosion, pollution and destruction of the environment through poorly managed development.~~ [deleted objectives as per MDF&C]

~~To ensure that development adjacent to coastal areas is compatible with the environment and does not result in adverse impacts on coastal processes~~[deleted objectives as per MDF&C]

3.0 Permit requirement

~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

A permit is not required to construct the following buildings or to construct or carry out the following works:

Agricultural activities

- Agricultural activities including ploughing, fencing and the construction of a dam with a capacity of less than 3000 cubic metres.
- Buildings or works specifically identified in a whole farm plan prepared to the satisfaction of the responsible authority.

Infrastructure

- The lay out of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.

Power lines

- Telephone or power lines provided they do not involve the construction of towers.

Buildings and works:

- A building, which is ancillary to a dwelling, has a gross floor area of less than 100 square metres and is not used for accommodation, all external cladding materials are finished and maintained in muted, non reflective tones.

- Extension to an existing dwelling provided the additional floor area is less than 100 square metres, all external cladding materials are finished and maintained in muted, non reflective tones.
- Buildings and works undertaken by or on behalf of the Department of Energy, Environment and Climate Action on coastal Crown land under relevant legislation
- Buildings and works undertaken by or on behalf of Parks Victoria in relation to its obligations under relevant legislation.

A permit is not required to remove, destroy or lop non-indigenous vegetation in a domestic garden.

4.0 Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The existing conditions including watercourses vegetation, contour intervals at suitable scale.
- The location and layout of buildings and works.
- A report of the impact the use or development will have on the likelihood of erosion, land degradation and land stability on the land and adjoining land.

5.0 Decision guidelines

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The need to maintain~~enance~~ and improve~~ment of~~ the stability of the coastal dunes and coastlines. [rewording for clarity]
- The need to preserve ~~ation of~~ any existing natural vegetation. [rewording for clarity]
- The need to conserve ~~ation of~~ any areas of environmental importance or significance. [rewording for clarity]
- The intensity of human activity which the landscapes and the environment the area can sustain.
- The existing use and possible development of the land and nearby land.
- The effect of development on the use and development of other land which has a common means of drainage.
- Whether the development of the land will be detrimental to the natural environment.
- The availability of water, sewerage, drainage, electricity and other services.
- Whether or not the site is large enough to enable the adequate disposal and treatment of effluent through a septic tank system.
- The siting, colour and design of buildings and works.
- The need to protect~~ion of~~ the area for its recreational value. [rewording for clarity]
- The response to ~~risk of~~ bush fire risk. [rewording for clarity]

- Any relevant coastal study adopted by the Shire of South Gippsland.

XX/XX/XXXX CXXXsgip 25/07/2019 C121sgip

SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4**.

SEWAGE TREATMENT PLANT AND ENVIRONS

1.0 Statement of environmental significance

XX/XX/XXXX CXXXsgip 25/07/2019 C121sgip

The land surrounding sewage treatment plants is of high importance for~~in its role of~~[rewording for clarity] providing a two-way buffer zone between nearby developments and such plants. These buffers are [rewording for clarity] ~~It is~~ significant ~~in~~ for [rewording for clarity]ensuring the long term protection of such key infrastructure facilities and enabling unobstructed expansion and facilitation of compatible land uses and developments in their vicinity.

2.0 Environmental objective to be achieved

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

To protect sewage treatment plants from the encroachment~~s~~ of incompatible development.~~, including through the provision of buffers areas as required by the Environment Protection Authority.~~ [rewording for clarity]

3.0 Permit requirement

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

A permit is not required to construct a building or to construct or carry out works, except those ~~designed for~~associated with the following uses: [rewording for clarity]

- Accommodation,
- ~~childcare,~~ Eeducation centre~~,~~ [rewording for clarity - MDF&C]~~-~~
- Oo~~o~~ffice~~,~~ [rewording for clarity - MDF&C]
- Pp~~p~~lace of assembly ~~and~~ - [rewording for clarity - MDF&C]
- Rr~~r~~etail ~~purpose~~premises~~.~~ [rewording for clarity - MDF&C]

A permit is not required to remove, destroy or lop vegetation~~,~~ subject to the provisions of Clause 52.17

4.0 Application requirements

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority~~:~~

~~The site of the proposed buildings and works will not adversely affect or be affected by the sewage treatment facilities.~~ [removing inappropriate direction]

- Plans drawn to scale and dimensioned which show the distance between all proposed buildings and the sewerage treatment plant. [rewording for clarity]

5.0
XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The purpose of the overlay.~~ [removing unnecessary direction]
- ~~The views of the Environment Protection Authority of Victoria.~~ [removing unnecessary direction – proposed for referral under clause 66.06]
- ~~The views of the relevant water authority responsible for operating the sewage treatment facility.~~ [removing unnecessary direction - proposed for referral under clause 66.06]
- ~~The effect of any development on the operation of the treatment facilities.~~ [removing unnecessary direction]
- The need to prevent~~ion of~~ inappropriate development in the vicinity of the treatment facility ~~such~~ so that the long term future of the treatment works is not threatened. [reworded for clarity]
- Guidance provided within *Separation Distance Guideline (Environment Protection Authority, August 2024).* [NEW state policy guidance as per EPA feedback]

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 7 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO7**.

COASTAL SETTLEMENTS

1.0 Statement of Environmental Significance

03/12/2009 C45

South Gippsland contains some of Victoria's most significant coastline areas. The settlements of Venus Bay, Sandy Point, Tarwin Lower and Waratah Bay are situated along this coastline and contribute to the areas appeal by providing accommodation opportunities in environmentally significant areas. They are characterized by their predominance of native vegetation, easily erodable soils and their proximity to foreshore reserves, coastal parks and other public land and their rugged appeal.

2.0 Environmental objective to be achieved

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

- To protect and enhance the natural beauty, environmental quality and ecological processes of the coastal area. [rewording for clarity - MDF&C]
- ~~To protect and enhance the natural beauty of the coastal townships.~~ [deleted objectives as per MDF&C]
- ~~To protect and enhance the environmental quality of the townships.~~ [deleted objectives as per MDF&C]
- ~~To minimise the risk of erosion, and destruction of the environment through poorly managed development.~~ [deleted objectives as per MDF&C]
- ~~To ensure that development adjacent to coastal areas is compatible with the environment and does not result in adverse impacts on coastal processes.~~ [deleted objectives as per MDF&C]

3.0 Permit requirement

XX/XX/XXXX CXXXsgip

~~03/12/2009 C45~~

A permit is not required to construct a building or carry out works other than for:

- A building or an extension to a building where the difference between the finished ground level and the natural ground level as a result of excavation or filling exceeds 1 metre. [rewording for clarity]

A permit is not required to remove, destroy or lop non-native vegetation.

4.0 Application requirements

17/10/2024 C129sgip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The existing conditions, including vegetation and contour intervals at a suitable scale.
- The location and layout of buildings and works.
- Landscaping and areas of revegetation.
- A report of the impact the use or development will have on the likelihood of erosion, land degradation and land stability on the land and adjoining land.

5.0

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

~~The environmental objectives of this schedule.~~ [removing unnecessary directions]

- ~~Whether the proposal will assist in achieving the Vision, Objectives and Strategies for Venus Bay, Waratah Bay, Sandy Point and Tarwin Lower contained in Clause 11.01-1L-08 or 02.03-1.~~ [removing unnecessary directions]
- Whether the proposal will assist in the maintenance and improvement of the stability of the coastal dunes and coastlines.
- The impact of the proposal on the extent of natural vegetation retained on the site.
- The impact of the proposal on the conservation of any areas of environmental importance or significance.
- Whether opportunities exist to avoid excavation by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land.
- ~~Whether the development of the land will be detrimental to the natural environment.~~[removing unnecessary directions]
- Any relevant coastal study adopted by the Shire of South Gippsland.

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

SCHEDULE 8 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO8.**

MANUFACTURE OF MILK PRODUCTS AMENITY BUFFER

Statement of environmental significance

1.0
25/07/2019
C121sgip

South Gippsland Shire contains some of the most productive dairy farming land in the nation. Milk processed in the Shire is exported globally and is a major contributor to the Victorian economy. Global demand for milk protein means that demand for milk products is expected to grow, underpinning the viability and expansion of local 'manufacture of milk products' facilities (milk factories) into the future.

A legacy of past practice means that milk factories are typically located in close proximity to residential areas and other sensitive land uses. This can create amenity conflicts from factory generated noise, odour, dust (particulates) and light impacts on surrounding land.

The ESO amenity buffer identifies the area most likely to be affected by factory operations. The control ensures that planning permit applications for sensitive land uses are assessed with consideration to potential factory impacts on surrounding lands and potential impacts on the factory from encroachment / intensification of sensitive uses near the factory. The ESO identifies areas subject to pre-existing factory impacts that will continue~~,~~ and could intensify~~,~~ over time.

2.0

Environmental objective to be achieved

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

To protect any manufacture of milk products facility from the incremental encroachment of sensitive land uses that may endanger the commercial operations of the facility. [rewording for clarity - MDF&C]

~~To inform landowners and land purchasers that the areas surrounding a manufacture of milk products facility may be exposed to amenity impacts resulting from existing and ongoing factory operations.~~ [deleted objectives as per MDF&C]

~~To protect a manufacture of milk products facility from the incremental encroachments of sensitive land uses that may endanger the commercial operations of the facility.~~ [deleted objectives as per MDF&C]

~~To discourage the subdivision of land for sensitive land uses that will result in an increase in the number of people likely to be exposed to amenity impacts from the operation of a manufacture of milk products facility.~~ [deleted objectives as per MDF&C]

~~To assist in shielding people from the impact of noise, odour, dust and light by requiring appropriate attenuation measures in new dwellings and other sensitive use buildings~~[deleted objectives as per MDF&C]

3.0

Permit requirement

XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

A permit is not required to construct a building or to construct or carry out works, except ~~in relation to the use of land for Accommodation, Childcare, Education, Hospital, Office, Place of Assembly and Retail~~ those associated with the following uses:

- Accommodation,
- Education centre

- Hospital
- Office
- Place of assembly
- Retail premises [reworded as list for clarity]

This does not apply to the following buildings and works ~~in relation to these uses~~:

- Non-habitable outbuildings. [rewording for clarity]
- External alterations to a building that do not increase the internal floor area of a building by more than 50 per cent. [rewording for clarity]
- Fencing, signage and domestic services normal to a dwelling. [rewording for clarity]
- Earthworks, landscaping, gardening. [rewording for clarity]

A permit is not required under this overlay to remove, destroy or lop vegetation.

4.0 Application requirements

25/07/2019
C121sgip

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application must include building design, layout and landscaping details demonstrating how the building will minimise the impact of noise, dust, odour and light pollution on the proposed sensitive land use.
- Applications to subdivide land must include a noise assessment with measurements taken at various times across a 24 hour period, and a corresponding report by a suitably qualified acoustic engineer.

The application requirements can be reduced or set-aside if in the opinion of the responsible authority the requirements are unnecessary to appropriately consider the application.

5.0 Decision guidelines

17/10/2024
C129sgip

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal is compatible with the current permitted operations, approved planning permit or an approved development plan for the manufacture of milk products facility.
- Whether the design of the building responds to identified or anticipated noise, odour, dust and light pollution amenity issues.
- The distance of the application site from the manufacture of milk products facility and corresponding impact of the facility on the sensitive land use.

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

SCHEDULE 9 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO9**.

GIANT GIPPSLAND EARTHWORM AND HABITAT PROTECTION

1.0 17/10/2024 C129sgip

Statement of environmental significance

The Giant Gippsland Earthworm (*Megascolides australis*) is endemic to West and South Gippsland and one of the largest earthworms in the world. Individuals average about 80 centimetres long but have been recorded up to 1.8 metres. Dispersed Giant Gippsland Earthworm colonies, ranging in size from a few individuals to many hundreds, occur within a 400 square kilometre area generally bounded by the towns of Loch, Korumburra and Warragul.

The Giant Gippsland Earthworm plays an important role in soil structure and fertility and contributes to the high agricultural value of the region. Suitable habitat is restricted to generally moist, blue-grey clay soils near stream banks, soaks or watercourses on south or west-facing slopes.

The Giant Gippsland Earthworm is sensitive to development activities that affect their habitats. Individuals reach maturity slowly, live in discrete populations that are widely dispersed and are unable to recover from even slight wounds. Major threats to their survival include soil disturbance, altered soil hydrology, chemical disturbances and extreme weather or climate change.

The Giant Gippsland Earthworm is a threatened species listed in both the Commonwealth (*Environment Protection and Biodiversity Conservation Act 1999*) and State (*Flora and Fauna Guarantee Act 1988*) legislation.

2.0 17/10/2024 C129sgip

Environmental objective to be achieved

To identify potential Giant Gippsland Earthworm habitat and avoid and minimise [NEW wording to improve policy direction] potential impacts to Giant Gippsland Earthworms and their habitat when considering planning permit applications prior to commencing any works.

3.0 XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

Permit requirement

A permit is not required to construct the following buildings or to construct or carry out the following works:

- Buildings and works on lots less than 8,000 square metres within a Residential, Township or Industrial Zone.
- An alteration or extension to a dwelling where the additions do not exceed 100 square metres.
- An out-building associated with an existing use provided the building footprint is not more than 200 square metres.
- Establishment of a replacement building or dwelling within the same construction footprint.
- Where a survey has been conducted in accordance with the *Giant Gippsland Earthworm Environmental Significance Overlay Reference Document* (September 2015) by a suitably qualified person to the satisfaction of the responsible authority and the Department of Energy, Environment and Climate Action, establishing that no

buildings and works will negatively impact Giant Gippsland Earthworm numbers. .[rewording for clarity]

- Works that comply with a Giant Gippsland Earthworm Land Management Plan approved by the Department of Energy, Environment and Climate Action and the responsible authority.~~If a Giant Gippsland Earthworm Land Management Plan has been approved by the Department of Energy, Environment and Climate Action and the responsible authority.~~[rewording for clarity]
- ~~To undertake~~ Rroad maintenance, rehabilitation or improvement works within the formation of an existing road reserve.
- ~~Where emergency works are required to be undertaken by or on behalf of a public authority.~~[removing redundant provisions exemption provided for under clause 62.02-1]

4.0
17/10/2024
C129sgip

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- Clear and precise details of the buildings and/or works proposed, including the location of any wastewater treatment systems, dispersal fields, stormwater flow, driveways, ground disturbance, changes to hydrology or drainage.
- Description of the purpose for the development.
- Detailed scale map of the subject land showing:
  - property boundaries and dimensions;
  - location of proposed buildings and works site;
  - all waterways, including creeks, streams, soaks, seepages or wetlands within or adjacent to works, and;
  - the locality of Giant Gippsland Earthworm habitat affected by the proposal.
- An impact assessment of the proposal on Giant Gippsland Earthworm habitat conducted by a suitably qualified person and in accordance with the *Giant Gippsland Earthworm Environmental Significance Overlay Reference Document (September 2015)*.
- Details on how the application has attempted to avoid, minimise or offset negative impact on Giant Gippsland Earthworm habitat.

5.0
XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgi~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ~~The objectives of this schedule.~~
- ~~The views of the Department of Energy, Environment and Climate Action.~~
- The significance of a site with respect to Giant Gippsland Earthworm habitat extent, quality and connectivity, population density or genetic distinctiveness. [reworded for clarity]
- The ~~effects and design~~ impact of subdivision on earthworms and their habitat~~s~~ [reworded for clarity].
- The type, density and layout of building and works. ~~Any proposal is to~~ and whether other alternatives could avoid, minimise or manage impacts on Giant Gippsland Earthworm habitat. [reworded for clarity]~~., in that order. For example, can the proposal be accommodated on land not considered to contain Giant Gippsland Earthworm habitat?~~
- ~~The significance of a site with respect to Giant Gippsland Earthworm habitat extent, quality and connectivity, population density or genetic distinctiveness.~~
- Any effects on Giant Gippsland Earthworm populations created by development, that may extend beyond the building period.
- ~~Opportunity to offset the negative impacts of a proposal on the Giant Gippsland Earthworm.~~[policy direction no longer supported by Council~~]~~]

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

VENUS BAY PENINSULA AND ANDERSON INLET

1.0
25/07/2019
C121sgip

Statement of nature and key elements of landscape

The coastline at Venus Bay is a wild and windswept landscape of high coastal dunes and lonely beaches, providing a scenic backdrop for Anderson Inlet. Visually, it is a landscape of regional significance.

The dominant landform in this area is the high coastal dune system that rises to 60 metres in height and stretches for up to one kilometre inland. These dunes contrast with the calmer waters of Anderson Inlet and the flat swampy hinterland, and this scene provides a scenic outlook for the township of Inverloch. The landscape is largely natural and undeveloped with the exception of the currently contained housing settlement areas of Venus Bay. Vegetation is indigenous with an important stand at Point Smythe at the mouth of the inlet.

The landscape is highly significant for its Aboriginal cultural heritage values, with many known sites scattered throughout the dunal landscape. It is also of high community value for its scenic qualities and recreation opportunities, including fishing, walking and boating.

2.0
XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Landscape character objectives to be achieved

To protect locally significant views and vistas which contribute to the character of the landscape and t~~T~~o retain ~~and improve~~ indigenous vegetation~~, particularly at roadsides and in riparian strips, to minimise the visual intrusion of new development.~~ [rewording for clarity - MDF&C]

~~To protect locally significant views and vistas which contribute to the character of the landscape, particularly expansive, open out views between Tarwin Lower and Venus Bay, and open views across Anderson Inlet.~~

~~To protect the flats between Townsend Bluff and Tarwin Lower from visually dominant development.~~

~~To contain the settlement of Venus Bay to less visible areas within topography.~~

~~To ensure that development in and around the Venus Bay estates does not impact on the characteristics of the landscape.~~

~~To ensure buildings and structures sit within, rather than dominate, the~~

~~landscape. To retain the sense of uncluttered openness throughout the area.~~

~~To ensure that development in and around the settlement of Tarwin Lower does not impact on the characteristics of the landscape, including key views and viewing opportunities.~~

~~To strengthen the dominant vegetated character of the Venus Bay peninsula as viewed from Anderson Inlet.~~

~~To minimise the visual impact of signage and other infrastructure, particularly on hill faces, in coastal areas and in other areas of high landscape values or visibility.~~

~~To protect landscape character and attributes that are consistent with the Aboriginal cultural heritage values of the area.~~

~~To recognise, and protect, the landscape of the Venus Bay and Anderson Inlet as places of significant Aboriginal cultural heritage value.~~ [deleted objectives as per MDF&C]

3.0 Permit requirement

XX/XX/XXXX CXXXsqip
~~25/07/2019 C121sgip~~

A permit is not required for [fixing typo]:

- A building or extension to an existing building where all of the following are met:
  - The building is single storey and no more than 7.5 metres in height above natural ground level; and,
  - Has a total area of less than 250 square metres; and
  - Is constructed in muted, non-reflective tones.
- Buildings and works associated with informal outdoor recreation.
- Works undertaken by a public authority relating to watercourse management or environmental improvements

A permit is required to remove, destroy or lop native vegetation. This does not apply in the following circumstances:

- The v~~V~~egetation ~~that~~ is dead. [rewording for clarity]
- The vegetation is the~~The~~ minimum extent ~~of vegetation~~ necessary for the maintenance of existing fences. [rewording for clarity]

A permit is required to remove, destroy or lop non indigenous vegetation. This does not apply in the following circumstances:

- The v~~V~~egetation ~~that~~ is dead. [rewording for clarity]
- The vegetation is t~~T~~he minimum extent ~~of vegetation~~ necessary for ~~the maintenance~~the maintenance of existing fences. [rewording for clarity]
- The vegetation is ~~Is~~ within a garden. [rewording for clarity]
- The vegetation is ~~Is~~ less than 7.5 metres in height. [rewording for clarity]
- The vegetation is ~~Is~~ senescent tree rows outside a garden. [rewording for clarity]

A permit is required to construct a fence other than a post and wire fence up to 1.8 metres in height. [rewording for clarity]

4.0 Application requirements

25/07/2019 C121sgip

None specified.

5.0 Decision guidelines

XX/XX/XXXX CXXXsqip
~~17/10/2024 C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether proposed buildings are sited and designed to maximise retention of existing ~~vegetation, and~~vegetation and [rewording for clarity] provide for the planting of new indigenous coastal vegetation wherever possible.
- Whether buildings, structures and other developments that occur in view fields are designed and sited so as to retain the character and quality of the views.

- Whether the proposal contributes to the retention or establishment of an undeveloped vegetated dune buffer to Venus Bay Estates 1 and 3 when viewed from the coast, the approach road, Anderson Inlet and adjoining rural areas.
- Whether the proposed new development is integrated with the landscape through the use of appropriate indigenous vegetation and whether it is accompanied by a landscape plan, where appropriate.
- Where development on the flats cannot be avoided, whether the proposal uses low scale building forms and appropriate materials and colours that are not highly visible, particularly from main road corridors.
- Where development on the flats cannot be avoided, whether the proposal uses low scale building forms and appropriate materials and colours that are not highly visible, particularly from main road corridors.
- Whether the proposal utilises appropriate indigenous vegetation to further integrate the development with the landscape.
- Whether the visual intrusion of proposed buildings is minimised by utilising low scale building forms, tucked into the landscape, with the use of materials and colours that occur in the local area. [NEW proposed decision guideline - reworded from objectives]
- Whether building heights are minimised in order to prevent visually intrusive developments, or any development visible from the Bass Strait Coast. [NEW proposed decision guideline - reworded from objectives]
- Whether the proposed development is kept below the dominant tree canopy height. [NEW proposed decision guideline - reworded from objectives]
- Whether the proposal prevents cluttering of development along main roads and key touring routes outside the settlements. [NEW proposed decision guideline - reworded from objectives]
- In rural residential areas, whether the proposal:
  - Uses permeable surfacing for all unbuilt areas to minimise surface run-off and to support vegetation. [NEW proposed decision guideline - reworded from objectives]
  - Retains trees that form part of a continuous canopy beyond the property and provides for the planting of new trees in a position where they will add to such a continuous canopy. [NEW proposed decision guideline - reworded from objectives]
  - Utilises vegetation for screening and to delineate property boundaries, instead of fencing. [NEW proposed decision guideline - reworded from objectives]
  - Where fencing is necessary, provides open style fencing of a type traditionally used in rural areas, such as post and wire fencing. [NEW proposed decision guideline - reworded from objectives]
  - Includes development located on the site to minimise views of the building from the main road into the settlement. [NEW proposed decision guideline - reworded from objectives]
- The avoidance of any buildings or structures visible from the foreshore on the Bass Strait coast by setting new developments back on the inland side of dunes. [NEW proposed decision guideline - reworded from objectives]
- Where development within the coastal strip cannot be avoided (e.g. development for essential public purposes), whether the proposal:

- Is sited in the lower one-third of the visible slope, wherever possible (avoid buildings protruding above the dune ridgeline); [NEW proposed decision guideline - reworded from objectives]
- Includes buildings and structures set among existing vegetation, maximising the retention of coastal vegetation; [NEW proposed decision guideline - reworded from objectives]
- Utilises appropriate indigenous vegetation to further integrate the development with the landscape; [NEW proposed decision guideline - reworded from objectives]
- Is designed to follow the contours or step down the site; [NEW proposed decision guideline - reworded from objectives]
- Includes buildings that are articulated into separate elements, and avoid visually dominant elevations; [NEW proposed decision guideline - reworded from objectives]
- Is finished with darker colours and non-reflective materials which reduce distant visibility. [NEW proposed decision guideline - reworded from objectives]
- Minimises overlooking of the foreshore; and[NEW proposed decision guideline - reworded from objectives]
- Avoids pedestrian and vehicular access in highly visible or undisturbed areas. [NEW proposed decision guideline - reworded from objectives]

- In circumstances where development cannot be avoided above ridgelines, whether the proposed development is:
  - Located to avoid the loss of vegetation; [NEW proposed decision guideline - reworded from objectives]
  - Constructed of lighter materials to minimise visibility against the sky. [NEW proposed decision guideline - reworded from objectives]

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO2**.

CAPE LIPTRAP TO WARATAH BAY

1.0
25/07/2019
C121sgip

Statement of nature and key elements of landscape

Cape Liptrap and surrounds is a diverse coastal landscape of State significance, comprising spectacular views and dramatic rock formations.

This is a remote and natural landscape with few settlements and long stretches of sandy beach, which is home to intact heathland and coastal forest communities. The area includes spectacular geological complexes with ancient Cambrian rocks and limestone cliffs, and remarkable landforms at Cape Liptrap and at Arch Rock. There are also unforgettable ocean views from high points such as the Cape Liptrap lighthouse, particularly across Waratah Bay to the dramatic profile of Wilsons Promontory.

In addition to its visual qualities, the landscape has significant cultural heritage and environmental values. The area is recorded on the Victorian Heritage Register and is recognised by the National Trust for relics of the lime burning industry at Walkerville South, with the ruins of several kilns still evident at the base of the cliffs. The area is also notable for shipwrecks off shore, and the remains of many Aboriginal camps with middens containing shellfish, flints and charcoal. The fauna and flora of the area are also highly valued, with some 270 species of flowering plants including 27 orchids and many threatened species.

2.0
XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Landscape character objectives to be achieved

To protect the indigenous vegetation, the rural character and the key views that create a scenic gateway to Wilsons Promontory. [reworded as per MDF&C]

~~To maintain, improve and protect indigenous vegetation, particularly at roadsides and in riparian strips throughout the landscape, and to ensure that it is the dominant feature of the landscape, particularly when viewed from the foreshore.~~ [deleted objectives as per MDF&C]

~~To protect locally significant views and vistas that contribute to the character of the landscape, including open views to Wilsons Promontory, the Toora Hills and Mt Hoddle.~~ [deleted objectives as per MDF&C]

~~To protect scenic vistas near the coast between Cape Liptrap and Walkerville, and views across Waratah Bay to Wilsons Promontory.~~ [deleted objectives as per MDF&C]

~~To protect the rural character and views that create a scenic 'gateway' to Wilsons Promontory.~~ [deleted objectives as per MDF&C]

~~To ensure that development in and around settlements does not impact on the characteristic of the landscape, including key views and viewing opportunities.~~ [deleted objectives as per MDF&C]

~~To manage development at the coastal edge of settlements so that the intact, natural, coastal character is the dominant feature of the landscape.~~ [deleted objectives as per MDF&C]

~~To minimise the visual intrusion of development within Walkerville and Walkerville South to views from the public foreshore and distant views (including offshore).~~ [deleted objectives as per MDF&C]

~~To contain the expansion of the settlements of Walkerville and Walkerville South into the vegetated and undeveloped landscapes between and adjacent to the settlements.~~ [deleted objectives as per MDF&C]

~~To ensure buildings and structures sit within, rather than dominate the landscape throughout the area.~~ [deleted objectives as per MDF&C]

~~To ensure minimum visibility of buildings and structures within the coastal strip.~~ [deleted objectives as per MDF&C]

~~To maintain the dominance of the natural landscape and vegetation on hill faces and ridges throughout the area.~~ [deleted objectives as per MDF&C]

~~To retain the natural and undeveloped character of the coastal strip between settlements by avoiding or carefully siting and designing development.~~ [deleted objectives as per MDF&C]

~~To ensure that long stretches of the coastal strip remain free of development of any kind.~~ [deleted objectives as per MDF&C]

~~To retain the open, rural character of the hinterland landscape.~~ [deleted objectives as per MDF&C]

~~To minimise the visual intrusion of signage and infrastructure, particularly in the landscape between settlements.~~ [deleted objectives as per MDF&C]

~~To preserve an appropriate landscape setting for landmarks or features of cultural heritage significance, such as the Cape Liptrap Lighthouse and limestone kilns at Walkerville.~~ . [deleted objectives as per MDF&C]

~~To protect landscape character and attributes that are consistent with the Aboriginal cultural heritage values of the area.~~ . [deleted objectives as per MDF&C]

~~To recognise, and protect, the landscape of Cape Liptrap to Waratah Bay as a place of significant Aboriginal cultural heritage value.~~ [deleted objectives as per MDF&C]

3.0 Permit requirement

~~XX/XX/XXXX CXXXsgip~~ ~~25/07/2019 C121sgip~~

A permit is not required for:

- A building or extension to an existing building where all of the following are met:
  - The building is single storey and no more than 5 metres in height above natural ground level;
  - Has a total area of less than 250 square metres; and
  - Is constructed in muted, non-reflective tones.
- Buildings and works associated with informal outdoor recreation.
- Works undertaken by a public authority relating to watercourse management or environmental improvements.

A permit is required to remove, destroy or lop native vegetation. This does not apply to ~~in the following circumstances~~: [rewording for clarity]

- V~~v~~egetation that is dead. [rewording for clarity]
- ~~The~~ Vegetation that is the minimum extent ~~of vegetation~~ necessary for the maintenance of existing fences. [rewording for clarity]

A permit is required to remove, destroy or lop non indigenous vegetation. This does not apply to ~~in the following circumstances~~: [rewording for clarity]

- Vegetation that is dead.

- ~~The~~ Vegetation that is the minimum extent ~~of vegetation~~ necessary for the maintenance of existing fences. [rewording for clarity]
- Vegetation~~Is~~ within a garden. [rewording for clarity]
- Vegetation~~Is~~ less than 7.5 metres in height. [rewording for clarity]
- Vegetation that i~~I~~s part of senescent tree rows outside a garden. [rewording for clarity]

A permit is required to construct a fence other than a post and wire fence up to 1.8 metres in height.

4.0 Application requirements

25/07/2019
C121sgip

None specified.

5.0 Decision guidelines

17/10/2024
C129sgip

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether buildings are sited and designed to maximise retention of existing vegetation throughout the area, and whether the proposal provides for the planting of new indigenous coastal vegetation wherever possible.
- Whether landscaping around buildings uses indigenous species (e.g. Eucalyptus or Melaleuca spp.) or non-invasive exotic / native feature planting that is already a feature of the character (e.g. existing shelterbelts).
- Whether the proposal utilises indigenous vegetation for screening and to delineate property boundaries or open style fencing (e.g. post and wire) where important views would be interfered with by vegetation.
- Whether proposed development in landscapes visible from the coast between Cape Liptrap and Walkerville is sited and designed to avoid visual intrusion by being set back from the coast and hidden by topography, or using low building forms, darker colours and non-reflective materials and landscaping with indigenous vegetation.
- Whether the visibility of the proposed development is minimised in landscapes visible within 500 metres of formal scenic lookouts in the Character Area, including Cape Liptrap Lighthouse.
- Whether the proposed development is kept below the dominant tree canopy height.
- Whether the visual intrusion of the proposed development is reduced by utilising low scale building forms, tucked into the landscape, with the use of materials and colours that occur in the local area.
- In flatter locations, whether the proposed development is substantially set back to minimise visual intrusion and retain a dominant natural character within 500 metres of the edge of the coast.
- In steep or hilly locations, whether buildings are designed to follow the contours or step down the site, to minimise need for earthworks on the site and articulate buildings into separate elements to avoid visually dominant elevations.
- Whether the proposed development utilises permeable surfacing for all unbuilt areas to minimise surface run-off and to support vegetation.
- Whether the proposed development retains the character of large open rural areas offering scenic views by siting developments back from roads, amongst vegetation and low in topography.

- Whether proposed building heights and footprints are minimised to retain an undeveloped appearance from foreshore and other public use areas.
- Whether proposed buildings and structures are sited a sufficient distance away from landmarks or features of cultural heritage significance.
- Whether the proposed development maintains an isolated setting to the Cape Liptrap lighthouse and avoids competition for visual dominance.
- Whether the proposal contributes to the preservation of landscape conditions and settings of places of Aboriginal cultural heritage value.
- The need for the sparse location of buildings and structures outside of settlements, to avoid the loss of existing vegetation.

XX/XX/XXXX CXXXsqip ~~25/07/2019 C121sqip~~

SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO3**.

CORNER INLET AMPHITHEATRE

1.0 Statement of nature and key elements of landscape

XX/XX/XXXX CXXXsqip ~~25/07/2019 C121sqip~~

Mount Hoddle and the Welshpool Hills are prominent landforms that provide an amphitheatre setting for Corner Inlet and Wilsons Promontory, with the entire landscape unit being of regional significance.

The area is also of high environmental significance. It is identified by the RAMSAR Convention as a bird habitat of international ~~importance, and~~importance and [rewording for clarity] is listed on the Register of the National Estate for its plant life, which is of bio-geographic significance. Aboriginal middens are plentiful along the shores of Corner Inlet, adding cultural heritage to the landscape's layers of significance.

2.0 Landscape character objectives to be achieved

XX/XX/XXXX CXXXsqip ~~25/07/2019 C121sqip~~

To protect indigenous vegetation and locally significant views and vistas that contribute to the character of the landscape. [rewording for clarity - MDF&C]

~~To maintain and improve indigenous vegetation, particularly at roadsides and in riparian strips throughout the landscape.~~ [deleted objectives as per MDF&C]

~~To protect indigenous coastal vegetation and ensure that it is the dominant feature of the landscape, particularly when viewed from the foreshore.~~ [deleted objectives as per MDF&C]

~~To protect cultural vegetation patterns in the landscape.~~ [deleted objectives as per MDF&C]

~~To protect locally significant views and vistas that contribute to the character of the landscape, including open views to Wilsons Promontory, the Welshpool Hills and Mt Hoddle.~~ [deleted objectives as per MDF&C]

~~To protect the rural character and views that create a scenic 'gateway' to Wilsons Promontory (especially along Foster – Promontory Road).~~ [deleted objectives as per MDF&C]

~~To ensure that development in and around settlements does not impact on the characteristics of the landscape, including key views and viewing opportunities.~~ [deleted objectives as per MDF&C]

~~To manage development at the coastal edge of settlements so that the intact, natural, coastal character is the dominant feature of the landscape i.e. the Corner Inlet mangrove coastal edge of Port Albert and Port Welshpool and the Waratah Bay dunal coastal edge of Waratah Bay and Sandy Point.~~ [deleted objectives as per MDF&C]

~~To ensure buildings and structures sit within, rather than dominate the landscape.~~ [deleted objectives as per MDF&C]

~~To ensure that long stretches of the coastal strip remain free of development of any kind.~~ [deleted objectives as per MDF&C]

~~To reduce the visibility of buildings or structures, within the coastal strip, outside settlements. To retain the open, rural character of the hinterland landscape.~~ [deleted objectives as per MDF&C]

~~To minimise the visual intrusion of infrastructure and signage, particularly between settlements.~~ [deleted objectives as per MDF&C]

~~To protect landscape character and attributes that are consistent with the Aboriginal cultural heritage values of the area.~~ [deleted objectives as per MDF&C]

~~To recognise, and protect, the landscape of the Corner Inlet Amphitheatre as a place of significant Aboriginal cultural heritage value.~~ [deleted objectives as per MDF&C]

3.0 Permit requirement

~~XX/XX/XXXX CXXXsgip~~
~~17/10/2024 C129sgip~~

A permit is not required for:

- A building or extension to an existing building where all of the following are met:
  - The building is single storey and no more than 7.5 metres in height above natural ground level;
  - Has a total area of less than 250 square metres; and
  - Is constructed in muted, non-reflective tones.
- Buildings and works associated with informal outdoor recreation.
- Works undertaken by a public authority relating to watercourse management or environmental improvements.

A permit is required to remove, destroy or lop native vegetation. This does not apply to ~~in the following circumstances~~:

- Vegetation that is dead.
- Vegetation that is t~~T~~he minimum extent necessary for the maintenance of existing fences.

A permit is required to remove, destroy or lop non indigenous vegetation. This does not apply to:

- Vegetation that is dead.
- Vegetation that is t~~T~~he minimum extent necessary for the maintenance of existing fences.
- Vegetation within a garden.
- Vegetation ~~is~~ less than 7.5 metres in height.
- Vegetation that ~~I~~is part of senescent tree rows outside a garden.

A permit is required to construct a fence other than a post and wire fence up to 1.8 metres in height. [rewording for clarity]

4.0 Application requirements

25/07/2019 C121sgip

None specified.

5.0 Decision guidelines

17/10/2024 C129sgip

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether buildings are sited and designed to maximise retention of existing vegetation throughout the landscape, and whether the proposal provides for the planting of new indigenous coastal vegetation wherever possible.

- Whether landscaping around buildings uses indigenous species (e.g. Eucalyptus or Melaleuca spp.) or non-invasive exotic / native feature planting that is already a feature of the character (e.g. existing shelterbelts).
- In landscapes visible within 500 metres of Foster – Wilsons Promontory Road, whether the proposed development is sited to retain the open rural character and views to coastal landscape features.
- Whether ridgetops and visually prominent hill faces are largely kept free from development, particularly slopes visible from the coast and coastal hinterland such as between Mount Hoddle and Yarram.
- Along the South Gippsland Highway, whether buildings are sufficiently set back to avoid intrusion into views to Corner Inlet, Wilsons Promontory and the Welshpool Hills.
- Whether the proposed development is kept below the dominant tree canopy height.
- The sparse location of buildings and structures outside of settlements, to avoid the loss of existing vegetation. Whether the proposed development reduces visual intrusion by utilising low scale building forms, tucked into the landscape, with the use of materials and colours that occur in the local area.
- In coastal locations, whether the proposed development utilises materials and colours that minimise contrast with the surrounding landscape and whether the visibility of buildings and structures is minimised when viewed from a distance, including from offshore.
- In flatter locations (e.g. adjoining Shallow Inlet) whether the proposed development is substantially set back to minimise visual intrusion and to retain a dominant natural character within 500 metres of the edge of the coast.
- In steep or hilly locations, whether the proposed development is designed to follow the contours or step down the site, to minimise need for earthworks on the site and
- whether buildings are articulated into separate elements to avoid visually dominant elevations.
- Whether the proposal includes the use of permeable surfacing for all unbuilt areas to minimise surface run-off and to support vegetation.
- Whether the proposal includes the use of vegetation for screening and to delineate property boundaries, instead of fencing. If fencing is necessary, the proposal should include open style fencing of a type traditionally used in rural areas i.e. post and wire.
- Whether the proposal contributes to the retention of the character of large open rural areas offering scenic views by siting developments back from roads, amongst vegetation and low in the topography.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

03/03/2022
C127sgip

The following application requirements apply to an application under Clause 43.01, in addition to those specified elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report prepared by a suitably qualified heritage consultant, that assesses the impact of the application upon the significance of the heritage place. This report should:
  - Include a Site Analysis that:
    - Describes the significant elements of the place having regard to the relevant citation in the *South Gippsland Heritage Study* (2004).
    - Demonstrates how the significant elements of the place have been considered in the preparation of the application. For applications that include demolition, provide an assessment of whether the fabric is significant and, if so, why it is to be removed.
  - Provide an assessment of how the application will affect the significance of the heritage place.

2.0 Heritage places

13/03/2025
C134sgip

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	ALLAMBEE & DISTRICT								
HO23	Allambee East Cemetery (former) Grand Ridge Road, Allambee East	No	No	No	Yes	No	No	No	No
HO24	Allambee South State School No 3075 (former) Grand Ridge Road, Allambee South	No	No	Yes	Yes	No	No	No	No
	BENA & DISTRICT								
HO25	Bena Primary School (former) No 3062	No	No	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	40 Greens Road, Bena								
	BERRYS CREEK & BOOROOL								
HO28	Berry's Creek Honour Avenue Berry's Creek Road, Berry's Creek	No	No	Yes	Yes	No	No	No	No
HO3	Mossvale Park Mossvale Park Road, Berry's Creek The heritage place comprises the Algerian Oak (Quercus Canariensis) situated next to the sound shell, Oriental Plane (Platanus Orientalis) next to the rear gate leading to private land, Chestnut Leaved Oak (Quercus Castaneifolia), near toilet block, London Plane (Platanus x Acerifolia), next to sound shell, concrete block shelter, brick toilet block, ruins of original timber bridge on river bank, and other mature trees including English Elms (Ulmus procera), other Oaks, Planes, Copper Beech, and Variegated Elm (Ulmus Minor Variegata) situated on pasture land on east facing slope behind park.	No	No	Yes	Yes	No	No	No	No
	DOLLAR & DISTRICT								
HO32	Dollar State School No. 3473 (former) Dollar Hall Road The heritage place comprises school, adjacent shelter shed and surrounding land to a minimum extent of 5m.	No	Yes	No	Yes	Yes	No	No	No
	FISH CREEK & DISTRICT								
HO13	Bank of Australasia (former) 19 Falls Road, Fish Creek	Yes	Yes	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO140	Greenfields 915 Falls Road, Fish Creek The heritage place comprises dwelling and surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
HO141	Bosley Farm 425 Harding-Lawson Road, Fish Creek The heritage place comprises dwelling and surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
HO157	Fish Creek Memorial Hall 13 Falls Road Fish Creek	No	No	No	Yes	No	No	No	No
	FOSTER & DISTRICT								
HO15	Victory Mine and Kaffir Hill Reserve, Foster	Yes	No	Yes	Yes	No	No	No	No
HO16	Exchange Hotel 43 Main Street, Foster	Yes	Yes	No	Yes	No	No	Yes	No
HO38	South Gippsland Historical Society Museum Main Street, Foster The heritage place comprises Foster Post Office (former) and former Agnes State School No. 3043.	No	Yes	No	Yes	No	No	No	No
HO39	Foster World War 1 Soldiers Memorial Main Street, Foster The heritage place comprises memorial and surrounding land to a minimum extent of 1m.	No	No	No	Yes	No	No	No	No
HO40	Foster Court House and Police Stables (former)	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	33 Station Road, Foster								
HO41	Wilga (dwelling) 59 Station Road, Foster	No	No	No	Yes	No	No	No	No
HO42	Foster Recreation Reserve Pavilion Station Road, Foster	No	No	No	Yes	Yes	No	No	No
HO158	Hillcrest (dwelling) 175 Ameys Track, Foster	No	No	No	Yes	No	No	No	No
	HEDLEY & DISTRICT								
HO44	Hedley Public Hall South Gippsland Highway, Hedley	No	No	No	Yes	No	No	No	No
	JEETHO								
HO46	Shire of Poowong & Jeetho Offices & Hall (former) (Jeetho Public Hall) Jeetho Road, Jeetho	Yes	Yes	No	Yes	No	No	Yes	No
HO142	Wrigwell (later Glenorchy) 250 Jeetho Road, Jeetho The heritage place comprises the dwelling, stables and trees along former carriage drive	No	No	Yes – trees along former carriage drive	Yes	Yes – stables only	No	No	No
	JUMBUNNA								
HO47	Brick culverts Lynn Streets, Jumbunna	No	No	No	Yes	No	No	No	No
	KARDELLA								

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO48	Kardella Avenue of Honour Kardella Road, Kardella	No	No	Yes	Yes	No	No	No	No
HO49	Boer War Memorial Oak Trees Kardella Road, Kardella	No	No	Yes	Yes	No	No	No	No
	KONGWAK								
HO4	Kongwak Co-operative Butter & Cheese Factory (former) Korumburra-Wonthaggi Road, Kongwak	Yes	Yes	No	Yes	No	No	Yes	No
HO50	Kongwak Avenue of Honour Korumburra-Wonthaggi Road, Kongwak	No	No	Yes	Yes	No	No	No	No
	KOONWARRA & DISTRICT								
HO51	Three Railway Bridges over Tarwin River South Eastern Railway, Koonwarra	No	No	No	Yes	No	No	No	No
HO52	Cluanie (former Linsfield, Lyrebird Mound) 390 Koonwarra-Inverloch Road, Koonwarra	No	No	Yes	Yes	Yes	No	No	No
	KORUMBURRA & DISTRICT								
HO53	Korumburra Post & Telegraph Office (former) 24-26 Bridge Street, Korumburra	Yes	Yes	No	Yes	Yes – timber outbuilding	No	No	No
HO54	Coal Creek Heritage Park South Gippsland Highway Korumburra The heritage place comprises the former Korumburra Court House, Kilcunda Road State School No 3337 (former) and the Wattle and Daub Cottage.	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO57	Korumburra Drill Hall 8 Charles Street, Korumburra	No	No	No	Yes	No	No	No	No
HO59	Korumburra Strzelecki Memorial Korumburra-Warragul Road (Cnr. Old Bena Road), Korumburra The heritage place comprises memorial and surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
HO61	Korumburra Baptist Church Mine Road, Korumburra	No	Yes	No	Yes	No	No	No	No
HO62	Korumburra World War 1 Soldiers Memorial (Coleman Park) Queen Street, Korumburra	No	No	No	Yes	No	No	No	No
HO63	Korumburra Comfort Station for Women (former) Radovick Street, Korumburra	No	No	No	Yes	No	No	No	No
HO5	Part of Korumburra Railway Station Complex Station Street, Korumburra	No	No	No	Yes	No	No	No	No
HO18	Korumburra Railway Station complex Station Street, Korumburra	-	-	-	-	-	Yes Ref No H1571	Yes	No
HO143	14 Bridge Street, Korumburra Dwelling	No	No	No	Yes	No	No	Yes	No
HO150	21 Bridge St Korumburra Dwelling	No	No	No	Yes	No	No	No	No
HO144	23 Bridge Street, Korumburra	No	No	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Dwelling								
HO145	Lismore 48 Bridge Street, Korumburra The heritage place comprises dwelling and land to a depth of 25m from the lot frontage	No	No	No	Yes	No	No	No	No
HO146	1A Victoria Street, Korumburra Dwelling The heritage places comprises dwelling and land to a depth of 25m from the lot frontage	No	No	No	Yes	No	No	No	No
	LEONGATHA, KOOROOMAN & DISTRICT								
HO26	Leongatha South State School No. 3251 (former) 7975 Bass Highway, Leongatha South	No	No	No	Yes	No	No	No	No
HO64	Springdale 190 Gwyther Siding Road, Leongatha South The heritage place comprises house designed by Harold Desbrowe-Annear and constructed in 1905 and surrounding land to a minimum extent of 10m.	No	Yes	No	Yes	No	No	No	No
HO65	South Gippsland Water Purification Plant Harveys Road, Leongatha The heritage place comprises Ronald M Scott designed brick building (constructed 1958-60) and 1m around the building, excluding plant equipment.	Yes	No	No	Yes	No	No	No	No
HO66	Koorooman Avenue of Honour Hydes Road, Koorooman	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO67	Leongatha Railway Station Long Street, Leongatha	Yes	Yes	Yes	Yes	No	No	Yes	No
HO68	Leongatha Strzelecki Memorial Long Street, Leongatha	No	No	No	Yes	No	No	No	No
HO69	Canary Island Palms (Phoenix Canariensis) Apex Park, McCartin Street, Leongatha	No	No	Yes	Yes	No	No	No	No
HO70	Leongatha Court House (former) 2 McCartin Street, Leongatha	Yes	Yes	No	Yes	No	No	No	No
HO71	Leongatha Post & Telegraph Office 4 McCartin Street, Leongatha	Yes	No	No	Yes	No	No	No	No
HO7	Memorial Hall & Woorayl Shire Offices (former) 6-8 McCartin Street, Leongatha	Yes	Yes	No	Yes	No	No	Yes	No
HO6	Leongatha Mechanics' Institute & Free Library (former) 10McCartin Street, Leongatha	Yes	Yes	No	Yes	No	No	Yes	No
HO72	Leongatha Secondary College (former Leongatha Agricultural College) 1-47 Horn Street, Leongatha	-	-	-	-	-	Yes Ref No H0949	Yes	No
HO138	Part Leongatha Secondary College Nerrena Road, Leongatha	No	No	No	Yes	No	No	No	No
HO10	Knox's Rockhill Farm complex 530 Nerrena Road, Leongatha	Yes	Yes	No	Yes	No	No	Yes	No
HO76	Leongatha Showgrounds Grandstand and Gates	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Leongatha Recreation Reserve Roughead Street, Leongatha								
HO77	Leongatha World War 1 Memorial Avenue of Honour Wild Dog Valley Road & Yarragon Road, Leongatha	No	No	Yes	Yes	No	No	No	No
HO9	Hayes' (PA Dunne's) Store (former) 4 Roughead Street, Leongatha	Yes	Yes	No	Yes	No	No	Yes	No
HO8	Leongatha Butter and Cheese Factory (former), corner Strzelecki Highway and Roughead Street	Yes	Yes, limited to the hexagonal terracotta floor tiles	No	Yes	No	No	Yes	No
HO147	42 Brown Street, Leongatha Dwelling The heritage places comprises dwelling and land to a depth of 30m from the lot frontage	No	No	No	Yes	No	No	No	No
HO148	Egerton 37 Jeffrey Street, Leongatha Dwelling and stables	No	No	No	Yes	Yes - stables	No	No	No
HO149	McGuinness House (later Lamont House) 19 Long Street, Leongatha Dwelling and former boarding house/stable The heritage places comprises dwelling and land to a depth of 35m from the lot frontage	No	No	No	Yes	Yes – garages	No	Yes	No
	LOCH								

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO2	Chestnut-Leaved Oaks (Quercus Castaneifolia) Victoria Road, Loch The heritage place comprises the Oaks in the paddock at rear of Loch Catholic Church.	No	No	Yes	Yes	No	No	Yes	No
HO83	Loch Primary School No 2912 Victoria Road, Loch	No	No	No	Yes	No	No	No	No
	MEENIYAN & DISTRICT								
HO88	Railway Bridge over Tarwin River South Eastern Railway, Meeniyan	No	No	No	Yes	No	No	No	No
HO90	Meeniyan Public Hall Whitelaw Street, Meeniyan	No	No	No	Yes	No	No	No	No
HO91	Meeniyan & Stony Creek World War 1 Memorial Whitelaw Street, Meeniyan The heritage place comprises memorial and surrounding land to edge of median strip.	No	No	No	Yes	No	No	No	No
	MIRBOO & DISTRICT								
HO22	Mirboo on Tarwin Hall 285 Mirboo South Road, Mirboo	-	-	-	-	-	Yes Ref No H1973	Yes	No
HO95	Mirboo Shire Hall and Offices (former) 30 Ridgway, Mirboo North	No	Yes	No	Yes	No	No	No	No
HO97	Mirboo North Railway Station (former) Ridgway, Mirboo North	No	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	The heritage place comprises Station building and platform and surrounding land to a minimum extent of 10m.								
HO98	Mirboo North Strzelecki Memorial Ridgway, Mirboo North	No	No	No	Yes	No	No	No	No
HO151	Clestron (Ogilvy homestead site and trees) 600 Boolarra South-Mirboo North Road, Mirboo North The heritage place comprises a circle with a diameter of 75m containing group of trees surrounding the former Ogilvie homestead	No	No	Yes	Yes	No	No	No	No
HO152	60 Ridgway, Mirboo North Colonial Bank of Australasia (former) and residence	No	No	No	Yes	No	No	Yes	No
	NERRENA & DISTRICT								
HO102	Nerrena Public Hall Nerrena Hall Road, Nerrena	No	No	No	Yes	No	No	No	No
	NYORA & DISTRICT								
HO103	Nyora Railway Station Mitchell Street, Nyora	Yes	Yes	No	Yes	No	No	Yes	No
HO159	'Aroyn' 379 Lang Lang-Poowong Road, Nyora ***Statement of Significance:*** *Statement of Significance, "Aroyn" (July 2021)*	No	No	No	Yes	No	No	No	No
	POOWONG & DISTRICT								

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	Wesleyan Church (former) 35 Nyora Road, Poowong	Yes	Yes	No	Yes	No	No	Yes	No
HO21	Notched Log Cottage 920 Nyora-Poowong Road, Poowong	-	-	-	-	-	Yes Ref No H1987	Yes	No
HO104	Poowong World War 1 Soldiers' Memorial Nyora Road, Poowong The heritage place comprises memorial and surrounding land to a minimum extent of 3m.	No	No	No	Yes	No	No	No	No
	PORT WELSHPOOL & DISTRICT								
HO17	'Crescent' Turnbull Street, Port Welshpool	Yes	Yes	No	Yes	No	No	Yes	No
	STONY CREEK & DISTRICT								
HO111	'Woodlands' 280 Stony Creek-Dollar Road, Stony Creek The heritage place comprises 2-room house constructed c.1905 and the main homestead constructed in 1924 and surrounding land to a minimum extent of 10m.	No	No	No	Yes	No	No	No	No
HO112	Stony Creek Mechanics' Institute & Free Library Main Street, Stony Creek	Yes	Yes	No	Yes	No	No	Yes	No
	STRZELECKI								
HO113	Strzelecki Avenue of Honour Korumburra-Warragul Road, Strzelecki	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO153	Strzelecki railway line (former) – engine turntable site 2 Wild Dog Road, Strzelecki The heritage place comprises a circle with a diameter of 20m located over the turntable bed remains.	No	No	No	Yes	No	No	No	No
	TARWIN LOWER & DISTRICT								
HO117	John Simpson Memorial River Drive, Tarwin Lower The heritage place comprises memorial and surrounding cast iron fence and surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
HO118	Tarwin Lower Memorial Hall (Former Mechanics' Institute & Free Library) River Drive, Tarwin Lower	Yes	Yes	No	Yes	No	No	No	No
HO130	Bell Point Lime Kiln (former) Foreshore reserve, off Walkerville South Road, Tarwin Lower	-	-	-	-	-	Yes Ref No H2068	Yes	No
	TOORA & DISTRICT								
HO14	Tin Mines Toora Creamery Valley Road & Woomera Creek Road, Toora	No	No	No	Yes	No	No	No	No
HO120	Toora Avenue of Honour Grip Road, Toora	No	No	Yes	Yes	No	No	No	No
HO123	Toora State School Jubilee Gates 33 Gray Street, Toora	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	The heritage place comprises memorial gates, surrounding land to a minimum extent of 2m and all of the land between the gates and Grey Street School building frontage.								
HO127	Toora World War 1 Soldiers' Memorial Welshpool Road, Toora The heritage place comprises memorial and surrounding land to a minimum extent of 5m.	No	No	No	Yes	No	No	No	No
HO154	Bank of Victoria (former) and residence 35 Stanley Street, Toora The heritage place comprises the entire lot (Lot 1 TP577245)	No	No	No	Yes	No	No	Yes	No
HO155	Ingleside (later Gully Humphrey) 46 Scannels Road, Toora North The heritage place comprises 2 dwellings & surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
	TRIDA								
HO156	1790 Grand Ridge Road, Trida The heritage place comprises dwelling and surrounding land to a minimum extent of 2m.	No	No	No	Yes	No	No	No	No
	TURTON'S CREEK & DISTRICT								
HO11	Turton's Creek Goldfield Turton's Creek Road, Turton's Creek	No	No	No	Yes	No	No	No	No
	WALKERVILLE & WARATAH BAY								
HO128	Walkerville North Public Hall	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Bayside Drive, Walkerville								
HO129	Walkerville Lime Kilns (former) Foreshore reserve, off Bayside Drive, Walkerville South	-	-	-	-	-	Yes Ref No H2043	Yes	No
HO132	The Gap Gale Street & Fish Creek-Waratah Road (Cnr.), Waratah Bay	No	No	Yes	Yes	No	No	No	No
	WELSHPOOL								
HO133	Welshpool Avenue of Honour The heritage place comprises the rows of Elm trees planted on the sides of Main Road, Port Welshpool Road & Woorarra Road, Welshpool	No	No	Yes	Yes	No	No	No	No
HO134	Norfolk Island Pine Avenue Port Welshpool Road, Welshpool The heritage place comprises Norfolk Island Pines on either side of Port Welshpool Road south of Welshpool.	No	No	Yes	Yes	No	No	No	No
HO135	Welshpool World War 1 Soldiers' Memorial Welshpool Road, Welshpool The heritage place comprises the memorial and surrounding landscape plantings.	No	No	Yes	Yes	No	No	No	No
	WONGA & DISTRICT								
HO12	Shearing Shed, 'Wongalee' Wonga	Yes	Yes	No	Yes	No	No	Yes	No
	WOOREEN & DISTRICT								

PS map ref	Heritage place	External paint controls apply?	Internal alterations controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO137	Wooreen Avenue of Honour Leongatha-Yarragon Road, Wooreen	No	No	Yes	Yes	No	No	No	No
	WILSONS PROMONTORY								
HO139	Refuge Cove Wilsons Promontory Wilsons Promontory National Park	-	-	-	-	-	Yes Ref No H1729	Yes	No
HO19	Wilsons Promontory Lightstation Wilsons Promontory National Park	-	-	-	-	-	Yes Ref No H1842	Yes	No
HO20	Sealers Cove Sawmill Wilsons Promontory National Park	-	-	-	-	-	Yes Ref No H2019	Yes	No

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1.**

TOWNSHIP APPROACH – LEONGATHA [rewording for clarity]

1.0 Design objectives

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

To provide for attractive and distinctive town approaches along main roads.

~~To provide highway travellers with conspicuously located facilities providing information, fuel and refreshments and rest stop areas.~~ [rewording for clarity]

To encourage development that is of an appropriate scale and design quality to enhance township approaches.

To ensure that new development harmonises in scale and design with adjoining residential areas.

2.0 Buildings and works

XX/XX/XXXX CXXXsgip

17/10/2024 C129sgip

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- The external walls of all buildings are encouraged to be constructed of brick, stone or concrete.
- Buildings should be constructed with a minimum [rewording for clarity]setback of 6 metres from any road.
- Land within 2 metres of a road reserve should be planted and maintained with lawn, trees and shrubs, to the satisfaction of the responsible authority.
- Buildings with a wall height of 4 metres or less should be constructed with a minimum setback of 3.5 metres from any land ~~No buildings should be constructed closer to any~~within a [rewording for clarity] Residential Zone.
- Buildings with a wall height greater than 4 meters should be constructed with a minimum setback [rewording for clarity] as determined by the following formula:

  D = 1.5 + H/2

  Where:

  D = Minimum horizontal distance in metres to a wall from the zone boundary.

  H = Height in metres of the highest part of the wall above the ground. ~~with the minimum height being 4 metres.~~ [rewording for clarity]

3.0 Subdivision

25/07/2019 C121sgip

None specified.

4.0 Signs

25/07/2019 C121sgip

None specified.

5.0 Application requirements

25/07/2019 C121sgip

None specified.

6.0
XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the ~~Responsible Authority~~responsible authority: [rewording MDF&C]

- ~~The availability and provision of services for the supply of water, sewerage, drainage, electricity and other services.~~
- ~~The need for proper disposal of stormwater discharges, sewerage effluent and other liquid wastes, which may be associated with the development.~~ [removing unnecessary provisions]
- The layout of any car park and the location and widths of entrance and exit points, access lanes and roadways and the need for an appropriate pattern of pedestrian and vehicular access to the development.
- The location, nature and type of advertisement which may be associated with the development.
- The location, nature and type of any landscape area which may be incorporated into the development.
- The need to screen storage areas, garbage receptacles and any other items which may have an adverse impact on the amenity of the area.

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2.**

1.0 BURCHELL LANE INDUSTRIAL PRECINCT

13/08/2020 C115sgip

Design objectives

To ensure all development and works enhance the amenity of the Burchell Lane Industrial Precinct by encouraging high quality design and external finishes to buildings and structures, adequate building siting and a high quality landscape.

To ensure that development and works are located to minimise off-site impacts to adjoining residential areas.

To minimise the impact of commercial traffic on adjoining residential amenity and pedestrian traffic.

To improve the pedestrian environment along Peters Street as a focus for pedestrian activity in the town centre.

2.0

13/08/2020 C115sgip

Buildings and works

A permit is not required to:

- Construct buildings or undertake works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- Construct buildings or undertake works which are used for crop raising or informal outdoor recreation.
- Construct a rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building's setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or access way.

Design requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Building setbacks

Buildings should have a zero setback to the front title boundary where the lot abuts Peters Street. Buildings should also have a visual connection with the street.

Weather protection

Buildings fronting Peters Street should be cantilevered over the full pavement width to provide weather protection to pedestrians along Peters Street.

Landscaping

A 2-metre width of landscaping must be provided along all road abuttals, except where there is no building setback, using a suitable selection of trees, shrubs or grasses to the satisfaction of the Responsible Authority. The landscaping should provide appropriate screening of car parking and outdoor storage areas, enhance the amenity of the surrounding area and provide an attractive visual environment for adjoining residential properties.

Access

Vehicle access to each site should be in a form and location that permits all vehicles to enter and egress safely without causing detrimental effects on the amenity of adjoining residential uses.

Vehicle crossovers should be provided from Burchell Lane for all properties abutting Burchell Lane.

No more than one crossover should be provided per lot.

3.0 Subdivision

25/07/2019
C121sgip

None specified.

4.0 Application requirements

13/08/2020
C115sgip

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the Responsible Authority:

- A detailed report that shows how the design objectives of this overlay are met.
- A detailed site plan that shows building setbacks, the location and width of vehicle crossovers, outdoor building display areas and advertising signs.
- Building elevation plans that clearly describe the external building materials and finishes and proposed advertising signs.
- A landscape plan that shows:
  - The location, species and height of all existing vegetation to be retained and/or removed; and
  - A detailed planting schedule that makes reference to the background document CFA Landscaping for Bushfire November 2011 and uses species selected from Indigenous Plants of South Gippsland Shire (2004), with emphasis on plants from the relevant Ecological Vegetation Class for the planting area.

5.0 Signs

13/08/2020
C115sgip

Sign requirements are at Clause 52.05. All land located within DDO2 is in Category 2.

6.0 Decision guidelines

XX/XX/XXXX
CXXXsgip
~~13/08/2020~~
~~C115sgip~~

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~Responsible~~ responsible ~~Authority~~authority [rewording MDF&C]:

- The extent to which driveways and parking areas have been designed, sited and dimensioned to be visually recessive in the streetscape by:
  - Limiting the number and width of vehicle crossovers.
  - Softening driveways and parking areas with vegetation.
- The need to ensure the safety and efficiency of vehicle movements from properties onto the street network.
- The impact of the built form of the proposed development on the town centre and adjoining residential uses, including:

  - Whether the building height or design would cause the building to be visually prominent within the streetscape.
  - Whether vegetation has been retained or will be planted to soften the appearance of development.
  - Whether buildings provide visual interest through articulation, glazing, verandahs, balconies, eaves and variation in materials and textures and avoid design repetition.
  - Whether the placement of roof top structures and service facilities avoids detrimental impact on the streetscape or adjoining properties.
  - Whether the building setbacks from front, side and rear boundaries are sufficient to allow for the retention or planting of vegetation, including canopy trees.
  - Whether the building setback to Peters Street promotes an attractive pedestrian environment.
- The need to provide for business display areas in appropriate locations.
- Whether the proposed development demonstrates provision of a protected pedestrian environment in Peters Street through the use of cantilevered building design.

~~25/07/2019~~
~~C121sgip~~
XX/XX/XXXX
CXXXsgip

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3.**

SANDY POINT

1.0
XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Design objectives

~~**Built Form / Landscape Character**~~

To protect and manage the coastal village character of Sandy Point.

To maintain the predominance of modest, minimal impact housing and the well-vegetated character of allotments.

To encourage single storey development and recessive second storey development that is respectful of the typical built form and the coastal landscape setting.

To ensure that buildings demonstrate a high standard of design and utilise materials, colours and finishes that are in keeping with the natural environment. [reducing objectives - MDF&C]

To ensure that ~~new~~ development is sited and designed so as to be screened by and nestled within the characteristic landscaped setting. [reducing objectives - MDF&C]

~~To encourage building heights which do not protrude above the existing tree canopy.~~ [reducing objectives - MDF&C]

~~To discourage boundary fencing forward of building frontages, unless this is a timber post and wire fence.~~ [reducing objectives - MDF&C]

~~To minimise the dominance of car parking structures and outbuildings on views from the street and other sensitive viewing locations.~~ [reducing objectives - MDF&C]

~~**Siting and setbacks**~~

~~To encourage building heights which do not protrude above the existing tree canopy.~~ [reducing objectives - MDF&C]

~~To discourage boundary fencing forward of building frontages, unless this is a timber post and wire fence.~~ [reducing objectives - MDF&C]

~~To minimise the dominance of car parking structures and outbuildings on views from the street and other sensitive viewing locations.~~ [reducing objectives - MDF&C]

~~To ensure that new development is sited and designed so as to be screened by and nestled within the landscaped setting.~~ [reducing objectives - MDF&C]

~~To ensure that new development is appropriately set back from sensitive environmental boundaries.~~ [reducing objectives - MDF&C]

~~**Site Coverage**~~

~~To minimise building site coverage and the use of impervious paving materials, in order to preserve the spacious landscape setting of the area.~~ [reducing objectives - MDF&C]

~~Landscaping and Environment~~[reducing objectives - MDF&C]

~~To preserve the pattern of well vegetated and generous front setbacks that screen and soften the appearance of development from the street.~~ [reducing objectives - MDF&C]

~~To encourage informal driveways and crossovers and the use of permeable materials (e.g. gravel, permeable paving) to minimise the visual impact on the street and property frontages.~~ [reducing objectives - MDF&C]

~~To protect and maintain areas of indigenous and native vegetation where possible in new development.~~ [reducing objectives - MDF&C]

~~To encourage the planting of indigenous vegetation in new landscaping.~~ [reducing objectives - MDF&C]

~~To encourage the integration of best practice water sensitive urban design into the landscape treatments of new development.~~ [reducing objectives - MDF&C]

~~**Materials and design detail**~~

~~To ensure that buildings demonstrate a high standard of design and utilise materials, colours andfinishes that are in keeping with the natural environment.~~ [reducing objectives - MDF&C]

2.0 Buildings and works

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

A permit is not required to construct a building or carry out works other than for:

- A building with a height of over 6.5 metres from natural ground level.
- A building that has setbacks of less than 7.5 metres from the front property boundary and 3 metres from any side boundary on a secondary street frontage.
- A development that does not achieve the following site coverage requirements:
- A building site coverage of no more than 40 per cent;
- A paved permeable area ~~(permeable paving)~~ [rewording for clarity]of no more than 20 per cent; and
- An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on a site is greater than 250 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the responsibility of the responsible authority.

A permit is not required to construct a [rewording for clarity]front boundary fence, or side boundary fence forward of the building frontage, that is constructed of materials other than timber post and wire.

3.0 Subdivision

25/07/2019
C121sgip

An application for subdivision within the Township Zone is considered to meet the design objectives where:

- The proposed subdivision maintains the existing character of the area.
- The existing informality of the current road and drainage system is maintained, while achieving improved management of stormwater and runoff.

4.0 Signs

25/07/2019
C121sgip

None specified.

5.0 Application requirements

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must

accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~responsible authority:[rewording - MDF&C]

- The location of any proposed buildings clearly dimensioned on its allotment.
- Information that describes how the proposal achieves the design outcomes outlined in the decision guidelines of this schedule, in the form of a neighbourhood and site description, and design response.
- The location, type and size of any trees to be removed.
- Sufficient spot heights (to AHD) to enable the slope of the site and the slope of the works area(s) to be determined.
- The location, dimensions and depth of any proposed excavations or fill.
- The colour, finishes and materials to be used on all external surfaces, including the roof.
- A landscape plan retaining existing indigenous and native vegetation where possible and providing a range of trees, shrubs and ground cover in keeping with the surrounding landscape character.

6.0 Decision guidelines

XX/XX/XXXX CXXXsqip ~~17/10/2024 C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]

- The design objectives of this schedule.
- The visual prominence of buildings and other structures within the landscape, particularly above the vegetation line.
- Whether the additional height of a development is required to achieve an exceptional or innovative design outcome that cannot otherwise be ~~achieved, and~~achieved and [rewording for clarity] is able to be substantially screened by the existing and proposed new vegetation and the landform.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- Whether any encroachment of buildings within the minimum setbacks stipulated in this Clause can demonstrate that the development will result in a preferred environmental and design outcome while being consistent with the township and landscape character.
- The impacts of any buildings or works on any prominent ridgelines or locations when viewed from a public place.
- Whether car parking structures, outbuildings and driveways are sited such that the visual impact of these structures and works are minimized.
- Whether buildings and structures are sited to incorporate space for the planting of substantial vegetation, including canopy trees.
- The preservation of any existing natural vegetation, particularly indigenous vegetation.
- Whether the landscaping will be integrated with the design of the development to screen buildings and structures and complement the landscaping of any adjoining public realm.

- Whether the siting, colour and design of buildings and works will be in keeping with the character and/or enhance the appearance of the area.
- The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area.

25/07/2019
C121sgip

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4.**

WARATAH BAY

1.0
XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Design objectives

~~Built Form / Landscape Character All Areas~~ [rewording for clarity]

To protect and manage the coastal hamlet character and reinforce the identity of the two distinct residential areas of Waratah Bay.

To maintain the predominance of modest, minimal impact housing and the well-vegetated character of allotments.

To encourage single storey development and recessive second storey development that is respectful of the typical built form and the coastal landscape setting.

To ensure that development demonstrates a high standard of design and utilises materials, colours and finishes that reinforce the cottage style of housing within the Township Zone and the contemporary coastal design of housing in the Low Density Residential Zone. [New objective combining existing objectives]

~~To ensure that new development demonstrates a high standard of contemporary design and innovation and respects the low scale and the typical mass and form of the area.~~ [reducing objectives - MDF&C]

~~To discourage boundary fencing forward of building frontages, unless this is a timber post and wire fence.~~ [reducing objectives - MDF&C]

~~To minimise the dominance of car parking structures and outbuildings associated with residential development on views from the street and other sensitive viewing locations.~~ [reducing objectives - MDF&C]

~~**Township Zone**~~

~~To maintain the predominant modest, minimal impact cottage style housing and well vegetated character of allotments.~~ [reducing objectives - MDF&C]

~~**Low Density Residential Zone**~~

~~To ensure that new development demonstrates a high standard of contemporary design and complements the coastal setting.~~ [reducing objectives - MDF&C]

~~To maintain the reclusive, well vegetated character of the area~~[reducing objectives - MDF&C]

~~To encourage low-profile development in order to minimise visual impact on views towards the ridgeline from other parts of the hamlet.~~ [reducing objectives - MDF&C]

~~**Siting and setbacks**~~

To ensure that new development is sited and designed so as to be screened by and nestled within the landscaped setting.

~~To ensure that new development is appropriately set back from sensitive environmental boundaries.~~ [reducing objectives - MDF&C]

~~To ensure that buildings and structures are strategically sited within the landscape in order to maintain the sense of isolation experienced from the beach.~~ [reducing objectives - MDF&C]

~~Views~~

~~To minimise the visual impact of development from key viewing locations, particularly town approaches and high points in the dunal landscape.~~ [reducing objectives - MDF&C]

~~To maintain and enhance the public views from the northern upper low density residential area across Waratah Bay and Bass Strait.~~ [reducing objectives - MDF&C]

~~To prevent the interruption of views towards the coast by inappropriate or poorly designed development or that which is sited in prominent locations.~~ [reducing objectives - MDF&C]

~~**Site Coverage**~~

~~To minimise building site coverage and the use of impervious paving materials, in order to preserve the spacious landscape setting of the area.~~ [reducing objectives - MDF&C]

~~**Landscaping and Environment**~~

~~To preserve the pattern of well vegetated and generous front setbacks that screen and soften the appearance of development from the street.~~ [reducing objectives - MDF&C]

~~To encourage informal driveways and crossovers and the use of permeable materials (e.g. gravel, permeable paving) to minimise the visual impact on the street and property frontages.~~ [reducing objectives - MDF&C]

~~To protect and maintain areas of indigenous, native and non-weedy exotic vegetation where possible in new development.~~ [reducing objectives - MDF&C]

~~To encourage the planting of indigenous vegetation in new landscaping.~~ [reducing objectives - MDF&C]

~~To encourage the integration of best practice water sensitive urban design into the landscape treatments of new development.~~ [reducing objectives - MDF&C]

~~Materials and design detail~~[reducing objectives - MDF&C]

~~To ensure that buildings demonstrate a high standard of design and utilise materials, colours and~~finishes that are in keeping with the natural environment. [reducing objectives - MDF&C]

2.0 Buildings and works

~~XX/XX/XXXX CXXXsqip~~ ~~25/07/2019 C121sqip~~

Permit requirement – Township Zone

A permit is not required to construct a building or carry out works other than for:

- A building with a height of more than 6.5 metres from natural ground level.
- A building that has setbacks of less than 7.5 metres from the front property boundary and 3 metres from any side boundary on a secondary street frontage.
- A development that does not achieve the following site coverage requirements:
  - A building site coverage of no more than 40 per cent;
  - A paved area (permeable paving) of no more than 20 per cent; and
  - An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on the site is greater than 250 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording – MDF&C]

- A front boundary fence, or side boundary fence forward of the building frontage, that is constructed of materials other than timber post and wire.

Permit requirement – Low Density Residential Zone

A permit is not required to construct a building or carry out works other than for:

- A building with a height of over 7.5 metres from natural ground level.
- A building that has setbacks of less than 12 metres from the front property boundary and 3 metres from a side boundary or rear boundary.
- A development that does not achieve the following site coverage requirements:
  - A paved area (permeable paving) of no more than 20 per cent; and
  - An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on the site is greater than 300 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording - MDF&C]
- A boundary fence constructed of materials other than timber post and wire. A permit is required for all other buildings and works.

3.0 Subdivision

25/07/2019
C121sgip

An application for subdivision is considered to meet the design objectives where:

- The proposed subdivision maintains the existing character of the area.
- The existing informality of the current road and drainage system is maintained, while achieving improved management of stormwater and runoff and providing for anticipated increases in traffic demand.

4.0 Signs

25/07/2019
C121sgip

None specified.

5.0 Application requirements

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]

- The location of any proposed buildings clearly dimensioned on its allotment.
- Information that describes how the proposal achieves the design outcomes outlined in the decision guidelines of this schedule, in the form of a neighbourhood and site description, and design response.
- The location, type and size of any trees to be removed.
- Sufficient spot heights (to AHD) to enable the slope of the site and the slope of the works area(s) to be determined.
- The location, dimensions and depth of any proposed excavations or fill.
- The colour, finishes and materials to be used on all external surfaces, including the roof.

- A landscape plan retaining existing indigenous and native vegetation where possible and providing a range of trees, shrubs and ground cover in keeping with the surrounding landscape character.

6.0
XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]

- The design objectives of this schedule.
- The visual prominence of buildings and other structures within the landscape, particularly above the vegetation line.
- Whether the additional height of a development is required to achieve an exceptional or innovative design outcome that cannot otherwise be ~~achieved, and~~achieved and [rewording - MDF&C] is able to be substantially screened by the existing and proposed new vegetation and the landform.
- Whether opportunities exist to avoid a building being visually obtrusive such as along a ridgeline by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- Whether any encroachment of buildings within the minimum setbacks stipulated in this Clause can demonstrate that the development will result in a preferred environmental and design outcome while being consistent with the township and landscape character.
- Whether car parking structures, outbuildings and driveways are sited such that the visual impact of these structures and works are minimized.
- Whether buildings and structures are sited to incorporate space for the planting of substantial vegetation, including canopy trees.
- The preservation of any existing natural vegetation, particularly indigenous vegetation.
- Whether the landscaping will be integrated with the design of the development to screen buildings and structures and complement the landscaping of any adjoining public realm.
- Whether the siting, colour and design of buildings and works will be in keeping with the character and/or enhance the appearance of the area.
- The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5.**

VENUS BAY

1.0 Design objectives

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgi~~

~~**Built Form / Landscape**~~ [reducing objectives - MDF&C]

~~**Character All Areas**~~ [reducing objectives - MDF&C]

To protect and manage the coastal village character of Venus Bay.

To encourage ~~single storey~~ development ~~, and recessive second storey development~~ that is respectful of the typical built form of the area and the coastal landscape setting.

~~To encourage building heights which do not protrude above the existing tree canopy.~~ [reducing objectives - MDF&C]

~~To discourage boundary fencing forward of building frontages other than timber post and wire fence.~~ [reducing objectives - MDF&C]

~~To minimise the dominance of car parking structures and outbuildings associated with residential development, on views from the street and other sensitive viewing locations.~~ [reducing objectives - MDF&C]

To ensure that the style, scale, height, mass and form of new commercial development is consistent with that of adjoining sites and respects the low profile coastal character of Venus Bay.

~~Township Zone~~ [reducing objectives - MDF&C]

To encourage low scale development that is sited so to be screened by and nestled within indigenous vegetation.

~~To retain and enhance the vegetation dominated coastal scrub character.~~ [reducing objectives - MDF&C]

~~Low Density Zone~~ [reducing objectives - MDF&C]

To ensure that new development demonstrates a high standard of contemporary design and innovation. ~~respect the low scale and typical mass and form of the area~~.[rewording for clarity]

~~To maintain the reclusive, well vegetated character of the area.~~
~~Siting and setbacks~~ [reducing objectives - MDF&C]

2.0 Buildings and works

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

Permit requirement – Township Zone

A permit is not required to construct a building or carry out works other than for:

- A building with a height of more than 6.5 metres from natural ground level.
- A building that has setbacks of less than 7.5 metres from the front property boundary and 3 metres from any side boundary on a secondary street frontage.~~.~~
- A development that does not achieve the following site coverage requirements:
  - A building site coverage of no more than 40 per cent;
  - A paved area (permeable paving) of no more than 20 per cent; and

- An area free of buildings or impervious surfaces of at least 40 per cent.

- Buildings or additions to buildings where the total building floor space on the site is greater than 250 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording - MDF&C]
- A front boundary fence, or side boundary fence forward of the building frontage, that is constructed of materials other than timber post and wire.

Permit requirement – Low Density Residential Zone

A permit is not required to construct a building or carry out works other than for:

- A building with a height of over 7.5 metres from natural ground level.
- A building that has setbacks of less than 12 metres from the front property boundary and 3 metres from a side boundary or rear boundary.
- A development that does not achieve the following site coverage requirements:
  - A paved area (permeable paving) of no more than 20 per cent; and
  - An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on the site is greater than 300 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the satisfaction of the ~~Responsible Authority~~responsible ~~.~~authority. [rewording - MDF&C]
- A boundary fence constructed of materials other than timber post and wire. ~~A permit is required for all other buildings and works.~~ [removing redundant directions]

3.0
25/07/2019
C121sgip

Subdivision

An application for subdivision is considered to meet the design objectives where:

- The proposed subdivision maintains the existing character of the area.
- The existing informality of the current road and drainage system is maintained, while achieving improved management of stormwater and runoff and providing for anticipated increases in traffic demand.

4.0
25/07/2019
C121sgip

Signs

None specified.

5.0
~~XX/XX/XXXX~~
~~CXXXsgip~~
~~17/10/2024~~
~~C129sgip~~

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording - MDF&C]:

- The location of any proposed buildings clearly dimensioned on its allotment.
- Information that describes how the proposal achieves the design outcomes outlined in the decision guidelines of this schedule, in the form of a neighbourhood and site description, and design response.
- The location, type and size of any trees to be removed.

- Sufficient spot heights (to AHD) to enable the slope of the site and the slope of the works area(s) to be determined.
- The location, dimensions and depth of any proposed excavations or fill.
- The colour, finishes and materials to be used on all external surfaces, including the roof.
- A landscape plan retaining existing indigenous and native vegetation where possible and providing a range of trees, shrubs and ground cover in keeping with the surrounding landscape character.

6.0
~~XX/XX/XXXX CXXXsqip~~
~~17/10/2024 C129sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~Responsible Authority~~responsible authority [rewording - MDF&C]:

- The design objectives of this schedule.
- The visual prominence of buildings and other structures within the landscape, particularly above the vegetation line.
- Whether the additional height of a development is required to achieve an exceptional or innovative design outcome that cannot otherwise be ~~achieved, and~~achieved and [rewording for clarity] is able to be substantially screened by the existing and proposed new vegetation and the landform.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- Whether any encroachment of buildings within the minimum setbacks stipulated in this Clause can demonstrate that the development will result in a preferred environmental and design outcome while being consistent with the township and landscape character.
- Whether car parking structures, outbuildings and driveways are sited such that the visual impact of these structures and works are minimized.
- Whether buildings and structures are sited to incorporate space for the planting of substantial vegetation, including canopy trees.
- The preservation of any existing natural vegetation, particularly indigenous vegetation.
- ~~Whether the landscaping will be integrated with the design of the development to screen buildings and structures and complement the landscaping of any adjoining public realm.~~
- ~~Whether the siting, colour and design of buildings and works will be in keeping with the character and/or enhance the appearance of the area.~~
- ~~The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area.~~

XX/XX/XXXX CXXXsqip

25/07/2019 C121sgip

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6.**

TARWIN LOWER

1.0 Design objectives

XX/XX/XXXX CXXXsqip

25/07/2019 C121sgip

~~All Types of Development~~ [reducing objectives - MDF&C]

To protect and manage the character of the Tarwin Lower~~is small rural hamlet~~coastal village and its commercial precinct.

~~Commercial Development fronting Evergreen Road between Walkerville Road and School Road~~ [reducing objectives - MDF&C]

~~To improve the visual appearance and image of the Tarwin Lower retailing areas through well designed, site responsive developments.~~ [reducing objectives - MDF&C]

~~To consolidate and distinguish the commercial precinct of Tarwin Lower from adjacent residential areas.~~ [reducing objectives - MDF&C]

~~To ensure new development within the commercial precinct will respect the rural character of the hamlet and be sympathetic to the distinguishing elements of the Tarwin River frontage and associated recreational area which abuts the precinct.~~ [reducing objectives - MDF&C]

~~To encourage urban design improvements to provide variety, interest, safety, shelter and convenience for people using the commercial precinct.~~ [reducing objectives - MDF&C]

To ensure that ~~new commercial~~ development is consistent in style, scale, height, mass and form, and respects the low profile character of Tarwin Lower.

~~**Residential Development**~~[reducing objectives - MDF&C]

~~**Built Form / Landscape Character:**~~ [reducing objectives - MDF&C]

~~**All areas**~~[reducing objectives - MDF&C]

To encourage single storey development and recessive second storey development that is respectful of the typical built form and rural landscape setting.

To maintain views and provide a visual link towards the Tarwin River and surrounding flood plains.~~Siting and setbacks~~

To ensure that new development is sited and designed so as to be screened by and nestled within the landscaped setting. [reducing objectives - MDF&C]

~~To ensure that new development is appropriately set back from sensitive environmental boundaries.~~ [reducing objectives - MDF&C]

~~**Site Coverage**~~ **[reducing objectives - MDF&C]**

~~To minimise building site coverage and the use of impervious paving materials, in order to preserve the spacious landscape setting of the area.~~ [reducing objectives - MDF&C]

~~Landscaping and Environment~~ [reducing objectives - MDF&C]

~~To preserve the pattern of well vegetated and generous front setbacks that screen and soften the appearance of development from the street.~~ [reducing objectives - MDF&C]

~~To encourage informal driveways and crossovers and the use of permeable materials (e.g. gravel, permeable paving) to minimise the visual impact on the street and property frontages.~~ [reducing objectives - MDF&C]

~~To protect and maintain areas of indigenous and native vegetation where possible in new development.To encourage the planting of indigenous vegetation in new landscaping.~~ [reducing objectives - MDF&C]

~~To encourage the integration of best practice water sensitive urban design into the landscape treatments of new development.~~ [reducing objectives - MDF&C]

~~Materials and design detail~~ [reducing objectives - MDF&C]

~~To ensure that buildings demonstrate a high standard of design and utilise materials, colours and finishes that are in keeping with the natural environment.~~ [reducing objectives - MDF&C]

~~Township Zone~~ [reducing objectives - MDF&C]

~~To encourage low scale development that is sited so as to be screened by and nestled within indigenous vegetation.~~ [reducing objectives - MDF&C]

~~Low Density Zone~~ [reducing objectives - MDF&C]

~~To maintain the reclusive, well vegetated character of the area~~ [reducing objectives - MDF&C]

~~Siting and setbacks~~ [reducing objectives - MDF&C]

~~To ensure that new development is sited and designed so as to be screened by and nestled within the landscaped setting.~~ [reducing objectives - MDF&C]

~~To ensure that new development is appropriately set back from sensitive environmental boundaries.~~ [reducing objectives - MDF&C]

~~Site Coverage~~ [reducing objectives - MDF&C]

~~To minimise building site coverage and the use of impervious paving materials, in order to preserve the spacious landscape setting of the area.~~ [reducing objectives - MDF&C]

~~Landscaping and Environment~~ [reducing objectives - MDF&C]

~~To preserve the pattern of well vegetated and generous front setbacks that screen and soften the appearance of development from the street.~~ [reducing objectives - MDF&C]

~~To encourage informal driveways and crossovers and the use of permeable materials (e.g. gravel, permeable paving) to minimise the visual impact on the street and property frontages.~~ [reducing objectives - MDF&C]

~~To protect and maintain areas of indigenous and native vegetation where possible in new development.~~ [reducing objectives - MDF&C]

~~To encourage the planting of indigenous vegetation in new landscaping.~~ [reducing objectives - MDF&C]

~~To encourage the integration of best practice water sensitive urban design into the landscape treatments of new development.~~ [reducing objectives - MDF&C]

~~Materials and design detail~~ [reducing objectives - MDF&C]

~~To ensure that buildings demonstrate a high standard of design and utilise materials, colours and finishes that are in keeping with the natural environment.~~ [reducing objectives - MDF&C]

2.0 Buildings and works

~~XX/XX/XXXX CXXXsgip~~
~~17/10/2024 C129sgip~~

Permit requirement – Township Zone

A permit is not required within the Township Zone [rewording for clarity]to construct a building or carry out works other than for:

- A building with a height of more than 7.5 metres from natural ground level.
- A building that has setbacks of less than 7.5 metres from the front property boundary and 3 metres from any side boundary on a secondary street frontage.
- A development that does not achieve the following site coverage requirements:
  - A building site coverage of no more than 40 per cent;
  - A paved area (permeable paving) of no more than 20 per cent; and
  - An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on the site is greater than 250 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued tones to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording - MDF&C]
- A front boundary fence, or side boundary fence forward of the building frontage, that is constructed of materials other than timber post and wire.

Permit requirement – Low Density Residential Zone

A permit is not required within the Low Density Residential Zone [rewording for clarity] to construct a building or carry out works other than for:

- A building with a height of over 7.5 metres from natural ground level.
- A building that has setbacks of less than 12 metres from the front property boundary and 3 metres from a side boundary or rear boundary.
- A development that does not achieve the following site coverage requirements:
  - A paved area (permeable paving) of no more than 20 per cent; and
  - An area free of buildings or impervious surfaces of at least 40 per cent.
- Buildings or additions to buildings where the total building floor space on the site is greater than 300 square metres.
- Buildings and works where the external materials, colours and finishes are not low reflective, subdued to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording - MDF&C]
- A boundary fence constructed of materials other than timber post and wire.

All development within the commercial precinct should: [NEW permit direction for commercial precinct]

- Abut front property boundaries to create a consistent building line and to abut side boundaries, where possible. [rewording for clarity]
- Provide active frontages onto River Drive and provide clear views between the building and street by using clear glazing. [rewording for clarity]
- Provide verandahs or other pedestrian shelters above the footpath in front of new commercial or industrial buildings. [rewording for clarity]
- Provide appropriate business identification signage below verandahs and avoid signage which dominates a building or is out of scale with the streetscape. [rewording for clarity]
- Locate car parking areas at the rear of buildings and avoid car parking within the front setback.

All other development should: [NEW permit direction for generic requirement]

- Minimise building site coverage and the use of impervious paving materials, in order to preserve the spacious landscape setting of the area. [rewording for clarity]
- Preserve the pattern of well vegetated and generous front setbacks that screen and soften the appearance of development from the street. [rewording for clarity]
- Provide informal driveways and crossovers that use permeable materials, such as gravel and permeable paving, to minimise visual impact on the streetscape. [rewording for clarity]
- Protect and maintain areas of indigenous and native vegetation where possible. [rewording for clarity]
- Use indigenous vegetation and water sensitive urban design in all new landscaping. [rewording for clarity]
- Use materials, colours and finishes that are in keeping with the natural environment. [rewording for clarity]

3.0 Subdivision

25/07/2019
C121sgip

An application for subdivision is considered to meet the design objectives where:

- The proposed subdivision maintains the existing character of the area.
- The existing informality of the current road and drainage system is maintained, while achieving improved management of stormwater and runoff and providing for anticipated increases in traffic demand.

4.0 Signs

25/07/2019
C121sgip

None specified.

5.0 Application requirements

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

- The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must-

- accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]
- The location of any proposed buildings clearly dimensioned on its allotment.
- Information that describes how the proposal achieves the design outcomes outlined in the decision guidelines of this schedule, in the form of a neighbourhood and site description, and design response.
- The location, type and size of any trees to be removed.
- Sufficient spot heights (to AHD) to enable the slope of the site and the slope of the works area(s) to be determined.
- The location, dimensions and depth of any proposed excavations or fill.
- The colour, finishes and materials to be used on all external surfaces, including the roof.
- A landscape plan retaining existing indigenous and native vegetation where possible and providing a range of trees, shrubs and ground cover in keeping with the surrounding landscape character.

6.0

~~XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]

~~All Development~~

- ~~The design objectives of this schedule.~~ [removing redundant provisions]

Commercial and industrial development fronting ~~Evergreen~~ River Drive [correcting inaccurate description]~~Road~~, between Walkerville Road and School Road~~:~~

- Whether the design of commercial or industrial buildings has regard to its appearance from the riverfront and nearby public spaces.
- Whether the use of colour, verandahs and architectural features achieves consistency with the existing built form.
- Whether advertising signage is appropriate to the rural hamlet context and does not create visual clutter or dominate the building or landscape.
- The effect of any proposed works on the environmental and landscape values of the site and of the local area.
- Whether the style, colours, height and form of development will be in keeping with the character and/or enhance the appearance of the area.
- The use of innovative urban design techniques to improve the variety, interest, safety and convenience of the commercial precinct.
- Whether any proposed building which does not abut side boundaries requires access along a side boundary to the rear of the building.
- Whether the proposed development is consistent with the bulk, scale and form of development within the commercial precinct.
- Whether the proposed development is sympathetic to adjoining sites and can be well distinguished as part of the core commercial precinct.

- The effect of the development on the riverfront and adjacent residential areas.
- Whether the height, siting and setback of development provides for the reasonable sharing of views.

Residential Development

- Whether the location, bulk or scale of the buildings or works will be in keeping with the predominant character and/or enhance the appearance of the area.
- The visual prominence of buildings and other structures within the landscape, particularly above the vegetation line.
- Whether the additional height of a development is required to achieve an exceptional or innovative design outcome that cannot otherwise be ~~achieved, and~~achieved and [rewording for clarity] is able to be substantially screened by the existing and proposed new vegetation and the landform.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.
- Whether any encroachment of buildings within the minimum setbacks stipulated in this Clause can demonstrate that the development will result in a preferred environmental and design outcome while being consistent with the township and landscape character.
- Whether car parking structures, outbuildings and driveways are sited such that the visual impact of these structures and works are minimized.
- Whether buildings and structures are sited to incorporate space for the planting of substantial vegetation, including canopy trees.
- The preservation of any existing natural vegetation, particularly indigenous vegetation.
- Whether the landscaping will be integrated with the design of the development to screen buildings and structures and complement the landscaping of any adjoining public realm.
- Whether the siting, colour and design of buildings and works will be in keeping with the character and/or enhance the appearance of the area.
- The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7.**

KORUMBURRA INDUSTRIAL AREA HIGHWAY PRECINCT

1.0
25/07/2019
C121sgip

Design objectives

To ensure that the standard of development in the Korumburra Industrial Precinct adjoining the South Gippsland Highway frontage is of high quality and is [rewording for clarity] visually stimulating.

To recognise that the precinct is situated at the main gateway to Korumburra and that the design and layout of buildings and signage should enhance the visual quality and amenity of the gateway.

2.0
XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

Buildings and works

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Setbacks and landscaping [rewording for clarity]

- All buildings must be setback at least:
  - 25 metres from the northern boundary fronting the South Gippsland Highway.
  - 15 metres from Sanders Street.
  - 10 metres from the eastern boundary with the Recreation Reserve.
- The building setbacks must be used for vegetation landscaping providing a minimum buffer depth of:
  - 10 metres from the northern boundary fronting the South Gippsland Highway (inclusive of the Council Reserve 2 LP116539).
  - 5 metres from Sanders Street.
  - 10 metres from the eastern boundary with the Recreation Reserve. This setback is to be used solely for landscaping.
- Landscape plantings in the South Gippsland Highway and Sanders Street buffers should be designed to soften and integrate development through the establishment of native grasses, shrubs and dispersed canopy trees, which at maturity will allow direct views to be maintained from the road to the commercial uses.
- Planting within the eastern boundary buffer should be designed to maximise visual screening.
- Development proposals immediately south of Council Reserve 2 LP116539 should incorporate the Reserve land adjoining the development in their landscape plan.
- Car parking must not be provided in the above specified landscape buffers.
- Car parking areas should be landscaped to diminish their visual impact.

Site layout and buildings

- ~~Buildings should be designed in a contemporary and creative manner.~~ [removing inappropriate / unnecessary directions]
- Elevations addressing the South Gippsland Highway should be articulated to avoid homogenous building lines.

- Gross f~~F~~loor area ~~coverage~~ [rewording for clarity] must not exceed 60% of the overall site area.
- Loading, service functions, external storage areas and garbage receptacles must be sited to the side or rear of premises and appropriately screened to reduce their visual impact.
- Vehicle access to the site should be restricted to the Sanders Street frontage.
- External display areas sited forward of building front elevations must be modest in scale and not dominate the setback or landscaping.
- All driveways and car parking areas must be constructed of an impervious all weather seal coat such as concrete or bitumen.
- All structures on rooftops, including air conditioning units and fans, must be appropriately screened to reduce their visual impact.
- Development and site layout must enable vehicles to move to and from the site in a forward direction.
- Front fencing is discouraged and if required, should not exceed 1.2 metres height and be visually permeable.

3.0 Subdivision

25/07/2019
C121sgip

None specified.

4.0 Signs

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Sign requirements are at Clause 52.05. All land located within this Schedule to this zone is in Category 2.

~~Signage should be simple, clear business identification signage that complements the western township entry.~~ [removing inappropriate / unnecessary directions]

~~Totem signs promoting businesses within the industrial estate may be sited within or forward of the landscape areas provided they are appropriately designed and sympathetic to a town entry location.~~ [removing inappropriate / unnecessary directions]

5.0 Application requirements

25/07/2019
C121sgip

None specified.

6.0 Decision guidelines

17/10/2024
C129sgip

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the responsible authority:

- Whether the appearance of development and its surrounds will make a positive contribution to the immediate streetscape and the western township entry when viewed from the South Gippsland Highway.
- The need to provide an appropriate visual amenity and landscape interface with the Recreation Reserve.
- The need to provide for business display areas, in appropriate locations.

- The need to ensure the safety and efficiency of vehicle movements on the South Gippsland Highway.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8.**

EMERGENCY MEDICAL SERVICES HELICOPTER FLIGHTPATH AREA: LEONGATHA HOSPITAL (INNER AREA)

1.0 Design objectives

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

To ensure that the height of all buildings and works is ~~are constrained~~ [rewording for clarity] within specified limits to avoid creating a hazard to aircraft in the vicinity of the helicopter landing site serving the Leongatha Memorial ~~Hospital, and to~~Hospital to [rewording for clarity] facilitate safe Emergency Medical Service (EMS) helicopter operations.

~~To ensure that flight paths associated with the Leongatha Memorial Hospital EMS helicopter landing site are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Leongatha Memorial Hospital EMS helicopter landing site.~~ [removing duplicative / unnecessary directions]

2.0 Buildings and works

17/10/2024 C129sgip

A permit is not required to:

- Construct a building or construct or carry out works with a height less than 84.55 metres above the Australian Height Datum (AHD).
- Construct building additions and alterations exceeding 84.55 metres AHD, provided:
  - The additions and alterations do not exceed the existing height of the building (measured at the roofline apex); and
  - The lot does not immediately adjoin the hospital land.

A permit is required to construct a fence with a height greater than 84.55 metres AHD.

This does not apply to the construction of a fence in relation to the use of land for a dwelling provided:

- The fence height does not exceed the maximum height of the dwelling measured at the roofline apex; and
- The lot does not immediately adjoin the hospital land.

Notes:

1. The Leongatha Hospital helicopter landing site is at an elevation of 84.55 metres above the AHD.

2. For the purposes of this clause buildings and works include radio masts, television antenna and flagpoles and any construction equipment associated with the buildings and works.

Exemptions from notice and review

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0
25/07/2019
C121sgip

Subdivision

None specified.

4.0
25/07/2019
C121sgip

Signs

None specified.

5.0
XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

Application requirements

- The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~responsible authority: [rewording - MDF&C]
- The location of the land in relation to the helicopter landing site.
- The location and height of the main features on the land including trees or any other tall features.
- The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level.

Note: The ~~Responsible Authority~~responsible authority [rewording - MDF&C] *and the Department of Health (Vic) may request applications provide a maximum height (including the height of existing features) related to the Australian Height Datum (prepared by a suitably qualified person) if the proposal is deemed likely to impact safe helicopter operations.*

6.0
XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

Decision guidelines

- The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the *responsible authority*~~Responsible Authority~~:[rewording - MDF&C]
- Whether the height and design of any proposed buildings and works will have an impact on the flights associated with the Leongatha Hospital EMS helicopter landing site.

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9.**

EMERGENCY MEDICAL SERVICES HELICOPTER FLIGHTPATH AREA: LEONGATHA HOSPITAL (OUTER AREA)

1.0 Design objectives

XX/XX/XXXX CXXXsgip 25/07/2019 C121sgip

To ensure that the height of all buildings and works ~~are~~is ~~constrained~~ [rewording for clarity] within specified limits to avoid creating a hazard to aircraft in the vicinity of the helicopter landing site serving the Leongatha Memorial Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.

~~To ensure that flight paths associated with the Leongatha Memorial Hospital EMS helicopter landing site are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Leongatha Memorial Hospital EMS helicopter landing site.~~ [removing duplicative / unnecessary directions]

2.0 Buildings and works

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

A permit is not required to:

- Construct a building or to construct or carry out works provided the maximum height of the buildings or works does not exceed 12 metres above natural ground level.
- Construct a building or to construct or carry out works exceeding 12 metres above natural ground level provided no part of the buildings or works exceeds 96.55 metres above the Australian Height Datum (AHD). See Note 2

Notes:

1. The Leongatha Hospital helicopter landing site is at an elevation of 84.55 metres above the AHD.

2. 96.55 metres above the AHD (12 metres above the height of the Leongatha Hospital helicopter landing site) is the horizontal height plane across the DDO9 area above which buildings and works may impact helicopter operations.

*3. For the purposes of this clause buildings and works include radio masts, television antenna ~~and~~flagpoles*and flagpoles* [fixing typo] and any construction equipment associated with the buildings and works.*

Exemptions from notice and review

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0 Subdivision

17/10/2024 C129sgip

A permit is not required to subdivide land.

4.0 Signs

25/07/2019 C121sgip

None specified.

5.0 Application requirements

XX/XX/XXXX CXXXsqip
~~17/10/2024 C129sgip~~

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~Responsible Authority~~ responsible authority [rewording – MDF&C]:

- The location of the land in relation to the helicopter landing site.
- The location and height of the main features on the land including trees or any other tall features.
- The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level.

Note: The ~~Responsible Authority~~responsible authority [rewording – MDF&C] and the Department of Health (Vic) may request applications provide a maximum height (including the height of existing features) related to the Australian Height Datum (prepared by a suitably qualified person) if the proposal is deemed likely to impact safe helicopter operations.

6.0 Decision guidelines

XX/XX/XXXX CXXXsqip
~~17/10/2024 C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~*Responsible Authority*~~*responsible authority* [rewording – MDF&C]:

- Consider whether the height and design of any proposed buildings and works will have an impact on the flights associated with the Leongatha Hospital EMS helicopter landing site.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO10.**

EMERGENCY MEDICAL SERVICES HELICOPTER FLIGHTPATH AREA: FOSTER HOSPITAL (INNER AREA)

1.0 Design objectives

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

To ensure that the height of all buildings and works ~~are~~is ~~constrained~~ [rewording for clarity] within specified limits to avoid creating a hazard to aircraft in the vicinity of the helicopter landing site serving the Foster Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.

~~To ensure that flight paths associated with the Foster Hospital EMS helicopter landing site are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Foster Hospital EMS helicopter landing site.~~ [removing duplicative / unnecessary directions]

2.0 Buildings and works

XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

A permit is not required to:

- Construct a building or construct or carry out works with a height less than 27.16 metres above the Australian Height Datum (AHD).
- Construct building additions and alterations exceeding 27.16 metres AHD, provided the additions and alterations do not exceed the existing height of the building (measured at the roofline apex).

A permit is not required for a fence provided that:

- The fence is not within, around, or 10 metres outwards from the boundary of the sporting oval (football / cricket ground).

Notes:

1. The Foster Hospital Helipad is at an elevation of 27.16 metres above the AHD. This height represents the horizontal height plane across the DDO10 area at which buildings and works may impact helipad operations.

2. For the purposes of this clause buildings and works include radio masts, television antenna ~~and~~~~flagpoles~~and flagpoles [fixing typo]*and any construction equipment associated with the buildings and works.*

Exemptions from notice and review

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0 Subdivision

25/07/2019 C121sgip

None specified.

4.0 Signs

25/07/2019 C121sgip

None specified.

5.0 Application requirements

XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~*Responsible Authority*~~*responsible authority* [rewording – MDF&C]:

- The location of the land in relation to the helicopter landing site.
- The location and height of the main features on the land including trees or any other tall features.
- The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level.

Note: The ~~Responsible Authority~~responsible authority [rewording – MDF&C] *and the Department of Health (Vic) may request applications provide a maximum height (including the height of existing features) related to the Australian Height Datum (prepared by a suitably qualified person) if the proposal is deemed likely to impact safe helicopter operations.*

6.0 Decision guidelines

XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~*Responsible Authority*~~*responsible authority* [rewording – MDF&C]:

- Whether the height and design of any proposed buildings and works will have an impact on the flights associated with the Foster Hospital EMS helicopter landing site.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11.**

EMERGENCY MEDICAL SERVICES HELICOPTER FLIGHTPATH AREA: FOSTER HOSPITAL (OUTER AREA)

1.0

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

Design objectives

To ensure that the height of all buildings and works ~~are~~is [rewording for clarity] constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the helicopter landing site serving the Foster Hospital, and to facilitate safe Emergency Medical Service (EMS) helicopter operations.

~~To ensure that flight paths associated with the Foster Hospital EMS helicopter landing site are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Foster Hospital EMS helicopter landing site.~~ [removing duplicative / unnecessary directions]

2.0

XX/XX/XXXX CXXXsgip

~~17/10/2024 C129sgip~~

Buildings and works

A permit is not required to:

- Construct a building or to construct or carry out works provided the maximum height of the buildings or works does not exceed 12 metres above natural ground level.
- Construct a building or to construct or carry out works exceeding 12 metres above natural ground level provided no part of the buildings or works exceeds 39.16 metres above the Australian Height Datum (AHD). See Note 2

Notes:

1.The Foster Hospital helicopter landing site is at an elevation of 27.16 metres above the AHD.

2.39.16 metres above the AHD (12 metres above the height of the Foster Hospital helicopter landing site) is the horizontal height plane across the DDO11 area above which buildings and works may impact helicopter operations.

*3.For the purposes of this clause buildings and works include radio masts, television antenna ~~and~~flagpoles*and flagpoles* [fixing typo]*and any construction equipment associated with the buildings and works.*

Exemptions from notice and review

An application is exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

17/10/2024 C129sgip

Subdivision

A permit is not required to subdivide land.

4.0

25/07/2019 C121sgip

Signs

None specified.

5.0 Application requirements

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the ~~*Responsible Authority*~~*responsible authority* [rewording – MDF&C]:

- The location of the land in relation to the helicopter landing site.
- The location and height of the main features on the land including trees or any other tall features.
- The proposed buildings and works on the land including details of the maximum height of the buildings and works measured from natural ground level.

Note: The ~~Responsible Authority~~responsible authority [rewording – MDF&C] *and the Department of Health may request applications provide a maximum height (including the height of existing features) related to the Australian Height Datum (prepared by a suitably qualified person) if the proposal is deemed likely to impact safe helicopter operations.*

6.0 Decision guidelines

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered as appropriate, by the ~~*Responsible Authority*~~*responsible authority* [rewording – MDF&C]:

- Whether the height and design of any proposed buildings and works will have an impact on the flights associated with the Foster Hospital EMS helicopter landing site.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**.

NYORA TOWN CENTRE

1.0 Design objectives

XX/XX/XXXX CXXXsgip

~~17/10/2024 C129sgip~~

To improve the pedestrian environment through human scale development, increased passive surveillance, continuous weather protection, active frontages and articulated facades and improved pedestrian connections between public spaces and commercial and community buildings ~~(existing and future)~~ [removing redundant directions].

To ensure buildings are closely spaced and designed to reinforce this area as the commercial centre, with a focus on Mitchell Street and distinguish it from the surrounding residential areas and replace existing residential uses over time.

To ensure that boundary fencing and other structures adjoining roads and public spaces promote passive surveillance and community safety.

To provide for physical and visual linkages to and from the surrounding residential areas and the railway reserve that are ~~,~~ softened by landscaping ~~(e.g. views of tree tops behind buildings, planting in small front setbacks)~~[removing redundant directions].

2.0 Buildings and works

XX/XX/XXXX CXXXsgip

~~17/10/2024 C129sgip~~

A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construct or carry out works for an awning that projects over a road reserve if it is authorised by the relevant public land manager.

A planning permit is required to construct or extend a front fence greater than 1.2 metres in height within 3 metres of a street.

A permit cannot be granted to vary design requirements for Weather protection and fence heights (refer to the Design requirements of this schedule).

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Design requirements (detailed in Figures 1 and 2)

Weather protection and fence heights

Continuous Weather Protection must be provided at Type A frontages along Mitchell Street, Davis Street and Grundy Avenue in the form of canopies, verandahs and awnings over the adjacent footpath.

Fences Heights must be less than 1.5 metres to provide for passive surveillance.

Front fences greater than 1.2 metres should be visually permeable (at least 20 per cent) so that front setback areas are visible from the footpath (e.g. picket fence).

Street activation

Buildings on land abutting Mitchell Street, Davis Street, Hewson Street, Henley Street and Grundy Avenue must be designed with a primary façade and entrance fronting the street. In the case where a building fronts more than one street, the primary façade and entrance should front the street with the greatest commercial activity (e.g. Mitchell Street, Davis Street).

Buildings abutting pedestrian spaces and connections should include entrances and windows in order to encourage activity and provide passive surveillance.

Building elevations, especially ground level façades, on Mitchell Street, Davis Street, Hewson Street and Grundy Avenue should present active frontages (*built form which provides the opportunity for visual engagement between people in the street and those on the ground and ~~first~~~~floors~~first floors*[rewording for clarity] *of buildings e.g. windows, upper level balconies)* to the street with high proportions of transparent glazing above 1m from ground level.

Height and setbacks

Building façades should not exceed 7.5 metres in height above natural ground level.

Portions of buildings in excess of 7.5 metres in height should be setback behind the front façade so that they appear recessive and maintain a human scale when viewed from the adjacent footpath.

New buildings should have front setbacks as follows:

- zero metres for Type A frontages along Mitchell Street, Davis Street, Henley Street and Grundy Avenue.~~;~~
- four metres for Type B frontages along Hewson Street and Henley Street.

Front setback areas may provide for outdoor dining or temporary retail displays.

Vehicle parking must not be provided between the building façade and the front boundary.

Design and materials

Plant, equipment, waste disposal, and loading bays must be completely screened from Mitchell Street, Davis Street, Hewson Street, Henley Street and Grundy Avenue and softened by landscaping when viewed from other streets.

Large expanses of blank walls should be avoided where visible from the street.

Any development with a large floor area, such as a ~~(e.g.~~ supermarket,~~)~~ [rewording for clarity] should be designed to provide an active frontage to the adjoining street and support pedestrian connectivity within the precinct, particularly to Mitchell Street.

The materials used in the design of development, including buildings and fencing, should ~~reference country styles (e.g. through the~~ [rewording for clarity] use of timber, masonry and corrugated iron~~)~~.

A public pedestrian thoroughfare should be created between Mitchell Street and the rear lane as part of subdivision or development in the area.

Vehicular access and loading within the block bounded by Mitchell, Davis, Hewson and Henley Streets must be provided from the rear or side of the lot.

No new vehicle crossings should be created on Mitchell Street.

Existing vehicle crossings on Mitchell Street should be removed as part of new development where the opportunity exists to provide an alternative access from the rear or side of the property.

Car parks should be designed to facilitate integration with existing and future buildings and provide ease of movement by vehicles and pedestrians.

Landscaping

Where provided, front setback areas must be landscaped.

Buildings should be designed to retain healthy large canopy trees and protect root protection zones. ~~that contribute to the streetscape or will enhance proposed landscape areas~~ [rewording for clarity]

~~Where practical,~~ Where canopy trees are proposed to be planted, adequate root protection zones should also be provided. ~~provision should be made for the planting of canopy trees with designated root protection zones.~~ [rewording for clarity]

All new car parks with 10 or more spaces should include areas for landscaping that are designed to provide shade, break up expanses of hard surfaces, and improve the quality of stormwater.

3.0 Subdivision

25/07/2019
C121sgip

A permit to subdivide land must not create additional lots in the area shown in Figure 1 as 'Further subdivision to be avoided' [New direction to align with direction of Figure 1 Illustration of DDO Requirements below] ~~None specified.~~

4.0 Signs

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

Sign requirements are at Clause 52.05. ~~In addition to the requirements of the zone,~~ [removing redundant directions] All land is in Category 1. [rewording for clarity]

A~~a~~ permit is required to display an ~~Internally illuminated~~Internally illuminated [correcting sign type - MDF&C] sign.

5.0 Application requirements

17/10/2024
C129sgip

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority

- An application must be accompanied by a landscape plan, as appropriate. The plan must include a schedule showing the scientific and common name of the species and height and width at maturity. The species should be selected from the South Gippsland Shire's Urban Tree Management Guidelines for vegetation on public land. The species should be selected having regard to location, available space and surveillance/public safety.
- An application must be accompanied by a report demonstrating how the application responds to the requirements of this Schedule.

6.0

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

Decision guidelines

None specified.

~~The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:~~

~~The Design requirements of this Schedule.~~[removing redundant directions]

Figure 1 Illustration of DDO Requirements



LEGEND

- Properties in DDO
- Active Frontages
- Primary Facades & Entrances fronting the Adjacent Street
- Screening of Plant, Equipment, Waste Disposal & Loading Bays from Adjacent Street
- Future Pedestrian Connection (approximate location)
- Existing Pedestrian Connections
- Preferred Location for Supermarket Development & Associated Parking (refer to Town Centre Master Plan in Nyora Development Strategy)
- Further Subdivision to be Avoided
- **Type A Frontage** Build to Boundary (0m Setback) Provide Weather Protection
- **Type B Frontage** Landscaped Setback (4m Setback)

Figure 2 Illustration of Building Façade Controls



13/08/2020
C115sgip

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

MIRBOO NORTH TOWN CENTRE

1.0 Design objectives

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

To improve the pedestrian environment, amenity and comfort through human scale development, continuous weather protection, increased passive surveillance and improved visual and physical pedestrian connections between public spaces and buildings. ~~(existing and future)~~ [removing redundant directions]

To encourage ~~closely spaced,~~ [removing redundant directions] compact built ~~commercial~~ [removing redundant directions]form and high quality urban design within the town centre.

To ensure that boundary fencing and other structures adjoining roads and public spaces promote passive surveillance and community safety.

To enhance the low scale heritage character of the town centre.

2.0 Buildings and works

~~13/08/2020~~
~~C115sgip~~
XX/XX/XXXX
CXXXsgip

A permit is not required to:

- Install service fixtures to existing buildings.
- Install an automatic teller machine.
- Alter an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 percent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construct an awning that projects over a road if it is authorised by the relevant road authority. A permit is required to construct or extend a front fence which is within three metres of a street.

Design requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Frontages and setbacks

- Development should generally have a zero setback to the front title and/or side boundary where the lot abuts Ridgway, except where this would adversely affect the heritage significance of aheritage building.
- Development should create a continuous building frontage along Ridgway, Peters Street, Brennan Street and Grand Ridge East unless providing pedestrian access, or where this would adversely affect the heritage significance of a heritage building.
- Building frontages should contribute to the retail function of the area.
- Greater setbacks should be provided along Ridgway to provide for al fresco dining opportunities.

Street activation

- Development should provide visually engaging frontages with clear glazed windows and entrances as the predominant elements of the ground floor façade.
- Any development with a large floor area, such as a ~~(e.g.~~ supermarket,~~)~~ [rewording for clarity] should be designed to provide an active frontage to the adjoining streets and support pedestrian connectivity within the precinct.
- Where development fronts Ridgway and the building is used for:
  - a shop or food and drink premises, at least 80 per cent of the width of the street frontage of each individual premises should consist of display window and/or an entrance.
  - any ~~other~~ commercial use other than a shop or food and drink premises [rewording for clarity], at least 60 per cent of the width of the street frontage of each individual premises should consist of display window and/or an entrance.
- Avoid long blank walls at street level as they reduce active street edges and passive surveillance.
- Where blank walls cannot be avoided, incorporate art forms and/or outdoor kerb side dining to activate the space.
- Front fencing should be discouraged. Where it is provided, it should be ~~low (~~no more than 1.2 metres in height~~)~~ and be visually ~~transparent~~permeable [rewording for clarity].
- Any security grilles should be mounted internally. Where this is not possible or practical, security grilles should be visually ~~transparent~~permeable [rewording for clarity].
- Development fronting Ridgway and Peters Street must provide continuous weather protection along commercial building frontages and walkways and extend the full pavement width, except where this would adversely affect the heritage significance of a heritage building.
- All other road frontages should provide continuous weather protection along commercial building frontages and walkways and extend the full pavement width, except where this would adversely affect the heritage significance of a heritage building.

Vehicle access and services

- Plant, equipment, waste disposal and loading bays must be completely screened from Ridgway, Peters Street, Brennan Street and Grand Ridge East and softened by landscaping when viewed from other streets.
- Vehicle access and loading facilities should not be located along Ridgway. Where possible, vehicle access and loading facilities should be located along Burchell Lane.

Safety

- Lighting should be provided to ground floor frontages to promote a sense of security at night.
- Recesses to ground floor street frontages should be less than 300mm deep to omit potential hiding places that undermine the safety of the street.

Residential development

- The main pedestrian entry to a dwelling should face a street.
- Access to dwellings should be provided with lighting and weather protection.

- Above ground floor living areas and balconies should face the street or adjacent public spaces.

3.0 Subdivision

13/08/2020 C115sgip

None specified.

4.0 Signs

13/08/2020 C115sgip

Sign requirements are at Clause 52.05. All land located within Mirboo North town centre is in Category 3.

5.0 Application requirements

13/08/2020 C115sgip

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A detailed report that shows how the design objectives and requirements of this overlay are met.
- A detailed site plan that shows building setbacks, the location and width of vehicle crossovers, outdoor building display areas and signs.
- Building elevation plans that clearly describe the external building materials and finishes and proposed signs.
- A landscape plan that shows:
  - The location, species and height of all existing vegetation to be retained and/or removed; and
  - A detailed planting schedule that makes reference to the background document *CFA Landscaping for Bushfire November 2011* and uses species selected from Indigenous Plants of South Gippsland Shire (2004), with emphasis on plants from the relevant Ecological Vegetation Class for the planting area.

6.0 Decision guidelines

~~17/10/2024 C129sgip~~ XX/XX/XXXX CXXXsgip

~~The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the Responsible Authority:~~ [removing redundant directions]

~~Whether the proposal is consistent with the design requirements of this Schedule.~~ ~~[removing duplicative directions]~~None specified. [removing redundant directions – rewording as per MDF&C]

SOUTH GIPPSLAND PLANNING SCHEME

~~25/07/2019 C121sgip~~ XX/XX/XXXX CXXXsgip

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

KORUMBURRA ENTRANCE NODE

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

None specified.

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

All buildings and works on site must be:

- Carried out in accordance with relevant EPA guidelines for sediment pollution control.
- Constructed using materials of muted and non-reflective tones.

[rewording DP requirements as a permit condition]

4.0 Requirements for development plan

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

A development plan must include the following requirements:

- Landscaping ~~plans~~ along the western and northern boundaries of the land ~~showing~~ that provides substantial screening ~~measures~~ to ensure views from the South Gippsland Highway, ~~(~~especially ~~views~~ from the western approach to Korumburra~~,)~~ to ~~industrial development on~~ the subject site are retained as predominantly rural. [rewording for clarity]
- Measures proposed to protect and prevent potential adverse impacts on the creek located on the subject land, having regard to potential land uses permitted in the Industrial 1 Zone.
- ~~A notation specifying that all buildings and works on site must be:~~
  - ~~Carried out in accordance with relevant EPA guidelines for sediment pollution control.~~
  - ~~Constructed using materials of muted and non-reflective tones.~~ [removing inappropriate directions – reworded as permit conditions above]
- The proposed road network to service any future subdivision of the land integrated with:
  - The e~~E~~xisting road network [rewording for clarity];
  - Surrounding land uses;
  - Proposed landscaping; and
  - Creek protection measures.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

WARATAH BAY

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

A permit may be granted for the development of a single dwelling and associated outbuildings on the land affected by this oOverlay before a development plan has been prepared, provided it is the only dwelling on the land and ~~provided it~~the dwelling [rewording for clarity] complies with the requirements set out in clause 3.0~~ for dwellings~~[rewording for clarity].

3.0 Conditions and requirements for permits

25/07/2019 C121sgip

The following conditions and/or requirements apply to permits:

- Only one dwelling shall be constructed on any lot.
- The maximum site coverage of all buildings on a lot must not exceed 70% of the area of the lot.
- No dwelling shall be constructed on any lot shown on the development plan prior to the provision of reticulated sewerage to the land.
- The upper level of any two storey dwelling must be recessed to a maximum of 70% of the ground floor area.
- Buildings and all associated facilities such as heating units, air-conditioning units, solar panels and satellite dishes must have a maximum height of 8.0 metres above natural ground level. All such associated facilities must be located at the rear of dwellings.
- All buildings must be finished in muted non-reflective tones to the satisfaction of the responsible authority.

4.0 Requirements for development plan

25/07/2019 C121sgip

A development plan must include the following requirements:

- The subdivision layout of the land prepared by a qualified surveyor.
- The creation of no more than six (6) new lots wholly within the Township Zone.
- A minimum lot size of 600 square metres.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**.

SAPUTO DAIRY AUSTRALIA ~~MURRAY GOULBURN~~ LEONGATHA FACTORY

1.0 Objectives

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

To provide a framework for approval of future development involving staged implementation ~~over approximately a 10 year period (ie 2016) under~~of the Murray Goulburn Co-Operative Co. Masterplan. [removing redundant directions]~~,~~

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

3.0 Conditions and requirements for permits

25/07/2019 C121sgip

None specified.

4.0 Requirements for development plan

XX/XX/XXXX CXXXsgip 17/10/2024 C129sgip

A development plan must include the following requirements:

- ~~Detailed plans and supporting information that addresses relevant planning and environmental issues to the satisfaction of the South Gippsland Shire Council, relevant agencies, and the local community.~~ [removing redundant directions],
- Detailed plans and supporting ~~,A detailed description of~~information, describing [rewording for clarity]:
- the existing site including the existing topography, vegetation, drainage lines, and buildings and works. [rewording for clarity]
- ~~and~~ [rewording for clarity]
- the proposed extended site area, ~~including~~ [rewording for clarity]
- ~~existing topography, vegetation, drainage lines, buildings and works.~~ [rewording for clarity]
- The proposed development, including ~~details of~~ [rewording for clarity]:
  - Vegetation to be retained or removed, and new landscape planting proposals.
  - Re-alignment of drainage lines within the site.
  - Major site infrastructure proposals, including drainage works.
  - Vehicle access to the site [rewording for clarity]and any proposed [rewording for clarity]improvements to ~~the~~ [rewording for clarity]external roads. ~~proposed~~ [rewording for clarity]
  - Vehicle manoeuvring and access ways within the site.
  - Car parking and truck parking areas.
  - Proposed buildings and works within each development stage showing the [rewording for clarity] existing buildings to be retained or removed~~,~~ and the

[rewording for clarity] new buildings and manufacturing [rewording for clarity] processes ~~involved~~proposed for these buildings. [rewording for clarity]

- The proposed [rewording for clarity] use of all other [rewording for clarity] buildings and works and other parts of the site.
- Materials and finishes for new buildings and works. [rewording for clarity]

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

LOW DENSITY RESIDENTIAL ZONE DEVELOPMENT PLAN – SIMONS LANE

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

None specified.

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

The following conditions and/or requirements apply to permits:

- All residential development should be serviced with reticulated water and sewerage.
- If sewerage infrastructure cannot be provided, a Land Capability Assessment report must be submitted demonstrating:
  - Compliance with sState [rewording for clarity] and local policies on effluent and stormwater disposal.
  - That the -[rewording for clarity] soil type and environmental conditions can treat the number of proposed effluent disposal systems from the site.
- A permit for residential subdivision must include the following conditions:
  - The sealing of the unsealed road surface of Simons Lane between Ditchley Court and the immediate western side of the Rail Trail crossing to the satisfaction of the responsible authority.
  - The provision of a nominally 2.5m wide crushed rock footpath with associated infrastructure along the northern side of Simons Lane between the Rail Trail and the South Gippsland Highway to the satisfaction of the responsible authority.
  - A section 173 Agreement to be registered on each title to be created which identifies abuilding envelope and stormwater retention areas and measures.
- A planning permit for residential subdivision must consider the requirements and conditions of the Roads Corporation (VicRoads).
- A planning permit for residential subdivision must consider the requirements and conditions of the Country Fire Authority.

4.0 Requirements for development plan

XX/XX/XXXX CXXXsgip

17/10/2024 C129sgip

A development plan must include the following requirements:

- ~~Provide~~ Aa [rewording for clarity] subdivision layout plan that allows for the creation of two road access points onto Simons Lane to service the future residential development of the land to the north of the Low Density Residential Zone avoiding, where possible, creation of cross type intersections with existing roads south of Simons Lane.
  - The western road access point should be located more than 150m west of the intersection of Ditchley Court.

- The eastern access point should be located at least 80m east of the ridge line (road crest) east of Ditchley Court

- Describe the relationship of developments proposed on the land to existing and proposed developments on adjoining land.
- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Provide appropriate arrangements for the provision of necessary physical infrastructure.
- Provide a Stormwater Management Plan detailing how stormwater will be managed within each lot to be created and between the subject land and declared waterways, including off site physical infrastructure where required.
- Identify the staging (if proposed) and anticipated timing of development.
- Provide a subdivision layout that does not compromise the future provision of a shared pedestrian / cycle path on the northern side of Simons Lane in front of the land to be subdivided.

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO5**.

NYORA RESIDENTIAL DEVELOPMENT TRANSITION AREA

1.0
25/07/2019
C121sgip

Objectives

None specified.

2.0
25/07/2019
C121sgip

Requirement before a permit is granted

A permit may be granted before a development plan is approved for any use or development permissible in a residential zone, excluding:

- The subdivision of land, except where the subdivision is undertaken by the Crown, a public authority, infrastructure utility service provider or Council.
- The development of a lot for a second or subsequent dwelling(s).

A permit must not be issued for the residential subdivision of land until the land can be serviced by reticulated sewerage.

3.0
17/10/2024 C129sgip
XX/XX/XXXX CXXXsgip

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

An application for a planning permit must be accompanied by a town planning report prepared by a suitably qualified person, outlining how the permit application responds to the Municipal Planning Strategy and Planning Policy Framework of the South Gippsland Planning Scheme, Clause 56 of the Particular Provisions (Residential subdivision) and the provisions and requirements of the approved development plan. An engineering report is required to demonstrate compliance with Council's Infrastructure Design Manual.

A planning permit must be generally in accordance with the approved development plan.

A planning permit must include any conditions or requirements needed to give effect to the contents of the approved development plan.

4.0
XX/XX/XXXX CXXXsgip
17/10/2024 C129sgip

Requirements for development plan

~~Any development plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.~~

~~Any approved development plan may be amended to the satisfaction of the responsible authority.~~ [removing redundant/unnecessary directions]

A development plan must include the following requirements:

Site Analysis and Design Response

- A site analysis and design response for the subject land (including details of the adjoining land, including land outside of the development plan area) displaying the existing lot configuration, the location and use of buildings on each lot, vegetation, drainage waterways and related infrastructure, environmental features, roads, paths and other public infrastructure.

Road and Pedestrian Network

- A subdivision layout pattern that provides a safe and efficient road network appropriately integrated with the existing road network. The layout should provide
- for the creation of an east/west road connection between Walters Road, Henley Street and Davis Street. Road access
- must be provided west from Walters Road into the Future Residential Area identified in the Nyora Framework Plan.
- A safe and convenient pedestrian and cycling network along main internal and external roads that creates appropriate links with the surrounding residential areas and open space. Continuous pathway connectivity must be provided between Grundy Avenue and the Future Residential Area west of Walters Roads.
- The road and pedestrian network plan must be supported by a Traffic Impact Assessment and Management Plan prepared by a suitably qualified person. The Plan must respond to Council's Infrastructure Design Manual and provide detailed costings for all infrastructure to be provided on public land.

Stormwater / Drainage

- A stormwater and drainage management plan prepared by a suitably qualified person that demonstrates/provides:
- Integrated stormwater management planning across the subject land, including consideration of impacts outside of the subject area likely to occur as a result of development. For land adjoining or creating connections to Walters Road and Henley Street, the Plan must specifically address improvements to stormwater management in the Walters Road and Henley Street road reserves.
- Water Sensitive Urban Design principles (in accordance with Melbourne Water requirements) where appropriate.
- A response that meets or exceeds the requirements of the State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the background document Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999) as amended.
- Identification of waterlogged areas not suited to development.
- A response to the infrastructure and payment levy requirements of Melbourne Water.
- A response to Council's Infrastructure Design Manual and detailed costings for all works to occur on public land.

Off-site Infrastructure Provision / Developer Contribution

Significant development and community public infrastructure upgrades are required to support new development in Nyora. In consultation with the ~~Responsible Authority~~responsible authority [rewording MDF&C] the development plan must include a clear commitment by the landowner / developer to provide contributions to improving development and community infrastructure on public land in Nyora. The development plan must include a report specifying details and costings for the provision of off-site infrastructure resulting from the subdivision of the land. The report will form the basis for a section 173 Agreement, or other development contributions mechanism, to be executed before a permit is issued for the subdivision of land.

Environment

- A flora and fauna report prepared by a suitably qualified person that:
  - Identifies vegetation on the land, its health and significance to the locality, measures required to protect vegetation and the identification of any vegetation to be removed.
  - Provides a landscape plan for new subdivisions.
  - Identifies the location / habitat of the Giant Gippsland Earthworm and any other significant species in the locality, including details of measures to protect significant fauna.
  - Appropriate development separation to declared waterways and natural drainage lines.

Urban Design

- A subdivision layout and design that seeks to protect the small rural township character of Nyora by incorporating design measures including, but not limited to:
  - The creation of larger lots on land fronting main roads and connector roads. The lots should allow for generous development setbacks and side boundary separation between adjoining dwellings.
  - Active frontage to main roads and connector roads and the avoidance of internally-facing subdivisions resulting in rear fence lines adjoining roads.
- The creation of areas within road reserves and public spaces that allow for the planting of canopy trees.

General

- The provision of open space.
- Staging of subdivision – if intended.
- Identification of infrastructure servicing constraints and opportunities.

Staging of the Development Plan

The development plan may be approved in stages. Each development plan stage must represent a logical land unit bounded by roads or the ~~bounderies~~boundaries [correcting typo] of the Development Plan Overlay map area. For example, the area east of Davis Street, or the area between Henley Street and Walters Road may be approved as separate development plan stages. Smaller stages within these areas may be approved if the ~~Responsible Authority~~responsible authority [rewording MDF&C] is satisfied that integrated and orderly planning can be achieved, addressing all of the matters set out in this development plan schedule.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~
XX/XX/XXXX CXXXsgip

SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6**.

KORUMBURRA RESIDENTIAL GROWTH AREAS

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~
XX/XX/XXXX CXXXsgip

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority ~~Responsible Authority~~ [rewording MDF&C] for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future orderly development of the general area affected by the Development Plan Overlay to the satisfaction of the responsible authority ~~Responsible Authority~~ [rewording MDF&C].
- The use and development of land for agriculture provided it is minor in nature and does not prejudice the future residential use and development of the land, or the residential amenity of surrounding areas.
- The use, development & subdivision of land by a public authority or utility provider.

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~
XX/XX/XXXX CXXXsgip

The following conditions and/or requirements to apply to permits:

Before deciding on an application to subdivide land, construct buildings, or carry out works, the ~~Responsible Authority~~ responsible authority [rewording MDF&C] must consider, as appropriate:

- Whether the development of the land is occurring in an efficient and orderly manner having regard to essential services, community facilities, open space and roads.
- The potential for future re-subdivision.
- The interface between proposed and existing nearby developments, to reduce the chance of conflicting developments, especially in relation to the industrial zoned land north of Bena Road.
- The need to minimise access points to Jumbunna Road.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing and staging of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The consistency of the proposed development with the adopted Korumburra Structure Plan, where relevant.
- Any other matter, as deemed appropriate by the ~~Responsible Authority~~responsible authority [rewording MDF&C], which the development plan should take account of based on the specific character of the land.

- The requirement for building envelopes, agreements or covenants to be registered on newly created titles to achieve the lot development restrictions set out in the development plan.
- An assessment against the requirements of Clause 56 of the South Gippsland Planning Scheme.

Development and community infrastructure

Prior to the issuing of a Statement of Compliance (or otherwise agreed to in writing by the ~~Responsible Authority~~responsible authority [rewording MDF&C]), the landowners may enter into an agreement with the ~~Responsible Authority~~responsible authority [rewording MDF&C] pursuant to Section 173 of the Planning and Environment Act 1987 or other mechanisms approved by Council. Any such agreement should make provision for contributions to be made by the owners towards the provision of development and community infrastructure on public land (including the provision of land and/or the payment of financial levies) required as a consequence of the subdivision of the land.

Fencing Requirement

Fencing on sensitive interfaces (existing residential zoned land bordering DPO6) is to be a minimum1.8m high solid fence to be provided at the developer's expense prior to the issue of Statement of Compliance on the subdivision of the land. The location and type of fencing may be varied subject to the approval of the responsible authority.

4.0

XX/XX/XXXX CXXXsgip

~~17/10/2024 C129sgip~~

XX/XX/XXXX CXXXsgip

Requirements for development plan

A development plan must include the following requirements:

- The development plan must be prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C].
- The development plan may be approved in stages. Each development plan stage must represent a logical land development unit bounded by roads, natural features or the boundaries of the Development Plan Overlay map area.

The development plan must show / provide:

Land use and subdivision layout

- The proposed boundaries of the development area and provide the strategic justification for those boundaries.
- The overall subdivision of the area, including where possible, the proposed size and density of allotments which provide opportunities for a diverse range of housing types.
- The provision of a sensitive residential interface with adjoining residential land. Lots directly adjoining the Low Density Residential Zone (LDRZ) must include a rear setback of a minimum of 7 metres from the zone boundary to any new structure, with a minimum of a 3 metre wide landscape buffer along the zone boundary, or alternative, determined to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C].
- Street network that:
  - Limits the creation of new road access points onto Jumbunna Road and support building frontages with two way surveillance.
  - The overall pattern of development of the area, including any proposed re-zoning of land and proposed land uses.

- A staging plan that demonstrates an efficient and orderly provision of infrastructure and services
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to adjoining communities (including existing and future areas included in the DPO), local destinations or points of local interest, activity centres, community hubs, open spaces and public transport.
- The provision of any commercial facilities and the extent to which these can be co-located with community and public transport facilities to provide centres with a mix of land uses and develop vibrant, active, clustered and more walkable neighbourhood destinations.

Industrial Zone interface

For subdivision and development north of Foster Creek an interface management plan is to be provided which specifies a design response and specific building and lot controls including, where required, controls to address amenity concerns related to noise, odour, vibration and lighting arising from legally occurring industrial activities within the Industrial 1 and Industrial 3 Zones. This may be executed via a Section 173 Agreement.

Earthworks and Land Form

- Where steeply sloping land exists on the site, the development plan shall detail how the proposed design responds to the topography and contours of the land, and whether significant earthworks are likely to be required for subdivisions to ensure good development design outcomes are achieved.
- Where land exceeds a slope of 20% a geotechnical report must be prepared by an appropriately qualified person demonstrating the suitability of the land for development. The report must provide sufficient detail to ensure that [rewording for clarity] environmental, access and amenity issues are appropriately addressed. The report should detail whether building envelopes or other controls are likely to be required at the subdivision stage.

Infrastructure Services

- An integrated stormwater and flood management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- A comprehensive Traffic Impact Assessment prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C] in consultation with the Roads Corporation that identifies existing and post development traffic generation, distribution and associated analysis and the pattern and location of the major arterial road network of the area including existing roads and the location and details of any required:
  - road widening
  - signalised/unsignalised intersections
  - access points
  - pedestrian crossings or safe refuges
  - cycle lanes
  - bus lanes and stops

- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points in accordance with background documents *South Gippsland Paths and Trails Strategy 2010 (as amended)* and *South Gippsland Open Space Strategy 2007 (as amended)*. The internal road network must specifically provide for the potential for internal road connectivity to the existing dwelling lots that have potential for further subdivision.
- In consultation with relevant agencies and authorities, provision of public transport stops where appropriate within easy walking distance to residential dwellings and key destinations. Stops should also be located near active areas where possible.
- Identification of costs for infrastructure provision both onsite and offsite

Open Space and Landscaping

- The location and size of the proposed open spaces that cater for a range of user groups and provide a variety of functions that perform both an active and passive role for recreation, as appropriate.
- Public open spaces designed to provide:
  - The inclusion of pedestrian and cycle paths and play equipment, that encourage active recreational opportunities.
  - Opportunities for visual surveillance to promote safety of users, through encouraging active frontages, using buildings to frame public spaces and locating open spaces within or adjacent to activity centres where possible.
- A landscaping plan, prepared by a suitably qualified person, identifying all proposed landscaping with particular regard to the interface with surrounding residential and industrial developments, open space and roads. The landscape plan must include canopy tree plantings within both the internal and external road network to soften the visual impact of new development when viewed from within and outside the development area. The landscape plan must provide a high level of detail where new development is adjoining Jumbunna Road, Bena Road and new Connector Street – Level 1 roads, especially in areas where new development is inward facing and not addressing the road.

Community Infrastructure and Meeting Places

- Provision for access and social interaction, particularly where this encourages physical activity. For example:
  - Consider the need for public amenities, including toilets and bicycle parking at key destinations in accordance with the background document *Path and Trails Strategy 2010 (as amended).*
  - The pattern and location of pedestrian and bicycle paths should provide safe and practical access to and from community facilities and meeting places.
  - Spaces should be designed to accommodate community events.
  - Consider the need for onsite community facilities or where required, upgrades and contribution to offsite community infrastructure.

Flora and Fauna

- In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited

to species surveys for Gippsland Giant Earthworm, and measures required to protect the identified species.

- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation, including the provision of any offsets if required.
- Regard must be had to the background document *West Gippsland Native Vegetation Plan 2003. (as amended).*

Cultural Heritage

- A cultural heritage assessment including how cultural heritage values will be managed.

Land Contamination

An investigation by an appropriately qualified person of the potential location and forms of land contamination resulting from previous land uses, as well as measures to address contamination in areas where sensitive land uses are proposed. The investigation must consider, but not be limited to, agricultural chemical use, informal land dumping, industrial & mining activities.

~~Process and Outcomes~~Implementation Plan [rewording for clarity]

~~The development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority.~~ [removing redundant / unnecessary directions]

An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the development and timing of infrastructure provision.

~~The approved development plan may be amended to the satisfaction of the Responsible Authority.~~ [removing redundant / unnecessary directions]

~~Decision guidelines for development plan~~ [removing redundant / unnecessary directions]

~~Before deciding on a development plan, the Responsible Authority must be satisfied that the plan has regard to the information contained within the following background documents:~~

- ~~*Victoria's Native Vegetation Management: A Framework for Action 2002*~~
- ~~*Healthy by Design: a planners' guide to environments for active living®, (National Heart Foundation of Australia - (Victorian Division, 2004) or as amended;*~~
- ~~*South Gippsland Path and Trails Strategy 2010 (as amended).*~~
- ~~*South Gippsland Open Space Strategy 2007 (as amended).*~~
- ~~*Korumburra Structure Plan 2010 (as amended)*~~ [removing redundant / unnecessary directions]

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 7 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO7**.

JUMBUNNA ROAD RESIDENTIAL AREA

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

XX/XX/XXXX CXXXsgip ~~25/07/2019 C121sgip~~

A permit may be granted before a development plan has been prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C] for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future orderly development of the general area affected by the Development Plan Overlay to the satisfaction of the ~~Responsible Authority~~responsible authority. [rewording MDF&C]
- Buildings and works associated with the Jumbunna Road bus depot provided the buildings and works are contained within the established development footprint or immediate surrounds to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C]
- The use and development of land for agriculture provided it is minor in nature and does not prejudice the future residential use and development of the land, or the residential amenity of surrounding areas.
- The use, development & subdivision of land by a public authority or utility provider

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip ~~17/10/2024 C129sgip~~

The following conditions and/or requirements apply to permits:

Before deciding on an application to subdivide land, construct buildings, or carry out works, the ~~Responsible Authority~~responsible authority [rewording MDF&C] must consider, as appropriate:

- Whether the development of the land is occurring in an efficient and orderly manner having regard to essential services, community facilities, open space and roads.
- The potential for future re-subdivision.
- The interface between proposed and existing nearby developments, to reduce the chance of conflicting developments, including in relation to the Bus Depot site.
- The need to minimise access points to Jumbunna Road.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing and staging of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The consistency of the proposed development with the adopted Korumburra Structure Plan, where relevant.

Any other matter, as deemed appropriate by the ~~Responsible Authority~~responsible authority [rewording MDF&C], which the development plan should take account of based on the specific character of the land.

The requirement for building envelopes, agreements or covenants to be registered on newly created titles to achieve the lot development restrictions set out in the development plan.

- An assessment against the requirements of Clause 56 of the South Gippsland Planning Scheme.

Development and community infrastructure

Prior to the issuing of a Statement of Compliance (or otherwise agreed to in writing by the ~~Responsible Authority~~responsible authority [rewording MDF&C]), the landowners may enter into an agreement with the ~~Responsible Authority~~responsible authority [rewording MDF&C] pursuant to section 173 of the Planning and Environment Act 1987 or other mechanisms approved by Council. Any such agreement should make provision for contributions to be made by the owners towards the provision of development and community infrastructure on public land (including the provision of land and/or the payment of financial levies) required as a consequence of the subdivision of the land.

Bus Depot development requirements

Any planning permit which creates residential lots or approves a sensitive use in the DPO7 area within 50 metres of the Jumbunna Road bus depot site may include a condition to restrict (through an appropriate restriction on title) the use of these lots for dwellings or other sensitive uses until such time as the bus depot is no longer in operation and its existing use rights are expired.

The following requirement applies to the use or development of the Jumbunna Road bus depot site:

Before a sensitive use (e.g. residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1979 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Fencing requirement

A planning permit which creates residential lots adjoining land in the Low Density Residential Zone or Lot 1 LP134693 or Lot 3 LP135303 must include a condition requiring fencing along the boundary of these lots. The fence must be a solid fence ~~Fencing must be~~ a minimum 1.8m high. ~~high solid fence~~ [rewording for clarity] The fence is to be provided at the developer's expense and constructed prior to the issue of Statement of Compliance for the subdivision of the land.

4.0 Requirements for development plan

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

A development plan must include the following requirements:

The development plan must be prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C].

The development plan may be approved in stages. Each development plan stage must represent a logical land development unit bounded by roads, natural features or the boundaries of the Development Plan Overlay map area.

The development plan must show / provide:

Land use and subdivision layout

- The proposed boundaries of the development ~~area, and~~area and ~~provide~~ [rewording for clarity] the strategic justification for those boundaries
- The overall subdivision of the area, including where possible, the proposed size and density of allotments ~~which~~ to [rewording for clarity] provide opportunities for a diverse range of housing types.
- The provision of a sensitive residential interface with adjoining residential land and ~~the~~ [rewording for clarity] school site.

Lots directly adjoining the Low Density Residential Zone (LDRZ) should have a minimum rear boundary width at the LDRZ boundary of an average of 20m and not less than 18 metres and avoid ~~(where possible)~~ [rewording for clarity] the creation of more than 2 new lots directly adjoining each established LDRZ lot~~s~~.

Buildings must be setback a minimum of 7 metres [rewording for clarity] from the zone boundary.

For lots with a primary frontage to Jumbunna Road and Sommers Crescent, provide:

- A ~~M~~minimum lot frontage of 18 metres [rewording for clarity]
- A m~~M~~inimum building front setback of 7 metres [rewording for clarity]
- ~~The provisions of A~~a 2.5 metre wide reserve that is ~~(~~[rewording for clarity] unencumbered by landscaping or development~~)~~ adjoining the southern side of Jumbunna Road, to facilitate future widening of the shared pedestrian footpath to the school.
- A street network~~s~~[rewording for clarity] that:
  - limits the creation of new road access points onto Jumbunna Road and
  - supports building frontages with two way surveillance.
- The overall pattern of development of the area, including any proposed re-zoning of land and proposed land uses.

Infrastructure Services

- An integrated stormwater and flood management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- A comprehensive Traffic Impact Assessment prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C], in consultation with the Roads Corporation, that identifies the pattern and location of the major arterial road network of the area including existing roads and the location and details of any required:
  - road widening
  - signalised/unsignalised intersections
  - access points
  - pedestrian crossings or safe refuges
  - cycle lanes
  - bus lanes and stops

Earthworks and Land Form

- Where steeply sloping land exists on the site, the development plan shall detail how the proposed design responds to the topography and contours of the land and whether
- significant earthworks are likely to be required for subdivisions to ensure good development design outcomes are achieved.
- Where land exceeds a slope of 15% a geotechnical report must be prepared by an appropriately qualified person demonstrating the suitability of the land for development. The report must provide sufficient detail to ensure that [rewording for clarity] environmental, access and amenity issues are appropriately addressed. The report should detail whether building envelopes or other controls are likely to be required at the subdivision stage.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO8**.

RESIDENTIAL GROWTH AREA (NORTH WEST KORUMBURRA)

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

A permit may be granted before a Development Plan has been prepared to the satisfaction of the ~~Responsible Authority~~responsible authority [rewording MDF&C] for a minor extension, minor addition or minor modification to an existing development, boundary realignment, agricultural activity, vegetation removal or any other use that does not affect the future orderly development of the area affected by the Development Plan Overlay.

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

The following conditions and/or requirements apply to permits:

Before deciding on an application to subdivide land, construct buildings, or carry out works, the ~~Responsible Authority~~responsible authority [rewording MDF&C] must consider, as appropriate:

- The requirement for building envelopes on any plan of subdivision for lots that abut 33 Korumburra-Warragul Road
- An appropriate mechanism to identify and apportion costs of land and services as development occurs, by way of Section 173 Agreement or alternative means.

4.0 Requirements for development plan

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

A development plan must include the following requirements:

General Requirements

- How the development of the land occurs in an orderly manner having regard to essential services, open space and roads.
- The timing and staging of the subdivision of the land.
- The potential for further subdivision of individual lots to negatively impact neighbourhood character.
- The interface between proposed and existing nearby developments.

Land use and subdivision

- Details of the interfaces with neighbouring uses of land.
- Any noise mitigation requirements associated with proximity to the South Gippsland Highway and Korumburra - Warragul Road.
- The overall subdivision of the area, including where possible, the proposed size and density of allotments which provide opportunities for a diverse range of housing types.
- Street network that:

- Limits the creation of new road access points onto Korumburra - Warragul Road
- Support building frontages which promote passive surveillance of the street network.

- A staging plan that demonstrates an efficient and orderly provision of infrastructure and services.

Earthworks and Land Form

- Where land with a slope of more than 10% exists on the site, the Development Plan shall detail how the proposed design responds to the topography and contours of the land and whether significant earthworks are likely to be required for subdivisions to ensure good development design outcomes are achieved.
- Where land exceeds a slope of 15% a geotechnical report must be prepared by an appropriately qualified person demonstrating the suitability of the land for development. The report must provide sufficient detail to ensure that [rewording for clarity] environmental, access and amenity issues are appropriately addressed. The report should determine whether building envelopes or other controls are likely to be required at the subdivision stage.

Infrastructure Services

- An integrated Stormwater Management Plan that incorporates water sensitive urban design techniques and provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, reduction/mitigation of run-off and peak flows including consideration of downstream impacts and how they may be affected by roadworks to neighbouring properties.
- A comprehensive Traffic Impact Assessment that identifies the pattern and location of the major arterial road network of the area including existing roads and the location and details of any required:
  - road widening
  - intersections
  - access points
  - pedestrian crossings or safe refuges
  - cycle lanes
- The pattern and location of any internal road system based on a safe and practical hierarchy that accounts for pedestrian and bicycle connections and crossing points.
- Identification of costs for infrastructure provision both onsite and offsite.

Open Space

- The location of any open space reserves and details of the provisions of building / works / equipment within the open space. Open space should be located on a flatter area of land and capable of easy drainage.

Flora and Fauna

- In consultation with the Department of Environment, Land Water and Planning, a Flora and Fauna Assessment, prepared by a suitably qualified expert(s) which includes, but is not limited to, species surveys for Gippsland Giant Earthworm and measures required to protect the identified species.

Land Contamination

- An investigation by an appropriately qualified person is required, which considers the potential location and forms of land contamination resulting from previous land uses, as well as measures to address contamination in areas where sensitive land uses are proposed. The investigation must consider but not be limited to, agricultural chemical use, informal land dumping, industrial & mining activities. This can initially take the form of a limited desktop study, although ~~but~~[rewording for clarity] further detailed investigation may be required should there be sufficient concern of a risk to sensitive uses of the land, as determined by the ~~Responsible Authority~~responsible authority. [rewording MDF&C]

~~Process and Outcomes~~Implementation Plan [rewording for clarity]

An Implementation Plan must be submitted as part of the Development Plan, indicating the proposed staging of the development and timing of infrastructure provision.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

WESTERN LEONGATHA RESIDENTIAL GROWTH AREA

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- The use and development of land for Agriculture that does not prejudice the future residential use and development of land, or residential amenity of surrounding areas.
- A fence.
- The removal, destruction or lopping of vegetation.
- Minor drainage and/or earthworks.

3.0 Conditions and requirements for permits

XX/XX/XXXX CXXXsgip

17/10/2024 C129sgip

The following conditions and/or requirements apply to permits (unless specifically otherwise agreed to by the responsible authority):

A planning permit application for the subdivision or development of the land in accordance with the approved development plan must include a town planning report prepared by a suitably qualified person demonstrating how the permit application addresses the requirement of the planning scheme and the approved development plan. The report must specifically demonstrate how the subdivision of land responds to and facilitates the integrated development of the entire DPO9 area.

- Where subdivision creates lots adjoining Shingler Street (Old Korumburra Road) and Gibson Street, a condition requiring construction of a 2.5 metre wide shared pathway adjoining the land being subdivided.
- Where the development plan identifies minimum lot size and boundary setback requirements on steep sloping land, a permit condition requiring the restrictions are registered on the lot titles to be created by the subdivision via covenant, Section 173 Agreement, restriction on a plan of subdivision or other mechanism as agreed to by the responsible authority.
- An appropriate mechanism to identify and apportion development costs of land and services, payable by the developer or landowner commensurate with each stage of development, by way of Section 173 Agreement or alternative means agreed by the responsible authority.
- The provision of infrastructure, open space and landscaping maintenance periods in accordance with Council's Infrastructure Design Manual.

Planning permit applications for each residential subdivision stage must consider the views of the Department of Transport and Planning ~~in~~ regard[ings ~~to~~ [rewording for clarity]] the potential impact of additional traffic movements on the major arterial road network.

4.0
25/07/2019
C121sgip

Requirements for development plan

Development plan explanatory note:

The residential development of the land in DPO9 is anticipated to occur over an extended period of time. Accordingly, flexibility is beneficial for the timing of when highly specific development plan information is required to be provided. However to achieve integrated, coordinated development across the entire area it is important that a 'Whole of site development plan' be approved to establish key development principles before any smaller stage of the development plan is approved. This process will ensure that each stage has appropriate regard to the complete development of the DPO9 land.

A development plan must include the following requirements:

Whole of site development plan

Before a development plan stage is approved, a 'Whole of site development plan' must be prepared by the developer and approved by the responsible authority.

Before approving the 'Whole of site development plan' the responsible authority will seek and consider the views of residents and landowners in the immediate area and other relevant stakeholders.

The plan must consider all land in DPO9 and should be guided by Council's Infrastructure Design Manual 'Outline Development Plans' objectives and requirements. The plan must be based on a site analysis and design response and provide (at minimum):

- A Traffic Impact Assessment Report addressing the location of Connector Streets across the land, road intersections around the boundaries of the land, how the road network integrates and impacts the existing road network including the major arterial road network (details of road and intersection upgrading that may be required, including concept plans), the provision of road connectivity to the west and south of the DPO9 area, pedestrian and cycle connectivity, costings of off-site infrastructure upgrades. The report must specifically consider:
  - Upgrading of Worthy Street (west of Brown Street) to achieve Connector Street access standard and the timing (related to staging) when upgrading will be required.
  - Traffic impacts on the arterial road network and specifically the intersections of Worthy Street/Bass Highway and Shingler Street/South Gippsland Highway and the timing (related to staging) when any upgrades might be required.
- A Stormwater Management Plan (SMP) detailing the location and size of drainage reserves, drainage retardation and treatment systems with consideration to water sensitive urban design (WSUD) principles. The SMP must consider off-site drainage impacts and/or infrastructure upgrades that may be required in a full development scenario and indicate at which stage the requirements are to be carried out. The SMP must specifically consider and respond to stormwater requirements in waterways and easements on public and private land east of Gibson Street and south of Higg Street.
- The location of active and passive open space addressing (at minimum) the open space provisions and requirements of the planning scheme and specifically identifying land the developer will provide as a flat 'active open space' area unencumbered by drainage requirements. The active open space reserve should be located on a connector street and have active frontage wherever possible. Details of the staging (timing) of all open space provision is required.
- Staging details of future land rezoning and/or subdivision stages within rezoned land.
- An assessment against the residential subdivision provisions of the planning scheme.

The 'Whole of site development plan' may be amended with the written consent of the responsible authority.

Development plan

The development plan may be approved in stages, to the satisfaction of the responsible authority. A development plan stage must not be approved until the 'Whole of site development plan' has been approved by the responsible authority.

Before approving a development plan the responsible authority will seek and consider the views of residents and landowners in the immediate area and other relevant stakeholders.

SOUTH GIPPSLAND PLANNING SCHEME

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

NYORA URBAN RESIDENTIAL GROWTH AREA (SOUTH OF GLOVERS ROAD)

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- A minor extension, minor addition or minor modification to an existing development.
- Minor drainage works.
- Minor earthworks.
- The use and development of land for agriculture.
- The use, development or subdivision of land by a public authority or utility provider.
- The re-subdivision of existing lots (boundary realignment) provided the number of lots is not increased.
- A fence.
- The removal, destruction or lopping of vegetation.

3.0 Conditions and requirements for permits

17/10/2024 C129sgip

The following conditions and/or requirements apply to permits:

- Planning permit applications for the subdivision or development of the land must include a town planning report prepared by a suitably qualified person demonstrating how the permit application addresses the relevant requirements of the Planning Scheme and the approved Development Plan.
- Planning permit applications for residential subdivision must include a report prepared by a suitably qualified person demonstrating the need for the release of additional residential land.
- Planning permits for residential subdivision (excluding lots to be further subdivided at a future stage) must include a condition requiring all lots to be connected to a reticulated sewerage system to the satisfaction of the responsible authority.
- Planning permits for residential subdivision which creates lots that retain clusters of native vegetation (particularly vegetation adjoining Glovers Road and riparian vegetation) must include the following conditions:
  - Building envelopes must be identified for each lot. The building envelopes must be located in areas free of native vegetation and appropriately separated from the vegetation to reduce bushfire risk to building and occupant. The building envelopes must be registered on the title to each lot via covenant, Section 173 Agreement or restriction on a plan of subdivision.
  - The lots which retain native vegetation stands/clusters that adjoin Glovers Road must not be further subdivided. This restriction must be registered on the title to each lot via covenant, Section 173 Agreement or restriction on a plan of subdivision.

- Planning permits for the subdivision of land which create lots directly adjoining the boundary of established residential lots along Hatches Road must include a condition requiring a 4 metre wide amenity buffer. The amenity buffer must be registered on the title to each lot via covenant, Section 173 Agreement or restriction on a plan of subdivision.
- Planning permits for the residential subdivision of land which creates lots immediately adjoining lots within the Low Density Residential Zone must include a condition requiring fencing along the boundary of these lots. Unless specifically agreed otherwise with an adjoining landowner, fencing must be a minimum of 1.8 metre high solid fence. The fence is to be constructed at the developer's expense and constructed prior to the issue of Statement of Compliance for the subdivision of the land.
- The subdivision lot size, configuration and setback requirements set out in the 'Requirements for development plan' below, or special subdivision design requirements identified in the approved Development Plan, must be included as a planning permit condition for the subdivision of the land and executed via a covenant, Section 173 Agreement or restriction on a plan of subdivision.
- The planning permit for the first residential subdivision adjoining (fronting) Lang Lang Poowong Road or service road, must include a condition requiring the construction of a shared pathway no less than 2.5 metres wide along Lang Lang Poowong Road between the subject land and Forster Drive.
- Planning permits for development over or adjoining dams must include conditions that:
  - Set out requirements to remediate the dams.
  - Require the submission of an engineer's report to confirm that remediated dams are suitable for the intended development.
- Planning permits for the subdivision of land must include a condition requiring the provision of infrastructure, open space and landscaping maintenance periods in accordance with the Infrastructure Design Manual (as amended).
- Planning permits for the development of land on lots greater than 800sqm must include a condition requiring a minimum front setback of 7 metres and 3 metres setback from any side road boundary.

4.0

XX/XX/XXXX CXXXsqip ~~17/10/2024 C129sgip~~

Requirements for development plan

A development plan must include the following requirements:

- ~~Be prepared to the satisfaction of the responsible authority.~~ [removing redundant/unnecessary directions]
- Be prepared for the entire land parcel to which this schedule applies.
- Be informed by a detailed site analysis and design response and include the requirements of Clause 56.01-1 and 2. The site analysis and design response should respond to the natural, cultural and strategic context of the site.

The Development Plan must include/show:

Layout

- The location of lots, lot sizes and density.
- A diversity of lot sizes, with the overall development having an average lot size of 700 – 800 sqm.
- The location and layout of all key features of the land.

- The provision of larger lots (greater than 800 square metres and with frontages of not less than 20 metres) located along the southern boundary (adjoining Lang Lang – Poowong Road) and the western boundary (adjoining Yannathan Road) of the subject land and adjoining internal 'Connector Street'.
- Allowance for the creation of lots in excess of 2,000sqm in areas containing good quality native vegetation stands particularly adjoining Glovers Road.
- Building envelopes on lots that retain clusters of native vegetation must be appropriately separated from the vegetation to reduce bushfire risk.
- The provision of lots along Lang Lang Poowong Road and Yannathan Road must front and address these roads and are strongly discouraged from being side or rear facing lots.
- The provision of lots within the area directly adjoining the boundary of the established residential lots along Hatches Road must include:
  - A minimum building setback of 7 metres from the adjoining Low Density Residential Zone boundary.
  - A 4 metre wide amenity buffer for landscape planting.
  - No more than two new lots directly adjoining the rear boundary of established residential lots fronting Hatches Road.
  - A lot size of no less than 1,000 square metres.
  - One new lot directly adjoining the rear boundary of 16 Hatchs Road (Lot 2 PS543620).
- A layout which responds to the existing waterways, riparian vegetation and other native vegetation stands across the land.
- A layout which ensures the retention[correcting typo] of prominent stands of existing native vegetation on public land (i.e within road reserves, drainage reserves or local parks), where appropriate including:
  - Along the major drainage line through the site.
  - Within the road reserve of Lang Lang Poowong Road and Yannathan Road.
  - At the north-west corner of Lot 1 LP213970 that is visible along Yannathan Road when approaching the town.
  - Within the Glovers Road road reserve.
- At prominent high points of the land, a subdivision road layout which provides for road reserves configured to allow canopy tree planting in widened verge strips or central median strips to soften the visual impact of buildings when viewed from surrounding areas. This does not apply if high points are located within proposed open space areas.
- A layout which provides for a 'Connector street level 1' road and a intersection with Lang Lang Poowong Road and Yannathan Road to the satisfaction of VicRoads and the responsible authority.
- A layout which provides for a 2.5 metre wide pedestrian/cycle path along Lang Lang Poowong Road between the subject land and Forster Drive.
- A layout which provides for a minimum of two pedestrian/cycle connections to Glovers Road, one of which is to be located from Lot 12 LP148069B.
- A layout which provides for a road network that delivers a safe, permeable and convenient road network. Cul-de-sacs should only be provided where necessary and should not detract from convenient pedestrian and vehicular connections

Staging Plan

- Details of the proposed staging of subdivision land releasing across the entire area with the land identified in the Nyora Framework Plan map as 'Long Term Residential Area' (east of the waterway) to be identified as 'later stages' in the development of the land at Lot 12 LP148069B. Each identified stage should consist of a logical land unit bound by roads, waterways or natural features, or based on servicing/engineering design, or the boundaries of the Development Plan Overlay map area. Stage 1 should contain no more than 200 lots designed to be used for dwellings.

Infrastructure Services

- A comprehensive Traffic Impact Assessment Report (based on a full development scenario) prepared by a suitably qualified person to the satisfaction of the responsible authority and VicRoads. The report must include:
  - The impact of the development on the existing road network and intersections surrounding the land.
  - Improvements necessary to the facilitate the development of the land, including road widening, access points, pedestrian crossing points and safety refuges, cycle lanes etc.
  - All intersections and roads impacted as a direct consequence of a full development scenario and costings for intersection and road treatments associated with those impacts.
- A Road Hierarchy Plan for the internal road network across the entire development plan area detailing all roads 'Access Street – Level 1' and above. The Road Hierarchy Plan:
  - Should identify a 'Connector Street level 1' road and intersection with Lang Lang Poowong Road and Yannathan Road to VicRoads and the responsible authority's satisfaction.
  - Must identify a shared pathway no less than 2.5m wide along Lang Lang Poowong Road between the subject land and Forster Drive.
  - Must identify a minimum of two pedestrian/cycle connections to Glovers Road one of which is to be located from Lot 12 LP148069B. The access paths should restrict vehicle movements (if proposed as a long term option) until such time as they are upgraded to an appropriate service level.
  - Must provide for a continuous east/west vehicle, pedestrian and cycle movement across the land (at 'Connector Street level 1' standard) with a design/configuration to minimise the use of the internal roads as an alternate vehicle route to the existing main road network. If the continuous east/west route does not cross the main waterway traversing the land, then a road, pedestrian, cycling crossing of the waterway must be provided approximately midpoint along the length of the waterway (at 'Connector Street level 1' Standard) to service the eastern corner of the land.
  - Must address the long term need to retain or close the unmade road reserve to vehicles between the northern end of Hatchs Road and Yannathan Road.
- A subdivision design providing an appropriately sited reserve (justified by the Traffic Impact Assessment Report) capable of becoming a long term future 'Connector Street' with an access point onto Glovers Road. The reserve should allow for logical integration with the subdivision road network however should remain unconstructed and untrafficable until such time as Glovers Road is appropriately constructed or the

- land to the north of Glovers Road is developed in the very long term. The subdivision design should also ensure:
- A pedestrian/cycle pathway network that responds to the waterways and riparian vegetation network across the subject land.
- A street network that supports building frontages with natural surveillance of the street.

Stormwater and Drainage

- A stormwater and drainage management plan prepared by a suitably qualified person that demonstrates:
  - Integrated stormwater management planning across the subject land, including consideration of impacts outside of the subject area likely to occur as a result of development.
  - A response to the Infrastructure Design Manual (as amended) and detailed costings for all stormwater drainage works to occur on public land or outside of the development plan area if directly related to the development.

Open Space and Landscaping

- The location and size of proposed open spaces that can cater for a range of uses for active and passive recreation, including:
  - An area of not less than 4 hectares located on Lot 12 LP148069 in a flatter area of land not affected by waterlogging. The identified area should allow for a sports ground which can accommodate a full size football field where minimal earthworks will be required. The development plan or Staging Plan must identify and commit to the provision of the open space to be delivered at a time to the satisfaction of the responsible authority.~~.~~ [correcting typo]
  - Active open space areas, which are to be made flat and safe for public use by the subdivider/developer prior to their transfer to the responsible authority.
  - Identification of open space areas that are affected by drainage or waterlogging.
  - The provision of a local park between 0.35-0.5 hectares in size on Lot 2 LP213970.
  - Pedestrian and cycle paths and play equipment that encourage active recreational opportunities.
  - Opportunities for visual surveillance of public open space to promote safety of users, through encouraging active frontages, using buildings to frame public spaces.
  - Low scale and visually permeable fencing of open space (whether encumbered or unencumbered).
- Provision for the planning and payment of open space features, which must be made by agreement between the responsible authority and the subdivider/developer prior to the approval of the development plan.
- A landscape masterplan prepared by a suitably qualified person, identifying:
  - All proposed public landscaping (with particular regard to the interface with surrounding residential developments) of all open space areas.
  - Proposed landscaping along the road network and shared paths within or abutting the development plan area.

  - The location of canopy tree plantings within the proposed road network to soften the visual impact of new development when viewed from within and outside the development area.
  - Planting to enable practical maintenance and plants suitable to the local climate and soil conditions.
  - Plantings integrated with the proposed waterways and drainage reserves.
  - All existing vegetation to be retained and removed.
- An arborists report identifying native vegetation to be retained and protected in public spaces and works required for public safety and suitability of retention for open space areas.
- Retention of the treed entry into Nyora along Lang Lang Poowong and Yannathan Roads by incorporating the trees in public land within nature strips or boulevards where appropriate.
- A diversity of streetscape outcomes across the development plan area.

Bushfire

For vegetated areas to be retained, an indicative subdivision plan and building envelope plan which address and responds to the 'Application requirements' of Clause 53.02 and the 'Subdivision objectives' of Clause 53.02-4.4.

The information must be sufficiently detailed to identify bushfire safe building envelopes on lots to be created within 150m of vegetation stands. This information is required to inform the identification of the bushfire building envelopes required in the 'Conditions and requirements for permits'.

Cultural Heritage

Unless otherwise agreed by the responsible authority, a cultural heritage assessment prepared by a suitably qualified heritage consultant.

Land Contamination

A desktop assessment undertaken by an appropriately qualified person that considers the potential location and forms of land contamination resulting from previous land uses. In the case where contamination is identified, the report must consider the measures to address contamination in areas where sensitive land uses are proposed. The investigation must consider, but not be limited to, agricultural chemical use, informal land dumping, industrial or mining activities.

Environment

A flora and fauna report prepared by a suitably qualified person. The report(s) must consider:

- Vegetation on the land, its health and significance to the locality, measures required to protect vegetation and the identification of any vegetation to be removed.
- A survey and assessment of impacts of the proposed development plan layout on the Giant Gippsland Earthworm habitat. This assessment must be conducted by a suitably qualified person to the satisfaction of the Department of Environment, Land, Water and Planning and the responsible authority.

~~Decision guidelines for development plan~~[removing redundant / unnecessary directions]

~~Before approval of the development plan (or development plan stage) or an amendment to the Development Plan, the responsible authority must consider the views of the Country Fire Authority, Melbourne Water, the Department of Energy, Environment and Climate Action, the Department of Transport and Planning, as relevant, and the following background documents:~~ [removing redundant / unnecessary directions]

- ~~*Nyora Structure Plan* (South Gippsland Shire Council, 2013)~~
- ~~*South Gippsland Shire Council Paths and Trails Strategy 2010* (South Gippsland Shire Council, 2010)~~
- ~~*Healthy by Design : A guide to planning environments for active living in Victoria, Melbourne*~~
~~(National Heart Foundation of Australia, Victoria Division, 2012).~~
- ~~*Infrastructure Design Manual (Local Government Infrastructure Design Association, 2022)*~~

[removing redundant / unnecessary directions]

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11**.

BERRYS CREEK ROAD RESIDENTIAL DEVELOPMENT AREA

1.0 Objectives

25/07/2019 C121sgip

None specified.

2.0 Requirement before a permit is granted

25/07/2019 C121sgip

A permit may be granted before a development plan has been prepared for the following:

- Minor drainage works.
- Minor earthworks.
- The use and development of land for agriculture.
- The use, development or subdivision of land by a public authority or utility provider.
- A re-subdivision of existing lots (boundary realignment) provided the number of lots is not increased.
- A fence.
- The removal, destruction or lopping of vegetation.

3.0 Conditions and requirements for permits

17/10/2024 C129sgip

The following conditions and/or requirements apply to permits:

Subdivision applications that create residential lots must be accompanied by:

- A town planning report prepared by a suitably qualified person, demonstrating how the permit application addresses the relevant requirements of the planning scheme and the approved development plan.
- An engineering report demonstrating compliance with the background document *South Gippsland Shire Council's Infrastructure Design Manual*.
- A report addressing the requirements of Clause 52.17 Native Vegetation with consideration of offset requirements in accordance with the background document *Permitted clearing of native vegetation – Biodiversity assessment guidelines (DEPI, 2013).*

Planning permits that create residential lots must include conditions requiring:

- All lots to be connected to a reticulated sewerage system to the satisfaction of the responsible authority.
- Provision of infrastructure, open space and landscaping maintenance periods in accordance with the background document *South Gippsland Shire Council's Infrastructure Design Manual.*
- Construction of footpaths in Berrys Creek Road reserve in accordance with the locations and any staging of footpath provision detailed in the approved development plan.
- Building envelopes or agreements to be registered on residential lot titles to achieve any development restrictions set out in the approved development plan.

4.0
XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

Requirements for development plan

The development plan must be prepared to the satisfaction of the responsible authority. The development plan:

- Must be prepared for the entire land parcel to which the schedule applies.
- Must be informed by a detailed site analysis and design response that responds to the natural, cultural and strategic context of the site.

A development plan must include the following requirements unless otherwise agreed by the responsible authority:

Layout

- Subdivision of the land, which must be designed in an efficient and orderly manner having regard to the provision of services, infrastructure, roads, pathways, open space and reserves.
- Proposed number, location and size of lots.
- Subdivision layout that responds to the topography of the land. Where land slope exceeds:
  - 10 per cent identify where earthworks are required to facilitate development.
  - 15 per cent a geotechnical assessment report prepared by an appropriately qualified person demonstrating the suitability of the land for the development of dwellings and roads and which also considers the requirement to apply building envelopes to avoid development on very steep and/or unstable land.
- A subdivision layout that:
  - Provides at least 30 lots with sizes generally 600-800 square metres.
  - Provides a single access point onto Berrys Creek Road. A second access onto Berrys Creek Road is discouraged, unless justified by a traffic impact assessment report demonstrating why a single access point cannot be used to service the entire land.
  - Restricts lots having direct vehicle access onto Berrys Creek Road. If a lot(s) has direct vehicle access to Berrys Creek Road, demonstrates how this can be achieved in a safe manner to the satisfaction of the responsible authority.
  - Allows continuous vehicle and pedestrian movement across the land, with connectivity across Reserve 1 on PS609443V (sewer reserve lot).
  - Provides a road network that responds to the topography and the contours of the land which minimises large scale excavation, retaining walls or batters particularly if court bowls are proposed.
  - Provides a road network and subdivision layout that ensures future road access point to the land on the western boundary of the subject land.
  - Provides larger lots (greater than 800 square meters) with wider frontages (not less than 20 meters) on steeper land with a cross fall slope (across the narrow axis of the lot) of 10 per cent or greater.
  - Creates no more than five new dwelling lots along the edge of the northern DPO boundary (shared with Lot 2 PS537386). The new lots must have building envelopes that provide for generous setbacks from the Lot 2 PS537386 boundary.

  - Locates open space to maximise its use and effectiveness.
  - Retains existing native vegetation on the land if supported by the required arborist report.
- Addresses any other matter specific to the circumstances and character of the land as deemed appropriate by the responsible authority.

Staging plan

- A subdivision staging plan (if staging is proposed) that:
  - Provides for the efficient and orderly development of the land and the orderly provision of infrastructure and services.
  - Identifies off site development contributions and when they are to be provided in accordance with any agreement registered on the title of the subject land.

Infrastructure

- Unless otherwise agreed by the responsible authority the subdivider/developer of the land must provide, fund and/or install all infrastructure to the satisfaction of the responsible authority and in accordance with the background document South Gippsland Shire Council's Infrastructure Design Manual, and:
  - Provide functional design details for all infrastructure including details of earthworks, vegetation removal and any other works required.
  - Secure all off site infrastructure required for the development of the land via a Section 173 Agreement.
- Consult with Gippsland Water regarding details of any changes that may be required to Reserve 1 on PS609443V (sewer reserve lot).

Drainage and stormwater

- A stormwater management plan that:
  - Incorporates water sensitive urban design (WSUD) techniques and provides for the protection of natural systems, environmental and recreational values wherever practical, integration of stormwater treatment into the landscape to achieve a high level of landscape amenity, reduction/mitigation of run-off and peak flows including consideration of downstream impacts and how they may be affected by road works to neighbouring properties. The plan must demonstrate the overall quantity and quality of discharge meets best practice standards and quantify long term maintenance and operation costs in the design and location of WSUD features.
  - Demonstrates how stormwater quality and quantity can be suitably treated including the need (or otherwise) for kerb and channel along Berrys Creek Road to control runoff from the road and ensure no adverse impacts on new lots abutting the road.

Roads

- A Traffic Impact Assessment Report (TIAR), based on a full development scenario, prepared by a suitably qualified person to the satisfaction of the responsible authority and VicRoads. The TIAR must address, unless otherwise agreed by the responsible authority:
  - The impact of the development on the existing road network and intersections surrounding the land, notably Grand Ridge West intersection.

- Improvements necessary to facilitate the development of the land, including road widening, access points, pedestrian crossing points and safety refuges, cycle lanes.
- The pattern and location of the internal road system (as detailed in the subdivision layout plan) based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.

Footpaths

- A footpath network that provides a 1.5 meter wide concrete footpath:
  - On all internal roads within the subject land.
  - On the western side of Berrys Creek Road which connects the access road to the subject land to the northern boundary of the subject land, linking with any adjoining footpath existing or proposed.
  - On the eastern side of Berrys Creek Road connecting the existing footpath north of Fary Court and running north east to Grand Ridge West.

Note: A footpath is not required on the western side of Berrys Creek Road south of the road access (or southernmost road access point) to the subject land.

Open space and landscaping

- ~~Open space in accordance with Clause 53.01 .~~ [removing redundant / unnecessary directions] Easement reserves (including Reserve 1 on PS609443V - sewer reserve lot) on the land will not be considered open space for the purpose of Clause 53.01 unless fully integrated with the overall subdivision design, including active frontage.
- A landscaping masterplan, prepared by a suitably qualified person, addressing:
  - Landscaping along the proposed road network and footpaths within and abutting the development plan area.
  - Street tree planting (canopy trees) dispersed within all internal road reserves and abutting the land within the Berrys Creek Road reserve at suitable intervals to enhance the streetscape and soften visual impacts when viewed from within and outside the subject land.
  - Trees and landscape planting suited to the local climate and soil conditions
  - Landscaping designed for easy maintenance.
  - Details of vegetation to be removed.
- Provide low scale ~~(not exceeding 1.2 meters)~~ visually permeable fencing not exceeding 1.2 meters in height ~~of~~ for [rewording for clarity] open space areas (encumbered or unencumbered) including any fencing of open space areas abutting any residential lots.
- Provide an arborist report, prepared by a suitably qualified person that determines the health and viability of trees on the land and identifies which trees are to be retained, removed or made safe (and works required to make safe).

Land contamination

A desktop assessment undertaken by an appropriately qualified person that considers the potential location and forms of land contamination resulting from previous land uses. In the case where contamination is identified, the report must consider the measures to address contamination in areas where sensitive land uses are proposed. The investigation must consider, but not be limited to, agricultural chemical use, industrial use, informal land dumping, or mining activities.

~~Decision guidelines for development plan~~[removing redundant / unnecessary directions]

~~Before deciding on the development plan (or development plan stage) or an amendment to the development plan, the responsible authority must consider the requirements in this schedule~~[removing redundant / unnecessary directions]

~~15/08/2024 C119sgip~~ XX/XX/XXXX CXXXsgip

SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO1**.

AREAS SUSCEPTIBLE TO EROSION

1.0 Erosion management objectives to be achieved

15/08/2024 C119sgip

To ensure buildings and works are located and designed to avoid risk to life and property from erosion.

To ensure that environmental values are protected in areas susceptible to erosion.

To retain existing vegetation and encourage new plantings to prevent and minimise erosion.

2.0 Statement of risk

15/08/2024 C119sgip

None specified.

3.0 Permit requirement

15/08/2024 C119sgip

A permit is not required to:

- Construct a building or carry out works, including buildings and works associated with a small second dwelling, where the difference between finished ground level and natural ground level does not exceed 1 metre.
- Construct a domestic above ground swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot where the difference between finished ground level and natural ground level does not exceed 1 metre.
- Construct roadworks provided the roadworks are undertaken by or on behalf of a public land manager.
- Remove, destroy or lop non-native vegetation in a domestic garden.

A permit is required to:

- Construct a bicycle pathway or trail where the difference between finished ground level and natural ground level exceeds 1 metre.

4.0 Application requirements

15/08/2024 C119sgip

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- All applications to include:
  - Any existing buildings and works including cut and fill, access or driveways, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines, water tanks, dams and any otherwise identified geotechnical hazards on both the subject lot(s) and adjacent land.
  - Elevations and/or cross sections which depicts the extent of the cut and fill.
  - 1 metre contours in the vicinity of proposed buildings and works or vegetation removal.
  - Details and location of existing vegetation, including any vegetation to be removed.

- Details of the proposed accessways or driveways, including cut and fill requirements.
- Details of any retaining walls.

- Subdivision applications to include:
  - Location and details of the slope of the building envelope/s, including the slope across the building envelope.
  - Details of any retaining walls or the extent of cut and fill, likely required if buildings and works were carried out.

- Dam applications to include:
  - Detailed plans, including cross sections, drawn to scale and with dimensions, showing:
    - Length, depth and width of the dam.
    - Capacity of the dam in megalitres.
    - Width at base of dam wall.
    - Width at top of dam wall.
    - Slope of the dam wall batters.
  - Details of the wall of the dam, including the material it will be constructed from, the slope of the wall batters, and how the wall will achieve stability and be watertight.
  - Details of the spillway including proposed materials.
  - Diversion mechanisms.
  - Erosion protection measures.
  - Native vegetation protection measures.

- Geotechnical Assessment report; or a completed Geotechnical Declaration and Verification Form (Form A of Appendix D of AGS 2007c (as amended/updated)) prepared by a suitably qualified Geotechnical Practitioner.

- Geotechnical Practitioner means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved chartered professional status as a:
  - Chartered Professional Engineer (CPEng); or
  - Chartered Professional Geologist (CPGeo); or
  - Registered Professional Geologist (RPGeo);

  with experience in the management of slope stability problems and landslip risk as core competence to the satisfaction of the responsible authority. The Geotechnical Assessment report should state whether or not a Landslip Risk Assessment is required and if the buildings and works should be approved and specify what conditions should be included in the permit.
- A Landslip Risk Assessment report must be prepared by a Geotechnical Practitioner in accordance with AGS 2007c, if required by the Geotechnical Assessment.

- A completed Geotechnical Declaration of Minor Impact (Form D of Appendix D of AGS 2007c (as amended/updated)) prepared by a Geotechnical Practitioner to justify why a Geotechnical Assessment is not required, if applicable.
- A written Geotechnical Assessment, Landslide Hazard Assessment or Landslip Risk Assessment (as appropriate) is not required where, in the opinion of the responsible authority, the application for subdivision or buildings and works will not adversely increase the landslip risk to life or property affecting the subject lot(s) or adjoining or nearby land.
- The responsible authority may require an independent peer review of any application documentation, at the applicant's cost.

5.0
XX/XX/XXXX CXXXsgip
~~15/08/2024 C119sgip~~

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent of earthworks and its likelihood to cause erosion.
- The risk to life, property and the environment.
- Whether there is any reasonable alternative site for the proposed building and works outside of the overlay area,
- Whether [rewording for clarity] ~~or~~ any alternative land management practices or construction methods~~, that~~ [rewording for clarity] would ~~better meet the objectives of this schedule, that would~~ [rewording for clarity] avoid risk to life and property from erosion and ~~would~~ [rewording for clarity] minimise the extent of vegetation removal and site works.
- The use of appropriate design responses such as stumps and split levels.
- Whether the buildings and works follow the contours and step down along slopes to minimise the need for earthworks.
- The grade of any access ways or driveways to ensure safe and efficient access by vehicles or machinery.
- The soil type, slope and the proposed development's likely impact on soil and slope stability.
- Any known erosion present in the vicinity and landslip that has occurred in the past.
- Possible impacts on any nearby waterways.
- The proposed remediation of the site including planting schedule, sediment control and stabilisation methods.
- Whether the proposal avoids and minimises vegetation removal.
- Whether the subdivision layout responds to topography, is an appropriate size and considers the design and grade of road access.
- Whether the subdivision requires building envelopes.
- The impact the construction of a dam could have on erosion, river and stream stability, environmental flows and water quality.
- The recommendations of the Geotechnical Assessment, Landslip Risk Assessment and any other information accompanying the application.
- The advice of any Geotechnical Practitioner who has peer reviewed the application.

- The risks associated with the development requiring ongoing monitoring and maintenance of all mitigation measures.
- The impacts of the building or works associated with the development of a wastewater system.

XX/XX/XXXX CXXXsgip

~~17/10/2024 C129sgip~~

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO or LSIO1**.

1.0 Land subject to inundation objectives to be achieved

25/07/2019 C121sgip

None specified.

2.0 Statement of risk

25/07/2019 C121sgip

None specified.

3.0 Permit requirement

XX/XX/XXXX CXXXsgip

~~08/09/2022 C125sgip~~

A permit is not required for any of the following:

- A new dwelling in a residential zone in the townships of Sandy Point, Venus Bay and Tarwin Lower, provided the finished floor level of the habitable building is 3.4 metres or more above Australian Height Datum (AHD).
- A new dwelling in a residential zone in the township of Port Welshpool, provided the ~~finishedfloor~~finished floor [correcting typo] level of the habitable building is 3~~.0~~ [removing redundant direction] metres or more above AHD.
- A ground floor extension to an existing habitable building ~~(including a dwelling)~~ [removing redundant directions] provided the proposed floor level is at or above the highest point of the existing floor level and the gross floor area of the extension does not exceed 20 square metres.
- An upper storey extension to an existing building within the existing building footprint.
- A single replacement [removing redundant directions] dwelling not within a residential zone in the township of Port Welshpool [rewording for clarity] ~~provided that the~~with a[rewording for clarity] floor level ~~is~~ [rewording for clarity] above the applicable floor levels set by the relevant floodplain management authority.
- A non-habitable building ~~(~~other than a building associated with the use of land for industry or for a public or commercial use~~)~~ [rewording for clarity] with a gross [rewording for clarity] floor area less than 20 square metres.
- A non-habitable building, or extension to a non-habitable building, ~~(~~other than a building associated with the use of land for industry or for a public or commercial use,~~)~~ provided ~~thefinished~~the finished [correcting typo] floor levels are above the applicable floor levels set by the relevant floodplain management authority.
- A pergola, open sided carport or in-ground swimming pool/spa (including plant equipment and safety features normal to a pool/spa) associated with a dwelling.
- An open sided deck or verandah associated with an existing dwelling that has a gross [rewording for clarity] floor area no greater than 20 square meters.
- A rainwater tank associated with an existing dwelling, or the agricultural use of land, provided that the footprint of all rainwater tanks does not exceed 20 square metres.
- A replacement fence of the same materials as an existing fence, in the same location.
- Works for [rewording for clarity] o~~O~~pen type fencing ~~(excluding paling and Colorbond style fencing, brick and concrete walls)~~[removing redundant directions]~~and maintenance to existing fencing~~[removing redundant directions].
- An agricultural farm building, or structure, with permanent open sides. A mast, antenna, power pole or light pole.

- A non-domestic disabled access ramp.
- An outdoor sign/structure, provided that it does not impede floodwater flows.
- Works ancillary to an existing building, including landscaping and pathways that do not alter the existing surface profile by more than 150 mm.
- Works associated with roads, roadsides or any other public or private [rewording for clarity] access way ~~(public or private)~~ [rewording for clarity] that do not alter the existing surface level by more than 150mm.
- Works associated with roads, roadsides or any other access ways carried out by a public authority that have received written consent from the relevant floodplain management authority.
- Earthworks in accordance with a whole farm plan approved by the responsible authority and the [rewording for clarity] relevant floodplain management authority.
- Works associated with dams with less than 3000 cubic metres capacity, where no fill is imported to the site and where no embankment is proposed above natural ground level.
- Works associated with vine or horticultural trellises or watering systems.
- Works associated with w~~W~~ind and solar energy generation ~~mills and solar units~~ [rewording for clarity] in association with the use of land for Agriculture.
- Routine and maintenance works that do not affect the height, length or location of a levee or~~,~~ [rewording for clarity] embankment.
- On non-urban zoned land, earthworks involving the receipt, importation, stockpiling or placement of not more than 100 cubic metres of fill.
- Buildings and works undertaken by Gippsland Ports associated with jetties, boardwalks, landings, beach refurbishment, swing moorings, navigational aids, beacons and signs.
- Buildings and works associated with bicycle pathways and trails undertaken by or on behalf of South Gippsland Shire Council that do not alter the existing surface level by more than 150mm.
- Buildings and works undertaken by or on behalf of Parks Victoria in accordance with a park management plan approved by the floodplain management authority, or where the buildings and works have otherwise received written consent from the relevant floodplain management authority.
- Buildings and works carried out by a Water Corporation to maintain and replace infrastructure related to sewer and water supply.

Note: Replacement dwelling. For the purpose of this schedule a Replacement dwelling is a new dwelling constructed on the same area of land containing an existing dwelling which is to be demolished and replaced by a new dwelling, or a new dwelling to replace on the same area of land a dwelling damaged or destroyed after 1 January 2016.

4.0

XX/XX/XXXX CXXXsgip
~~17/10/2024 C129sgip~~

Application requirements

The following application requirements apply to an application for a permit under Clause 44.04 ~~1~~[correcting clause reference], in addition to those specified in Clause 44.04~~1~~[correcting clause reference], and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Unless agreed in writing by the relevant floodplain management authority an application to construct a building or construct or carry out works must be accompanied by four sets of plans, drawn to scale, which show:
  - A location plan showing the boundaries and dimensions of the site, surrounding uses and the layout of existing and proposed buildings and works.
  - Elevation plans showing natural ground level, finished ground level and the floor levels of any proposed buildings in relation to Australian Height Datum, taken by or under direction of a licensed surveyor.
  - A detailed site plan with 0.5m contour intervals showing the layout of existing and proposed buildings and works, watercourses and access roads, taken by or under the direction of a licensed land surveyor.
  - Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
  - For inland waterways, the 100 year Average Recurrence Interval flood level (1 in 100 ~~yearflood~~year flood [correcting typo] level) from the relevant floodplain management authority. The flood level information must not be greater than six months old.
  - Any additional information requested in writing from the floodplain management authority.

Referral of Applications

An application to construct a building or construct or carry out works, or an application to amend a permit, does not require referral to the relevant floodplain management authority if the application satisfies one of the following:

- The application [rewording for clarity] i~~I~~s accompanied by the relevant floodplain management authority's written approval, which must:
  - be granted not more than three months prior to lodging with the responsible authority.~~;~~
  - quote the reference number and date of the approved plans~~;~~ and
  - states the applicable flood level and any required floor levels.
- The application [rewording for clarity] i~~I~~s in accordance with an adopted local floodplain development plan or other agreement between the floodplain management authority and the responsible authority.
- The application [rewording for clarity] c ~~C~~omplies with a building envelope, filling levels and floor levels specified by the relevant floodplain management authority for the subject land in the previous six months.

5.0

25/07/2019 C121sgip

Decision guidelines

None specified.

XX/XX/XXXX CXXXsgip

25/07/2019 C121sgip

SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO1**.

VENUS BAY, WALKERVILLE BAL-29 AREAS

1.0 Statement of the bushfire management objectives to be achieved

17/10/2024 C129sgip

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 Application

25/07/2019 C121sgip

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 -[correcting typo] applies in all other circumstances.

3.0 Permit requirement

25/07/2019 C121sgip

None specified.

4.0 Application requirements

17/10/2024 C129sgip

The following application requirements apply to an application for a permit under Clause 44.06:

- An application must be accompanied by a bushfire management plan that:
  - Shows all of the required bushfire protection measures specified in this schedule.
  - Includes written conditions that implement the required bushfire protection measures.
  - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building.
  - Details vehicle access.

5.0 Requirements to be met

17/10/2024 C129sgip

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29.
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02.
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 Substitute approved measures for Clause 53.02

25/07/2019
C121sgip

None specified.

7.0 Additional alternative measures for Clause 53.02

25/07/2019
C121sgip

None specified.

8.0 Mandatory Condition

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

~~An application must include the mandatory conditions as specified in Clause 44.06-5.~~ [removing redundant directions]

9.0 Referral of application not required

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

An application under this overlay is not required to be referred to the relevant fire authority under Section 55 of the Act.~~An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.~~ [rewording for clarity]

10.0 Notice and review

25/07/2019
C121sgip

None specified.

11.0 Decision guidelines

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

None specified. [rewording – MDF&C]

~~The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:~~

~~Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.~~ [removing redundant directions]

XX/XX/XXXX CXXXsgip

~~08/09/2022 C125sgip~~

SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO2**.

FOSTER, MEENIYAN, MIRBOO NORTH/BAROMI, PORT WELSHPOOL, TARWIN LOWER, VENUS BAY, WALKERVILLE BAL-12.5 AREAS

1.0 Statement of the bushfire management objectives to be achieved

25/07/2019 C121sgip

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 Application

25/07/2019 C121sgip

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 Permit requirement

25/07/2019 C121sgip

None specified.

4.0 Application requirements

17/10/2024 C129sgip

The following application requirements apply to an application for a permit under Clause 44.06:

- An application must be accompanied by a bushfire management plan that:
  - Shows all of the required bushfire protection measures specified in this schedule.
  - Includes written conditions that implement the required bushfire protection measures.
  - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building.
  - Details vehicle access.

5.0 Requirements to be met

17/10/2024 C129sgip

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5.
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser, and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02.
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 Substitute approved measures for Clause 53.02

25/07/2019
C121sgip

None specified.

7.0 Additional alternative measures for Clause 53.02

25/07/2019
C121sgip

None specified.

8.0 Mandatory Condition

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

~~An application must include the mandatory conditions as specified in Clause 44.06-5.~~None specified [rewording – MDF&C]

9.0 Referral of application not required

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

An application under this overlay is not required to be referred to the relevant fire authority under Section 55 of the Act.~~An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.~~

[rewording for clarity]

10.0 Notice and review

25/07/2019
C121sgip

None specified.

11.0 Decision guidelines

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

None specified. [rewording – MDF&C]

~~The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:~~

~~Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.~~ [removing redundant directions]

19/08/2021
VC196

SCHEDULE 1 TO CLAUSE 44.07 STATE RESOURCE OVERLAY

Shown on the planning scheme map as **SRO1.**

STRATEGIC EXTRACTIVE RESOURCE AREAS

1.0 Statement of resource significance

19/08/2021
VC196

Extractive industries in the South Gippsland Shire make a significant contribution to Victoria's total sand production. While existing extractive industries are a large supplier of sand to Melbourne and local areas, there is an opportunity for further extractive industries to be developed in appropriate locations, and for the Shire to make an increased contribution to the state's sand resource supply.

Favourable geological characteristics in South Gippsland Shire have been substantiated by the number of existing extractive industry operations. The area also has manageable environmental and planning constraints, is support by transport networks, and is proximate to demand markets.

It is estimated that extractive resources within South Gippsland Shire can supply approximately 22 per cent of Melbourne's demand for sand over the period 2015-2050. Protecting the future extractive resource capacity of the Shire from incompatible use, development and subdivision is critical for maintaining certainty of supply and meeting Victoria's ongoing demand for sand resources.

This schedule applies to land within the Shire known as Strategic Extractive Resource Areas. These are locations with a state-significant supply of sand resources, and where future investment in extractive industries is encouraged. The schedule ensures that new use, development and subdivision do not inhibit the potential future establishment of extractive industry operations within Strategic Extractive Resources Areas.

2.0 Management objectives

19/08/2021
VC196

To ensure that Strategic Extractive Resource Areas are identified and that extractive industries can occur in locations with good access to resources, transport networks and proximity to markets.

To ensure that land use and development within Strategic Extractive Resources Areas is compatible with the future use of the area for extractive industries.

To ensure that subdivision and land fragmentation do not prejudice current and future extractive industries within the Strategic Extractive Resource Area.

3.0 Use of land

19/08/2021
VC196

A permit is required to use land for:

- Accommodation
- Crematorium
- Education centre
- Funeral parlour
- Hospital
- Leisure and recreation
- Place of assembly
- Retail premises
- Veterinary centre
- Winery

4.0 Subdivision

19/08/2021
VC196

A permit is required to subdivide land.

This does not apply if each lot created by the subdivision is at least 40 hectares.

5.0 Buildings and works

19/08/2021
VC196

A permit is required to construct a building or to construct or carry out works. This does not apply to:

- An alteration or extension to an existing building provided the gross floor area of the alteration or extension does not exceed 200 square metres.
- A non-habitable building with a gross floor area not exceeding 200 square metres.
- A building or works associated with the use of land for extractive industry.
- Works with an area not exceeding 200 square metres.
- Works associated with the use of land for agriculture.
- A rainwater tank.

6.0 Application requirements

19/08/2021
VC196

None specified.

7.0 Referral of applications

19/08/2021
VC196

Kind of application	Referral authority	Type of referral authority
Any use listed in Clause 3.0 of this schedule.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority

8.0 Exemption from notice and review

04/05/2022
VC210

An application under any provision of this planning scheme to use or develop land for extractive industry is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 65(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- The land is at least 250 metres from land used for any uses listed in Clause 3.0; and
- The land has access to a road in a Transport Zone 2.

9.0 Decision guidelines

19/08/2021
VC196

Before deciding on an application under this overlay, in addition to the decision guidelines in Clause 44.07 and Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed use or development is compatible with future extractive industry uses in the Strategic Extractive Resource Area.
- Whether existing natural features and topography will mitigate potential impacts of existing or future extractive industry use on the proposed use.

- Whether the proposed use or development is a major capital development which may adversely impact on the future productive extraction of the resource.
- Whether the proposed development is designed and sited in a location that minimises amenity impacts from resource extraction operations and transportation.
- Whether the proposed subdivision will lead to land use outcomes that inhibit the future use of land for extractive industries.

19/08/2021
VC196

SCHEDULE 2 TO CLAUSE 44.07 STATE RESOURCE OVERLAY

Shown on the planning scheme map as **SRO2.**

PROTECTING EXTRACTIVE INDUSTRIES

1.0 Statement of resource significance

19/08/2021
VC196

Extractive industries in the area west of Nyora make a significant contribution to Victoria's total sand production, supplying a large amount of material to metropolitan Melbourne, peri-urban areas, as well as locally.

The presence of sand resources in the area is substantiated by favourable geological characteristics and by a number of existing extractive industry operations. The area also has manageable environmental and planning constraints, is supported by transport networks, and is proximate to demand markets.

There is an opportunity to increase the area's contribution towards the state's resource needs. It is estimated that extractive resources within South Gippsland Shire can supply approximately 22 per cent of Melbourne's demand for sand and gravel, over the period 2015-2050.

Protecting extractive industries from encroachment by incompatible use and development is critical for maintaining the productivity of existing operations, and for securing the future supply of sand resources to Victoria’s markets.

This schedule applies a 250 metre separation distance around land that contains a work authority issued under the *Mineral Resources (Sustainable Development) Act 1990*. This ensures that incompatible use and development do not inhibit the current or future productivity of existing extractive industry operations.

2.0 Management objectives

19/08/2021
VC196

To protect extractive industry operations with a work authority issued under the *Mineral Resource (Sustainable Development) Act 1990* from encroachment by incompatible land use and development.

To ensure that new use and development within 250 metres of an extractive industry do not adversely impact the continued operation or limit the potential future expansion of that industry.

To ensure that development is appropriately designed and sited to minimise amenity impacts from extractive industry operations, including the transport of materials.

To ensure that subdivision and fragmentation of land do not prejudice the operation of an extractive industry.

3.0 Use of land

19/08/2021
VC196

A permit is required to use land for:

- Accommodation
- Crematorium
- Education centre
- Funeral parlour
- Hospital
- Leisure and recreation
- Place of assembly
- Retail premises

- Veterinary centre
- Winery.

4.0 19/08/2021 VC196

Subdivision

A permit is required to subdivide land.

This does not apply if each lot created by the subdivision is at least 40 hectares.

5.0 19/08/2021 VC196

Buildings and works

A permit is required to construct a building or to construct or carry out works. This does not apply to:

- An alteration or extension to an existing building provided the gross floor area of the alteration or extension does not exceed 200 square metres.
- A non-habitable building with a gross floor area not exceeding 200 square metres.
- A building or works associated with the use of land for extractive industry.
- Works with an area not exceeding 200 square metres.
- Works associated with the use of land for agriculture.
- A rainwater tank.

6.0 19/08/2021 VC196

Application requirements

None specified.

7.0 19/08/2021 VC196

Referral of applications

Kind of application	Referral authority	Type of referral authority
Any use listed in Clause 3.0 of this schedule.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority

8.0 19/08/2021 VC196

Exemption from notice and review

None specified.

9.0 19/08/2021 VC196

Decision guidelines

Before deciding on an application under this overlay, in addition to the decision guidelines in Clause 44.07 and Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed use or development is compatible with the extractive industry use operating on nearby land.
- The potential for the use or development to limit the operation and expansion of the extractive industry.
- Whether existing natural features and topography will mitigate potential impacts of existing or future extractive industry use on the proposed use.
- Whether the proposed use or development is a major capital development which may adversely impact on the future productive extraction of the resource.

- Whether the proposed development is designed and sited in a location that minimises amenity impacts from resource extraction operations and transportation.
- Whether the proposed subdivision will lead to land use outcomes that inhibit the use of land for extractive industries.

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0

25/07/2019
C121sgip

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	South Gippsland Shire Council	Road widening and acquisition
PAO2	VicRoads	Roadworks
~~**PAO5**~~	~~VicRoads~~	~~Proposed improvements to and deviation of the South Gippsland Highway between Loch and Jeetho Road~~
~~**PAO6**~~	~~VicRoads~~	~~Proposed improvements and deviation of the South Gippsland Highway between Jeetho Road and the Korumburra - Bena Road, Bena~~
PAO7	VicRoads	Proposed improvements to the South Gippsland Highway Toora – Gunyah Road and approximately 1.4 km west of Cargeegs Road
PAO8	VicRoads	Proposed highway improvements to the South Gippsland Highway between Old Meeniyan Road and Minns Road.
PAO9	VicRoads	Proposed highway improvements to the South Gippsland Highway between Bena-Korumburra Road and east of Korumburra-Whitelaw Road.
PAO10	VicRoads	Proposed highway improvements to the South Gippsland Highway between Carmichaels Road and McKnights Road.

25/07/2019
C121sgip

SCHEDULE 2 TO CLAUSE 45.02 AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as **AEO2.**

1.0
08/08/2019
VC159

Requirements

An application to use land for the following must be referred to the airport owner under Section 55 of the Act unless, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the airport owner:

- Accommodation.
- Art and craft centre.
- Bar.
- Display home centre.
- Education centre.
- Hospital.
- Residential Hotel [rewording – MDF&C].
- Office.
- Place of assembly.
- Research and development centre.
- Research centre.
- Restricted recreation facility.

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY

1.0

XX/XX/XXXX CXXXsgip

~~20/04/2020 C090sgip~~

Restructure plan

PS map ref	Land	Title of restructure plan
RO1	Land located at Venus Bay on Mercury Drive and Juno Road as depicted in Figure 1 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August 201~~7~~9*[rewording for clarity and consistency with titles of incorporated documents]	Juno Road Restructure Plan – Venus Bay[rewording for clarity and consistency with titles of incorporated documents]
RO2	Land located at Venus Bay on Atkinson Avenue as depicted in Figure 2 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Atkinson Avenue Restructure Plan – Venus Bay[rewording for clarity and consistency with titles of incorporated documents]
RO3	Land located at Venus Bay on Black Avenue as depicted in Figure 3 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Black Avenue Restructure Plan – Venus Bay[rewording for clarity and consistency with titles of incorporated documents]
RO4	Land located at Jeetho on Wettenhalls Road and Jeetho Road as depicted in Figure 4 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Wettenhalls Road Restructure Plan – Jeetho[rewording for clarity and consistency with titles of incorporated documents]
RO5	Land located at Outtrim on Main Street, Rileys Road, Outtrim-Moyarra Road, Lomagnos Road and Hegarty Street as depicted in Figure 5 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Outtrim Restructure Plan
RO6	Land located at Whitelaw on Korumburra-Bena Road as depicted in Figure 6 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Korumburra-Bena Road Restructure Plan – Whitelaw[rewording for clarity and consistency with titles of incorporated documents]
RO7	Land located at Jumbunna on Korumburra-Wonthaggi Road, Cruickshank Road, Tavener Road, Lynn Street, Mcleans Road, Hazel Road Rees Road and Gooches Road as depicted in Figure 7 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Jumbunna Restructure Plan
RO8	Land located at Tarwin on Dowds Road, the South Gippsland Highway and	Dowds Road

SOUTH GIPPSLAND PLANNING SCHEME

PS map ref	Land	Title of restructure plan
~~RO14~~	~~Land located at Hedley on Salmon Road and the South Gippsland Highway as depicted in Figure 14 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August 2017*~~ [removing redundant reference]	~~Salmon Road Restructure Plan~~ [removing redundant reference]
RO15	Applies to a number of properties located south of Toora as depicted in Figure 15 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Toora Coastal Restructure Plan – Toora[rewording for clarity and consistency with titles of incorporated documents]
RO16	Land located at Buffalo on McPhee Road and off Hall Road as depicted in Figure 16 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Buffalo Restructure Plan
RO17	Land located at Darlimurla on the north side of Cornell Road and off Cornell Road as depicted in Figure 17 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Cornell Road Restructure Plan – Darlimura [rewording for clarity and consistency with titles of incorporated documents]
RO18	Land located at Hedley on the south east side of the intersection of Todds Road and the South Gippsland Highway as depicted in Figure 18 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Todds Road Restructure Plan – Hedley[rewording for clarity and consistency with titles of incorporated documents]
RO19	Land located at Port Welshpool, south of Telegraph Road and generally east of Port Welshpool Road as depicted in Figure 19 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August 2017*	Port Welshpool Restructure Plan
RO20	Land located at Stony Creek on the west side of Jacks Road and Stony Creek Road as depicted in Figure 20 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019*[rewording for clarity and consistency with titles of incorporated documents]	Jacks Road Restructure Plan – Stony Creek[rewording for clarity and consistency with titles of incorporated documents]
RO21	Land located at Dollar south of Dollar Hall Road and west of Foster-Mirboo Road as depicted in Figure 21 in the Incorporated Document *Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire, August ~~2017~~2019* [rewording for clarity and consistency with titles of incorporated documents]	Dollar Hall Road Restructure Plan

[rewording for clarity and consistency with titles of incorporated documents]

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

LEONGATHA CENTRAL BUSINESS DISTRICT

1.0 17/10/2024 C129sgip

Parking objectives to be achieved

To identify appropriate car parking rates for land uses within the Leongatha Central Business District (CBD).

To provide for the equitable collection and distribution of financial contributions to contribute towards the construction of shared car parking facilities, but only when a reduction in car parking under Clause 52.06-3 is considered appropriate.

To ensure an appropriate level of parking is provided in the CBD.

To ensure that parking supply is efficiently utilised and best services the land uses.

To achieve an appropriate balance between the supply and demand of car parking spaces while allowing new and intensified use.

2.0 17/10/2024 C129sgip

Permit requirement

None specified.

3.0 25/07/2019 C121sgip

Number of car parking spaces required

For all uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated using the *Rate* in Column B of that Table.

4.0 17/10/2024 C129sgip

Application requirements and decision guidelines for permit applications

The following application requirements apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Any applications to reduce the car parking requirement must include a detailed statement addressing the decision guidelines to the satisfaction of the responsible authority.
- Any applications to reduce the car parking requirement must include a Car Parking Demand Assessment as set out in Clause 52.06 and which addresses the decision guidelines below to the satisfaction of the responsible authority.

The following decision guidelines apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority:

- Availability of off-site parking spaces available to the public and within safe and convenient walking distance to the site.
- The use or mix of uses in the building and on the land.
- Potential for shared parking.
- After hours use of the building or site.

5.0 25/07/2019 C121sgip

Financial contribution requirement

It is within the responsible authority's absolute discretion whether to accept a financial contribution in accordance with this Schedule (and if so, in respect of how many spaces).

Number of car spaces not provided	Payment in lieu Contribution (G.S.T. exclusive and before indexation)
21 (or above)	$115,200 (+$9,600 for each additional space not provided)

Council may enter into an agreement with the owner of the land under Section 173 of the *Planning and Environment Act 1987* for the payment of the contribution in instalments. The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the *Local Government Act 1989* and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment. The agreement must also provide for the owner to pay Council's costs of preparing, registering and then upon its ending, removing the agreement from title.

The provisions of this clause will be reviewed no later than five years from the date of gazettal of Amendment C85.

Financial contributions will be used to construct a public car park for the Leongatha town centre area.

6.0 Requirements for a car parking plan

25/07/2019
C121sgip

None specified.

7.0 Design standards for car parking

XX/XX/XXXX
CXXXsgip
~~25/07/2019~~
~~C121sgip~~

In addition to the design standards set out in Clause 52.06-9, plans prepared in accordance with Clause 52.06-8 must meet the following design standards unless agreed by the responsible authority in writing:

- Vehicular access to parking and service areas must be designed to minimise disruption to pedestrian movements and minimise their visual impact on architectural and streetscape qualities.
- Open lot car parks ~~are discouraged~~should not be located [rewording for clarity] on all principal frontages.
- A car park should be designed to retain significant trees and promote tree planting and the shading of car spaces.

8.0 Decision guidelines for car parking plans

XX/XX/XXXX
CXXXsgip
~~17/10/2024~~
~~C129sgip~~

The following decision guidelines apply to car parking plans under Clause 45.09, in addition to those specified in Clause 45.09 ~~and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority~~ [removing redundant direction]:

- The a~~A~~vailability [rewording for clarity] of off-site parking spaces available to the public and within safe and convenient walking distance to the site.
- The use or mix of uses in the building and on the land.
- The p~~P~~otential [rewording for clarity] for shared parking.
- The a~~A~~fter [rewording for clarity] hours use of the building or site.

9.0 Background document

25/07/2019
C121sgip

Leongatha CBD Parking Strategy, 2013 (as amended).

12/09/2025
GC217

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0 Specific controls

12/09/2025
GC217

PS Map Ref	Name of incorporated document
SCO3	Marinus Link Project (Department of Transport and Planning, June 2025)

31/07/2018
VC148

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

1.0

20/04/2020
C090sgip

Specific sites and exclusions

Address of land	Title of incorporated document
Tidal River, Wilson Promontory	*Wilsons Promontory Cruises Facility* (April 2017)
Old and inappropriate subdivisions at 21 locations within South Gippsland Shire	*Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire* (August 2019)

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

1.0

27/02/2014
C82

Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
Crown Allot. 1 Sec. 30 Township of Leongatha Crown Allot. 2 Sec. 30 Township of Leongatha Crown Allot. 3 Sec. 30 Township of Leongatha Crown Allot. 3A Sec. 30 Township of Leongatha Crown Allot. 4 Sec. 30 Township of Leongatha Crown Allot. 5 Sec. 30 Township of Leongatha Crown Allot. 6 Sec. 30 Township of Leongatha	E-1 Pipeline in favour of South Gippsland Water	Vary the easement
Lot 2 PS416217F	Covenant U899156A	Removal of restriction

2.0

19/01/2006
VC37

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0

19/01/2006
VC37

Under Section 36 of the Subdivision Act 1988

Land	Condition
None specified	

Land	Easement or right of way	Requirement
None specified		

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

25/07/2019
C121sgip

Exemption from notice and review

Land	Condition
None specified	

SOUTH GIPPSLAND PLANNING SCHEME

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0

15/09/2008
VC49

Native vegetation precinct plan

Name of plan
None specified

XX/XX/XXXX CXXXsgip

~~25/07/2019 C121sgip~~

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0 Scheduled area

XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
~~Murray Goulburn~~Saputo Dairy Australia [updated wording as per Council's direction] factory	Eucalyptus Strzelecki (Strzelecki Gum)
1 Yarragon Road, Leongatha	
Crown Allot. 1 Sec. 30 Township of Leongatha;	
Crown Allot. 2 Sec. 30 Township of Leongatha;	
Crown Allot. 3 Sec. 30 Township of Leongatha;	
Crown Allot. 3A Sec. 30 Township of Leongatha;	
Crown Allot. 4 Sec. 30 Township of Leongatha;	
Crown Allot. 5 Sec. 30 Township of Leongatha;	
Crown Allot. 6 Sec. 30 Township of Leongatha.	
Land associated with the construction of the South Gippsland Highway realignment between Bates Avenue and east of Ritchie's Reserve, Korumburra, as shown in the incorporated document ~~on Map 1 \(Vegetation Removal Exemption Plan) of this~~ listed within the schedule to clause 72.04.[rewording for consistency with incorporated document / reinstatement of previous exemption]	All native vegetation

2.0 Scheduled weed

25/07/2019 C121sgip

Area	Description of weed
None specified	

25/07/2019
C121sgip

SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Objectives

01/10/2019
GC149

None specified.

2.0 Prohibition of a gaming machine in a shopping complex

01/10/2019
GC149

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
None specified	None specified

3.0 Prohibition of a gaming machine in a strip shopping centre

01/10/2019
GC149

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.0 Locations for gaming machines

25/07/2019
C121sgip

None specified.

5.0 Venues for gaming machines

25/07/2019
C121sgip

None specified.

6.0 Application requirements

01/10/2019
GC149

None specified.

7.0 Decision guidelines

01/10/2019
GC149

None specified.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

31/07/2018
VC148

Land where a Wind energy facility is prohibited
All land within five kilometres of the high water mark of the coast west of Wilson's Promontory.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0

31/07/2018
VC148

Permit requirement for dry stone walls

Land
None specified

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0
31/07/2018
VC148

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
All residential, commercial or industrial land	A minimum of 5%
Any subdivision that does not qualify for exemption under cl 53.01	A minimum of 5%

18/02/2021
GC175

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

1.0 Areas to which Clause 53.06 does apply

04/05/2022
VC210

Name of area	Description
None specified	

2.0 Areas to which Clause 53.06 does not apply

04/05/2022
VC210

Name of area	Description
None specified	

3.0 Other venues to which Clause 53.06 applies

04/05/2022
VC210

Name of venue	Address	Condition or limitation
None specified		

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0 Incorporated statement

25/07/2019
C121sgip

Land	Incorporated Document
None specified	

1.0
XX/XX/XXXX CXXXsqip
~~17/10/2024 C129sgip~~

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

Referral of permit applications under local provisions

Clause	Kind of Application	Referral Authority	Referral Authority Type
Gippsland Coalfields Policy Area	To subdivide land.	Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990	Determining
Gippsland Coalfields Policy Area	Use or development (cemetery, education, hospital, industry, shop >2000sqm, accommodation >100 people, etc.)	Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990	Determining
ESO Schedule 1	Subdivision >4 lots or may have adverse environmental effects	Department of Energy, Environment and Climate Action	Recommending
ESO Schedule 1	Applications affecting wildlife habitat	Department of Energy, Environment and Climate Action	Recommending
ESO Schedule 1	Applications affecting flooding	West Gippsland Catchment Management Authority	Recommending
ESO Schedule 2	General development (with exceptions)	South Gippsland Water Corporation	Determining
ESO Schedule 2	Within Mirboo North Water Supply Catchment	Central Gippsland Region Water Corporation	Determining
~~ESO Schedule 3~~	~~Development on Coastal Crown Land~~	~~Secretary administering Coastal Management Act~~	~~Determining~~ [removing reference as per referral authority direction]
ESO Schedule 3	Subdivision >4 lots or environmental effects	Department of Energy, Environment and Climate Action	Recommending
ESO Schedule 3	Wildlife habitat impacts	Department of Energy, Environment and Climate Action	Recommending
ESO Schedule 4	Buildings, works or subdivision	South Gippsland Water	Determining [adding authority reference as per referral authority direction]
ESO Schedule 4	Buildings, works or subdivision	Gippsland Water	Determining [adding authority reference as per referral authority direction]

ESO Schedule 5	Subdivision >4 lots or environmental effects	Department of Energy, Environment and Climate Action	Recommending
ESO Schedule 7	Wildlife habitat impacts	Department of Energy, Environment and Climate Action	Recommending
~~ESO Schedule 8~~	~~Buildings, works or subdivision~~	~~Environment Protection Authority~~	~~Recommending~~ [removing authority reference as per referral authority direction]
ESO Schedule 9	Any development	Department of Energy, Environment and Climate Action	Determining
DDO Schedules 8–11	Buildings or works	Department of Health and Human Services	Determining
SRO Schedule 1	Uses listed in Clause 3.0	Secretary administering Mineral Resources Act	Determining
SRO Schedule 2	Uses listed in Clause 3.0	Secretary administering Mineral Resources Act	Determining
AEO Schedule 2	Use of land	Airport owner	Determining

1.0
XX/XX/XXXX CXXXsgip
~~25/07/2019 C121sgip~~

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
Schedule 1 to Clause 35.07 (FZ)	An application under the zone to use or develop land for extractive industry on land in Schedule 1 to the State Resource Overlay.	The Registered Aboriginal Party of the identified Country as assessed and registered by the Victorian Aboriginal Heritage Council in accordance with the *Aboriginal Heritage Act 2006*.
Schedule 8 to Clause 37.01 (SUZ)	An application under the zone to use or develop land for extractive industry on land in Schedule 1 to the State Resource Overlay.	The Registered Aboriginal Party of the identified Country as assessed and registered by the Victorian Aboriginal Heritage Council in accordance with the *Aboriginal Heritage Act 2006*.
Schedule 8 to Clause 42.01 (ESO) ~~None specified~~	All applications ~~None specified~~	Environment Protection Authority Victoria~~None specified~~ [rewording as per referral authority direction]

XX/XX/XXXX
CXXXsgip

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

1.0
XX/XX/XXXX
CXXXsgip
~~12/09/2025~~
~~GC217~~

Incorporated documents

Name of document	Introduced by:
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction (Standards Australia Limited, 2015)	VC107
Marinus Link Project (Department of Transport and Planning, June 2025)	GC217
Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire (August 2019)	C090sgip
SPI Electricity Pty Ltd Leongatha Depot 2013 (July 2013)	C84
Wilsons Promontory Cruises Facility (April 2017)	C113
Statement of Significance, "Aroyn" (July 2021)	C126sgip
Vegetation Removal Exemption Plan South Gippsland Highway Realignment [Reinstating previous exemption under Clause 52.17 - SGSC]	CXXX

XX/XX/XXXX CXXXsqip

~~25/07/2019 C121sgip~~

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

XX/XX/XXXX CXXXsqip

~~17/10/2024 C129sgip~~

Background documents

Name of background document	Amendment number - clause reference
Coastal Spaces Landscape Assessment Study (Planisphere, December 2006)	Clause 12.05-2L-02 Clause 42.03s1 Clause 42.03s2 Clause 42.03s3
Corner Inlet Dynamic Storm Tide Modelling Assessment (Water Technology June 2014)	C81 Clause 44.04
Domestic Wastewater Management Plan 2016-2020 (South Gippsland Shire Council, 2016)	Clause 42.01s2
Economic Development and Tourism Strategy 2015-2020 (South Gippsland Shire Council, 2015)	Clause 17.04-1L
Giant Gippsland Earthworm Environmental Significance Overlay Reference Document (South Gippsland Shire Council, September 2015)	Clause 42.01s9
Healthy by Design: A Guide to Planning Environments for Active Living in Victoria, Melbourne (National Heart Foundation of Australia - (Victorian Division), 2012)	Clause 43.04s6 Clause 43.04s7
Infrastructure Design Manual (Local Government Infrastructure Design Association, ~~2022~~2025) [updated reference for adopted policy document]	Clause 19.03-2L Clause 19.03-5L
Korumburra Structure Plan (South Gippsland Shire Council, 2014)	Clause 43.04s6
Korumburra Town Centre Car Parking Strategy (GTA Consultants, 2013)	Clause 11.01-1L-04
Korumburra Milk Processing Plant Buffer Assessment (GHD, 2013)	C99 Clause 42.01s8
Korumburra Town Centre Framework Plan (Hansen Partnership, 2013)	Clause 11.01-1L-04
Landscaping for Bushfire (Country Fire Authority, 2011)	Clause 43.02s & 43.02s13
Leongatha CBD Parking Strategy, 2013 [new reference to adopted policy document]	Clause 45.09s1
Leongatha Industrial Land Supply Strategy (Meinhardt, 2013)	Clause 15.01-2L-02
Leongatha Structure Plan (South Gippsland Shire Council, 2008)	Clause 11.01-1L-01
Mirboo North Structure Plan (South Gippsland Shire Council, 2017)	Clause 11.01-1L-05
Nyora Development Strategy (Planisphere, 2016)	Clause 43.02s12
Nyora Structure Plan (South Gippsland Shire Council, 2017)	Clause 43.04s10
Regional Sand Extraction Strategy: Lang Lang to Grantville (Department of Infrastructure, 1996)	Clause 02.03-4
Renewable Energy Impact and Readiness Study, (Urban Enterprise, 2024) [new reference to adopted policy document]	Clause 19.01-2L
Siting and Design Guidelines for Structures on the Victorian Coast (Victorian Coastal Council, 1998)	Clause 42.03s1 Clause 42.03s2 Clause 42.03s3
South Gippsland Economic Development Strategy (2021-2031), (South Gippsland Shire Council, 2021) [new reference to adopted policy document]	Clause 17.04-1L

South Gippsland Heritage Study (David Helms, 2004)	South Gippsland Active Council Community Health and Wellbeing Plan (2025-2029), (South Gippsland Shire Council, 2025) [new reference to adopted policy document]	Clause 16.01-2L
South Gippsland Housing and Settlement Strategy (Planisphere, 2013)	Clause 43.02s4	
South Gippsland Paths and Trails Strategy (South Gippsland Shire Council, 2010) [new reference to adopted policy document]	South Gippsland Social and Affordable Housing Strategy (Hornsby & Co, 2022) [new reference to adopted policy document]	Clause 16.01-2L Clause 18.02-1L
South Gippsland Shire Council Plan 2020-2024 (South Gippsland Shire Council, 2020)	Urban Design Framework: Settlement Background Paper, Sandy Point (Connell Wagner, 2006)	Clause 43.04s5 Clause 11.01-1L-09

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SOUTH GIPPSLAND PLANNING SCHEME

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

- 1, 1BMO, 1EMO, 1ESO9, 1DPO, 1HO, 1LSIO, ~~1BMO,~~ 1SRO, 1RXO, 1RO
- 2, 2BMO, 2ESO9, 2HO, 2DDO, 2DPO, 2RXO, ~~2BMO~~
- 3, 3BMO, 3EMO, 3ESO9, 3HO, 3LSIO, 3EAO, 3RXO, ~~3BMO~~
- 4, 4BMO, 4EMO, 4ESO9, 4HO, 4LSIO, ~~4BMO~~
- 5, 5EMO, 5ESO9, 5HO
- 6, 6BMO, 6EMO, 6ESO2, 6ESO9, 6HO, 6LSIO, ~~6BMO~~
- 7, 7BMO, 7EMO, 7ESO1, 7ESO2, 7ESO9, 7LSIO, 7HO, ~~7BMO,~~ 7PAO
- 8, 8EMO, 8ESO1, 8ESO2, 8ESO4, 8BMO, 8RO, 8SCO
- 9, 9BMO, 9EAO, 9EMO, 9ESO1, 9ESO2, 9ESO4, 9HO, 9DDO, 9DPO, ~~9BMO,~~ 9PAO, ~~9EAO,~~ 9SCO
- 10, 10BMO, 10DPO, 10EMO, 10ESO2, 10ESO4, 10ESO9, 10LSIO, ~~10BMO,~~ 10PAO, 10RO, 10RXO~~,10RO~~
- 11, 11EMO, 11ESO9, 11HO, 11RO, 11RXO, ~~11RO~~
- 12, 12BMO, 12EMO, 12ESO9, 12HO, 12LSIO, ~~12BMO~~
- 13, 13BMO, 13AEO, 13EMO, 13ESO2, 13ESO9, 13HO, 13LSIO, ~~13BMO,~~ 13PAO, 13RO 13RXO, ~~13RO~~
- 14, 14BMO 14EMO, 14ESO2, 14ESO8, 14ESO9, 14HO, 14DDO, 14DPO, 14PAO, 14RO, 14RXO
- ~~14RXO,14BMO,~~
- 15, 15EMO, 15ESO2, 15ESO9, 15HO
- 16, 16EMO, 16DDO, 16DPO, 16EAO, 16ESO2, 16ESO4, 16HO, 16LSIO, 16PAO, 16PO
- 17, 17EMO, 17ESO2, 17LSIO, 17PAO, 17BMO
- 18, 18BMO,18EMO, 18ESO1, 18ESO2, 18ESO4, 18HO, 18LSIO, ~~18BMO,~~ 18PAO, 18RO, 18SCO
- 19, 19EMO, 19ESO2, 19SCO
- 20, 20BMO, 20EMO, 20ESO2, 20HO, 20LSIO, 20PAO~~, 20BMO~~
- 21, 21BMO, 21EMO, 21ESO1, 21ESO2, 21HO, 21LSIO, ~~21BMO,~~ 21RO, 21SCO
- 22, 22BMO, 22DDO, 22ESO3, 22ESO7, 22LSIO, 22SLO, ~~22BMO~~
- 23, 23BMO, 23DDO, 23EMO, 23ESO2, 23ESO3, 23ESO7, 23LSIO, 23SLO, ~~23BMO~~
- 24, 24BMO, 24DDO, 24ESO3, 24ESO7, 24LSIO, 24RO, 2~~4~~3SLO, ~~24BMO~~
- 25, 25BMO, 25DDO, 25ESO7, 25LSIO, 25HO, ~~25BMO~~
- 26, 26BMO, 26EMO, 26ESO1, 26ESO2, 26ESO3, 26HO, 26LSIO, 26PAO, 26SLO, ~~26BMO,~~ 26RO, 26SCO
- 27, 27EMO, 27HO, 27LSIO
- 28, 28BMO, 28DDO, 28EMO, 28ESO1, 28ESO2, 28ESO3, 28ESO4, 28HO, 28LSIO, 28PAO, 28SLO~~,28BMO~~, 28RO
- 29, 29BMO, 29DDO, 29EMO, 29ESO3, 29ESO4, 29HO, 29PAO, 29RXO, 29SLO~~, 29BMO~~

- 31,31BMO, 31EMO, 31ESO1, 31ESO2, 31ESO3, 31ESO4, 31HO, 31LSIO, 31RXO, 31SLO, 31RO

- 32, 32BMO, 32EMO, 32HO, 32SLO,
- 33, 33BMO, 33ESO3, 33HO, 33LSIO, 33SLO, 33RO
- 34, 34BMO, 34EMO, 34ESO3, 34SLO,
- 35, 35BMO, 35EMO, 35ESO3, 35ESO4, 35HO, 35LSIO, 35SLO, 35SCO
- 36, 36BMO, 36EMO, 36ESO3, 36SLO,
- 37, 37BMO, 37DDO, 37EMO, 37DPO, 37ESO1, 37ESO3, 37ESO7, 37LSIO, 37SLO,
- 38, 38BMO, 38DDO, 38EMO, 38ESO3, 38ESO7, 38LSIO, 38SLO,
- 39, 39BMO, 39ESO3, 39HO, 39LSIO, 39SLO,

[Amending map list as per MDF&C]

- \30, 30EMO, 30ESO3, 30ESO4, 30HO, 30LSIO, 30PAO, 30SLO, 30RO
- 31, 31BMO, 31EMO, 31ESO1, 31ESO2, 31ESO3, 31ESO4, 31HO, 31LSIO, 31RXO, 31SLO, ~~31BMO,~~ 31RO
- 32, 32~~32~~BMO, 32EMO, 32HO, 32SLO, ~~32BMO~~
- 33, 33BMO, 33ESO3, 33HO, 33LSIO, 33SLO, ~~33BMO,~~ 33RO
- 34, 34BMO, 34EMO, 34ESO3, 34SLO, ~~34BMO~~
- 35, 35BMO, 35EMO, 35ESO3, 35ESO4, 35HO, 35LSIO, 35SLO, ~~35BMO,~~ 35SCO
- 36, 36BMO, 36EMO, 36ESO3, 36SLO, ~~36BMO~~
- 37, 37BMO, 37DDO, 37EMO, 37DPO, 37ESO1, 37ESO3, 37ESO7, 37LSIO, 37SLO, ~~37BMO~~
- 38, 38BMO, 38DDO, 38EMO, 38ESO3, 38ESO7, 38LSIO, 38SLO, ~~38BMO~~
- 39, 39BMO, 39ESO3, 39HO, 39LSIO, 39SLO, ~~39BMO~~

[Amending map list as per MDF&C]

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SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

Zones

- General Residential Zone to the existing serviced residential areas and small additional areas to ensure that there is sufficient residential land (i.e. at least a 15 year supply), particularly around the larger towns in accordance with the settlement framework plans and structure plans.
- Township Zone in smaller settlements where land use flexibility is desirable and projected growth is limited and to the existing commercial areas of the small towns to concentrate commercial and retail activities within and adjacent to the existing town centres.~~.~~ [incorporating duplicated content - MDF&C]
- Low Density Residential Zone and Rural Living Zone to the existing and serviced low density residential and rural living areas to consolidate development and limit urban growth into rural areas.
- Mixed Use Zone to areas on the periphery of the commercial centres of Leongatha and Korumburra to encourage residential opportunities close to town centres.
- Commercial 1 Zone to the existing commercial areas of the major towns to concentrate office, retail and other commercial activities within the existing commercial centres.
- ~~Township Zone to the existing commercial areas of the small towns to concentrate commercial and retail activities within and adjacent to the existing town centres.~~[removing duplicated content – incorporated above - MDF&C]
- Farming Zone to areas outside the towns to protect land for primary production and to facilitate diversity in agricultural land uses.
- Public Park and Recreation Zone to areas of public land used for recreation. [revising schedule to reflect provisions applied - MDF&C]
- Rural Activity Zone to areas relatively close to settlements where tourism use and development ~~can be can be~~can be associated and/or compatible with agricultural production and environmental values.
- Rural Conservation Zone to Estate 3 at Venus Bay to protect and enhance the area's environmental values.
- Industrial 1 and 3 Zones to existing and serviced industrial areas to accommodate existing and future industrial development.
- ~~Road~~ Transport [revising schedule to reflect provisions applied - MDF&C] Zones – Category 1 and Category 2 according to the function of the road.
- Public Use Zone 6 – Local Government to municipal transfer stations and landfills.
- Special Use Zone to sites where the particular use or development circumstances cannot be given effect

by a standard zone. [revising schedule to reflect provisions applied - MDF&C]

- Public Conservation and Resource Zone to areas of public land used for conservation and resource management. [revising schedule to reflect provisions applied - MDF&C]

Overlays

- Environmental Significance Overlay Schedule 1 – Areas of Natural Significance to areas comprising significant flora and fauna. [revising schedule to reflect provisions applied - MDF&C]
- Environmental Significance Overlay Schedule 2 – Special Water Supply Catchments – to catchments used for provision of potable water supplies. [revising schedule to reflect provisions applied - MDF&C]~~[revising schedule to reflect provisions applied - MDF&C]~~
- Environmental Significance Overlay Schedule 3 – Coastal Settlements to the coastal areas to ensure that development is sensitive to the environmental values of the area. [revising schedule to reflect provisions applied - MDF&C]]
- Environmental Significance Overlay Schedule 4 – sewerage Treatment Plant and Environs to land surrounding sewage treatment plants. [revising schedule to reflect provisions applied - MDF&C]
- Environmental Significance Overlay Schedule 7 – Coastal Settlements to the coastal areas to ensure that development is sensitive to the environmental values of the area. [revising schedule to reflect provisions applied - MDF&C]
- Environmental Significance Overlay Schedule 8 - Manufacture of Milk Products Amenity Buffer to the milk products factory site in Leongatha and surrounding land. [revising schedule to reflect provisions applied - MDF&C]
- Environmental Significance Overlay Schedule 9 [revising schedule to reflect provisions applied - MDF&C] – Giant Gippsland Earthworm and Habitat Protection to areas comprising suitable habitat and earthworms.
- Heritage Overlay to sites of local heritage significance. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 1 – Township Approach to the entrances of townships from the Highway. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 2 – Burchell Lane Industrial Area to the Burchell Lane industrial precinct in Mirboo North to guide the form of industrial development and protect amenity of nearby uses. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 3 – Sandy Point to manage development and protect the character of the area. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 4 – Waratah Bay to manage development and protect the character of the area. [revising schedule to reflect provisions applied - MDF&C]]
- Design and Development Overlay Schedule 5 – Venus Bay to manage development and protect the character of the area. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 6 – Tarwin Lower manage development and protect the character of the area. [revising schedule to reflect provisions applied - MDF&C]

- Design and Development Overlay Schedule 7 – Korumburra Industrial Area Highway
- Precinct to o guide the form of industrial development. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 8 – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Inner Area) to protect Emergency Medical Service (EMS) helicopter operations serving the Leongatha Memorial Hospital.
- Design and Development Overlay Schedule 9 – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Outer Area) to protect Emergency Medical Service (EMS) helicopter operations serving the Leongatha Memorial Hospital. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 10 – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Inner Area) to protect Emergency Medical Service (EMS) helicopter operations serving the Foster Hospital. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 11 – Emergency Medical Services Helicopter Flightpath Area: Leongatha Hospital (Outer Area) to protect Emergency Medical Service. [revising schedule to reflect provisions applied - MDF&C]
- (EMS) helicopter operations serving the Foster Memorial Hospital. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 12 – Nyora Town Centre to guide development within the town centre. [revising schedule to reflect provisions applied - MDF&C]
- Design and Development Overlay Schedule 13 – Mirboo North Town Centre to guide development within the town centre. [revising schedule to reflect provisions applied - MDF&C]
- ~~Environmental Significance Overlay– Water Catchments to catchments used for provision of potable water supplies.~~ [duplication / rewording for clarity - MDF&C]
- ~~Environmental Significance Overlay – Areas Susceptible to Erosion to protect land subject to erosion.~~ [duplication / rewording for clarity - MDF&C]
- ~~Environmental Significance Overlay – Coastal Areas to the coastal areas to ensure that development is sensitive to the environmental values of the area. .~~ [duplication / rewording for clarity - MDF&C]
- Design and Development Overlay to guide the future character of the Mirboo North town centre as the town changes
- Development Plan Overlay Schedule 1 - Korumburra Entrance Node to guide future development of the area. [rewording for clarity - MDF&C]
- Development Plan Overlay Schedule 2 - Waratah Bay to guide future development of the area. [rewording for clarity - MDF&C]
- Development Plan Overlay Schedule 3 – Saputo Dairy Australia Leongatha Factory to guide future development of this site [updated wording as per Council's direction - revising schedule to reflect provisions applied - MDF&C]~~Development Plan Overlay Schedule~~
- Development Plan Overlay Schedule 4 - Low Density Residential Zone Development Plan – Simons Lane to guide future development of the area. [revising schedule to reflect provisions applied - MDF&C]~~Development Plan Overlay Schedule .~~
- Development Plan Overlay Schedule 5 - Nyora Residential Development Transition Area to guide future development of the area. [revising schedule to reflect provisions applied -

MDF&C]~~Development Plan Overlay Schedule . .~~

- Development Plan Overlay Schedule 6 - Korumburra Residential Growth Areas to guide future development of the area. [revising schedule to reflect provisions applied - MDF&C]
- Development Plan Overlay Schedule 7 - Jumbunna Road Residential Area to guide future development of the area. [revising schedule to reflect provisions applied - MDF&C]
- Development Plan Overlay Schedule 8 Residential Growth Area (North West Korumburra) to guide future development of the area. [revising schedule to reflect provisions applied - MDF&C]
- Development Plan Overlay Schedule 9 - Western Leongatha Residential Growth Area to guide future development of the area. ~~Development Plan Overlay Schedule . .~~ [revising schedule to reflect provisions applied - MDF&C]
- Development Plan Overlay Schedule 10 - Nyora Urban Residential Growth Area (South of Glovers Road) to guide future development of the area. [revising schedule to reflect provisions applied - MDF&C]
- Development Plan Overlay Schedule ~~. .~~11 - Berrys Creek Road Residential Development Area to guide future development of the area. [rewording for clarity - MDF&C]
- Erosion Management Overlay Schedule 1~~— Schedule 1 to Clause 44.01 Erosion Management Overlay~~ to manage land at risk from erosion and landslip. [revising schedule to reflect provisions applied - MDF&C]
- Land Subject to Inundation Overlay Schedule 1 to land at risk from flood inundation. [revising schedule to reflect provisions applied - MDF&C]
- Bushfire Management Overlay Schedule 1 - Venus Bay, Walkerville Bal-29 Areas to provide specific guidance for land use and development in response to bushfire risk. [revising schedule to reflect provisions applied - MDF&C]
- Bushfire Management Overlay Schedule 2 - Foster, Meeniyan, Mirboo North/Baromi, Port Welshpool, Tarwin Lower, Venus Bay, Walkerville Bal-12.5 Areas to provide specific guidance for land use and development in response to bushfire risk. [revising schedule to reflect provisions applied - MDF&C]
- State Resource Overlay Schedule 1 - Strategic Extractive Resource Areas to ensure that land use and development is compatible with the future use of the area for extractive industries. [revising schedule to reflect provisions applied - MDF&C]
- State Resource Overlay Schedule 2 - Protecting Extractive Industries to land west of Nyora to ensure that land use and development is compatible with the future use of the area for extractive industries. [revising schedule to reflect provisions applied - MDF&C]
- Public Acquisition Overlay to identify land which is proposed to be acquired by a Minister, public authority or municipal council and reserve it for a public purpose. [revising schedule to reflect provisions applied - MDF&C]
- Airport Environs Overlay - Schedule 2 to ensure that land use and development are compatible with the operation of airports and airfields in the municipality. [revising schedule to reflect provisions applied - MDF&C]
- Environmental Audit Overlay to identify potentially contaminated land. [revising schedule to reflect provisions applied - MDF&C]
- Road Closure Overlay to identify land formerly used for a road which is now closed. [revising schedule to reflect provisions applied - MDF&C]
- ~~Development Plan Overlay Schedule . .~~ [duplication / rewording for clarity - MDF&C]
- ~~Development Plan Overlay Schedule . .~~ [duplication / rewording for clarity - MDF&C]

- Restructure Overlay including Restructure Plans and the Incorporated Document Restructure Plans for Old and Inappropriate Subdivisions in South Gippsland Shire (August 2019)
- Parking Overlay Schedule 1 - Leongatha Central Business District to identify appropriate car parking rates for land uses within the Leongatha Central Business District. [revising schedule to reflect provisions applied - MDF&C]
- Specific Controls Overlay to land to be developed in accordance with a specific control contained in a corresponding incorporated document.

Provisions

- Specific sites and exclusions to provide specific direction for land use and development on sites subject to an incorporated document.
- Subdivision and public open space contribution to prescribe the amount of contribution for public open space. [revising schedule to reflect provisions applied - MDF&C]
- ~~A development contributions policy to guide infrastructure provision.~~ [removing reference to further strategic work - MDF&C]

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SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

Further strategic work

Apply planning controls that address land use risk and climate change in coastal areas, including townships, as part of the South Gippsland Coastal Strategy 2023 implementation. This may result in an update to the South Gippsland Housing and Settlement Strategy 2013.

Review controls on residentially zoned land and, where necessary, undertake character assessments to inform new planning controls to manage development, considering the full suite of residential zones and overlays. ~~This should include:~~

~~Guidance about development on laneways, particularly in Korumburra and Leongatha relating to infill subdivision and development proposals.~~ [summarising / rewording - MDF&C]

~~Review of the existing Environmental Significance Overlays (ESO) and Design and Development Overlays (DDO) to ensure they are achieving what is expected from them, are applied at the right scale, have the correct permit triggers in them and sufficient detail to better aid applicants and decision makers.~~ [summarising / rewording - MDF&C]

~~Clearer urban design guidance to assist with balancing the tension between competing objectives and outcomes for the siting and design of buildings and works.~~ [summarising / rewording - MDF&C]

Prepare a Rural Landscapes Assessment and review the South Gippsland Rural Land Use Strategy 2011 to check that planning controls are protecting inland and rural hinterlands and transport / tourism routes from inappropriate development. This should address identification and protection of significant landscapes, preservation of agricultural land, and guidance for achieving development outcomes in keeping with scope of agricultural use. ~~This should include:~~ [summarising / rewording - MDF&C]

~~Review rural dwellings and subdivision policy requirements to ensure consistency with the Planning Policy Framework and protection of local values with input via community consultation.~~ [summarising / rewording - MDF&C]

~~Review ESO1 Areas of Natural Significance and prepare a detailed statement of significance and reduce the objectives to one. This may require splitting the existing ESO1 into finer grained ESOs to address the specific issues of environmental significance or consider the benefits of translating to the Significance Landscape Overlay (SLO).~~ [summarising / rewording - MDF&C]

~~Review whether the S173 Agreement requirements detailed in the South Gippsland Rural Land Use Strategy 2011 can be incorporated into the planning scheme and if not, undertake further strategic work to identify other controls to address dwelling density in rural areas.~~ [summarising / rewording - MDF&C]

~~Review rural dwellings and subdivision policy requirements to ensure consistency with~~

~~the Planning Policy Framework and protect local values, with input via community consultation.~~ [summarising / rewording - MDF&C]

~~Finalise and implement Council's current review of planning permit triggers in the Shires rural areas.~~ [summarising / rewording - MDF&C]

Plan Nyora's growth and infrastructure to accommodate the expected growth in the area and transition it successfully to a higher order town in South Gippsland Shire. This will require a minor review of the

South Gippsland Housing and Settlement Strategy 2013, implementation of the Nyora Development Strategy 2016 and may include urban character and flood risk controls.

InvestigateFacilitate the introduction of a Development Contributions Plan for key urban growth and infill areas in Leongatha, Korumburra, Nyora, Mirboo North and Foster, in consultation with the Department of Transport and Planning on key transport infrastructure issues. [summarising / rewording - MDF&C]

Prepare and implement the Industrial Land Use Strategy to ensure a sufficient, appropriately located supply of industrial land, particularly considering the impacts of emerging off shore energy generation, and the changing needs of the agricultural industry and implement planning measures for the Barry Beach Marine Terminal as required under the Regional Precinct and Partnership Plan.

Continue implementation of new and updated flood mapping where supported by the relevant floodplain management authority [updating for clarity at the direction of Council]Implement the Flood & Drainage Study for Foster and Surrounding Catchments July 2019 in partnership with the West Gippsland Catchment Management Authority.

Apply the Heritage Overlay to locally significant heritage precincts and continue implementation of the South Gippsland Heritage Study with the support of the communityUpdate the South Gippsland Heritage Study 2004 as necessary and apply the Heritage Overlay to all heritage places and precincts of local heritage significance.

Review planning controls for the Southern Leongatha Growth Area to support residential development and highway frontage commercial development in this locality-[New proposed work – derived from policy direction of 11.01-1L-02]

Implement the Waratah Bay Coastal Hazard Assessment. [New proposed work – SGSC]

Undertake the Foster Structure Plan. [New proposed work – 2023 Planning Scheme Review

Implement the Bushfire Assessment Planning Recommendations for Foster and Mirboo North. [New proposed work – SGSC]

Consider the need for a signage study to inform the future use of signs which are sensitive to and respond appropriately to their surrounding area. [New proposed work – SGSC]

Investigate the use of VicSmart provisions in rural areas to achieve development efficiencies and high-quality development outcomes. [New proposed work – SGSC]

SOUTH GIPPSLAND SHIRE COUNCIL

Engagement Report: Planning Scheme Review 2026



Engagement Duration

30 June to 26 July 2026

Responses and Submissions

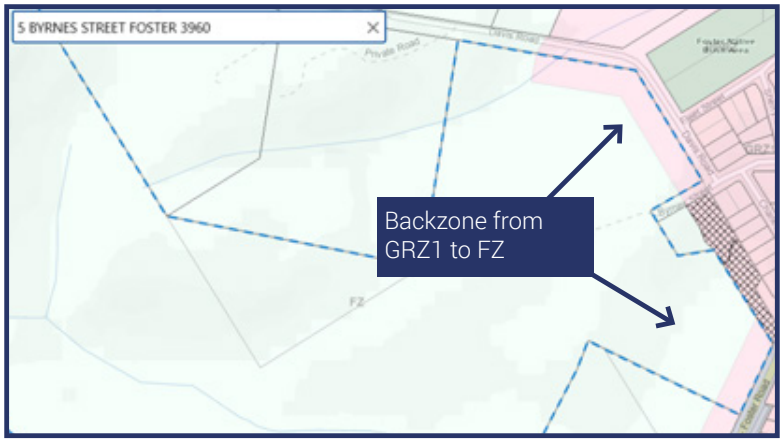
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South Gippsland Shire Council

What We Heard and our Response

Submissions

Submitter	Summary of Submission	Council Response
Latrobe City Council	Latrobe City Council supports the promotion of tourism in Mirboo North as it compliments Latrobe's major towns, especially Churchill. The submission also covered strategic work required regarding the Strzelecki-Alpine biolink to ensure all councils can combine their efforts to protect and enhance important habitat corridors.	Our Council Plan 2025 to 2029 has strategies that support the development of the Strzelecki-Alpine biolink. This foundation alongside our neighbouring councils will allow South Gippsland to continue to investigate specific planning controls that protect and enhance habitat corridors where appropriate. No changes are proposed to the South Gippsland Planning Scheme at this time.
Melbourne Water	Melbourne Water considered the proposed changes largely policy-neutral and did not provide substantive comments on the material. The submission focused on work they are currently doing that may require adding into the South Gippsland Planning Scheme down the track such as flood mapping.	No changes are proposed at this stage. The updates provided have been noted and will be considered as part of future decision making.

Submitter	Summary of Submission	Council Response
West Gippsland Catchment Management Authority	The submission requested the below changes: • Retention of Clause 02.03-3 'Environmental risks and amenity'. • Retention of Clause 02.03-4 'Natural Resource Management'. • Inclusion of a strategy at Clause 12.01-1L 'Biodiversity'. • Inclusion of a strategy at Clause 19.03-3L 'Integrated Water Management'. • Change the kind of application being referred to them under ESO1. • Amend ESO2 to reference 50 metres instead of 30 metres. • Amend Clause 66.04 to include them as a recommending authority for applications to subdivide land.	Council supports the following: • Amending Clause 66.04 to ensure that ESO1 matters can be addressed to the West Gippsland Catchment Management Authority (WGCMA). This will allow WGCMA to consider the impacts of developments on waterway health. • Amending the Planning Scheme to align with the recent VC278 amendments where relevant.
Raso Consulting	Rezoning of land at 5 Byrnes Street, Foster. 	Council provides in-principle support to backzone from General Residential Zone (GRZ1) to Farming Zone (FZ). Part of this lot is identified as a 'urban residental expansion area' in the Foster Framework Plan for Growth. Backzoning would allow orderly and proper planning considerations be applied to the whole of the expansion area, include specific bushfire and subdivision connectivity considerations. This would provide a more coordinated approach than allowing ad hoc rezoning arrangements, which could create a disjointed subdivision.

Submitter	Summary of Submission	Council Response
Agriculture Victoria	Their submission focused on the need to retain agricultural land. They recommended: • Development of a Rural Landscapes Assessment. • Review of the South Gippsland Rural Land Use Strategy. • Removing ambiguous terms. They also highlighted amendments to the Victorian Planning Provisions that are pending.	Rural councils across Victoria are facing similar pressures with the progressive loss of productive agricultural land. Although developing a local strategy remains a priority for Council, stronger state-wide policy could better manage the use of productive agricultural land. This includes addressing the expectation that rural living areas should provide for residential development, particularly where this conflicts with the protection of productive agricultural land. Council has called on the Municipal Association of Victoria (MAV) to advocate to the Victorian Government for the development of a suitable state-wide strategy to protect the long-term viability of productive agricultural land. Council will continue to identify land use issues that contribute to placing agricultural land under pressure, and advocate for policy changes, while progressing local strategies and policy responses.

Survey Responses

Theme / Location	Survey Response (shortened)	Council Response
Infrastructure / Nyora	No more housing in Nyora. Already two estates with no servo or supermarkets. A revamp of the clubs rooms is a must. Run down, old and not functional.	**No changes required.** The South Gippsland Planning Scheme currently highlights future work is required to plan for Nyora's growth and infrastructure to accommodate the expected growth (Schedule to Clause 74.02). Further to this, Council has also secured funds for a Transport Infrastructure and Connectivity Study.
Farming Zone / Various	Three responses talked about building dwellings on titles of less than 40 hectares.	**No changes required.** The Victorian Planning Provisions set state-wide rules that limit the use of the Farming Zone for dwellings. This is primarily intended to protect agricultural land from being fragmented into small rural-residental lots and to discourage dwellings that could undermine the use of productive agricultural land. In Clause 74.02, an action to review the South Gippsland Rural Land Use Strategy exists. Further opportunities for comment will be available during that process.
Schedule to Clause 52.17 – Native Vegetation, Biodiversity / Various	Add Sweet Pittosporum (Pittosporum undulatum) to the scheduled weeds table for areas that do not include warm temperate or cool temperate rainforest EVCs.	**No changes required.** Inclusion of Pittosporum, while having merit, would need to be considered in the context of other species that could also be included in a permit exemption and would be an involved, multi-agency project.

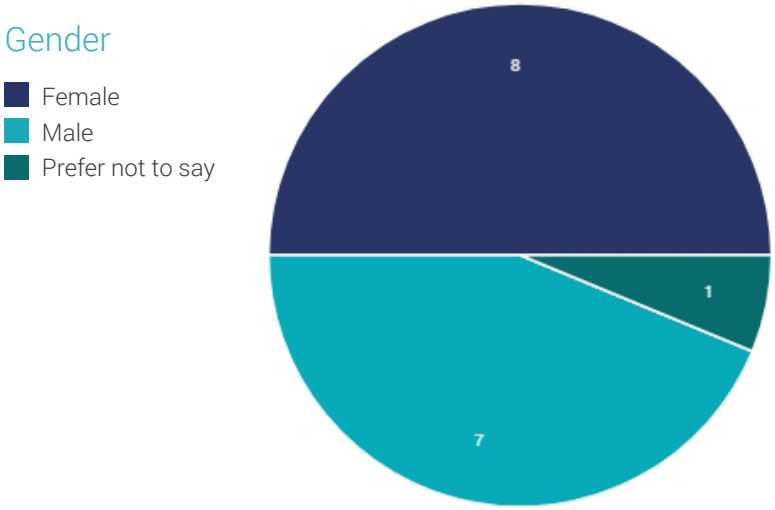
Theme / Location	Survey Response (shortened)	Council Response
Western Port Woodlands – Biodiversity / Nyora	Ecological expert witness (including the Minister's expert) at the Bass Coast Distinctive Areas and Landscapes Standing Advisory Committee identified the 'Western Port Woodlands' as nationally significant remnant habitat. The Woodlands are identified by the Victorian National Parks Association includes land in the South Gippsland Shire west of Nyora. The South Gippsland Landcare Network is currently undertaking a biodiversity mapping project to identify habitat connectivity that aligns with work currently being undertaken by other councils and the Phillip Island Land Alliance. Given the significance of the remnant bushland west of Nyora, the ongoing work by Landcare and neighbouring councils, as well as the priority identified by Councillors to prevent biodiversity loss, a translation of this work into planning controls should be considered for inclusion in future strategic work.	**No changes required.** Included at Schedule to Clause 74.02 'Further Strategic Work' are several projects that plan to investigate and review the effectiveness and relevance of the ESOs and SLOs. Part of this work may include recommending the rezoning of land like the Western Port Woodlands to better reflect the land use and appropriately protect it.
Bushfire / Mirboo North	The draft Planning Scheme identifies the following item under Further Strategic Work: "*Implement the Bushfire Assessment Planning Recommendations for Foster and Mirboo North.*" This significantly understates the potential implications of the proposed work. If implemented, these recommendations could fundamentally change development opportunities across parts of Mirboo North and Darlimurla, with last impacts on housing supply, property values, incsurance affordability and the long-term sutainability of these communities.	**No changes required.** Council has invested significant resources and has adopted the Mirboo North Bushfire Report with the next steps being a planning scheme amendment to implement the findings. The report will be further tested through the amendment process and implemented as appropriate.

Theme / Location	Survey Response (shortened)	Council Response
Korumburra Senior Citizens	I request that the Planning Scheme Review not treat planning controls, rezoning, amendment approval, asset clarification or disposal planning as resolving separate questions of trust, title, trustee succession, beneficial ownership, public-purpsose obligation, asset authority, financial treatment or lawful disposal authority.	**No changes required.** The matters raised are outside the scope of the Planning Scheme Review and have been forwarded to the relevant team.
Higher density housing / Korumburra South	Consider rezoning Rural Living Zone land within the Korumburra settlement boundary to allow high density housing.	**No changes required.** Council will assess site-specific rezoning applications on a case-by-case basis.
Zoning Change / Korumburra	Change zoning for Ayrlie Park, Korumburra from Rural Living to Rural Residential.	**No changes required.** Council will assess site-specific rezoning applications on a case-by-case basis.
Better protecting existing various values	There are significant gaps in the South Gippsland Planning Scheme. The Planning Scheme should give communities, landholders and decision-makers greater certainty by clearly identifying where extractive industries are appropriate, and where they are not.	**No changes required.** Council has an extensive program of further strategic work set out in Clause 74.02. While substantial consideration has been given to including this matter, the extent of work required means it cannot be accommodated at this time. Any matter is still subject to Council's broader strategic planning priorities.

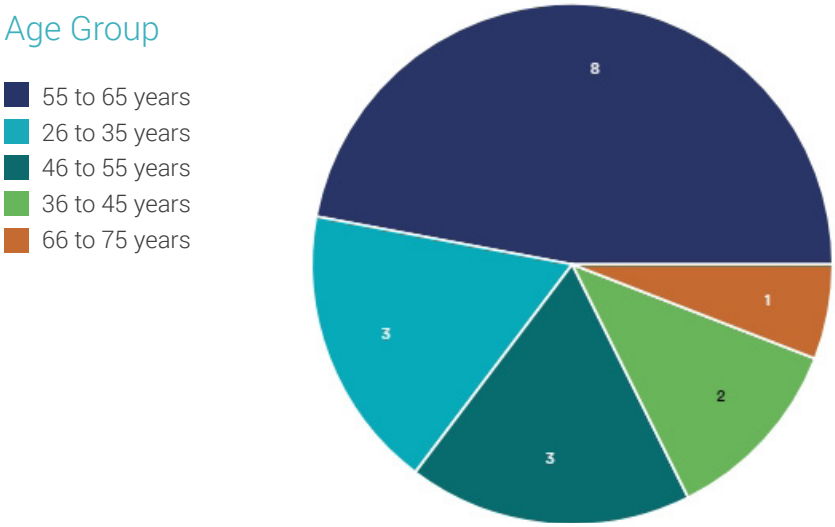
Theme / Location	Survey Response (shortened)	Council Response
Infrastructure and population growth / Toora	With more young families moving to Toora (Primary School numbers increased from 57 to 115 over past four years), the current infrastructure is not sufficient. It would be great to see offsets for clearing vegetation - when an application requires clearing - they should be offsetting that through new plantings.	**No changes required.** Included in Schedule to Clause 74.02 'Further Strategic Work' is an action that talks to implementing planning measures for the Barry Beach Marine Terminal under the Regional Precinct and Partnership Plan. Planning considerations for Toora will be reflected as part of this process.
Environmental and Landscape / Various	Four responses talked about requiring a visual landscape assessment or some consideration of the visual impact of a quarry development. One also spoke about rural subdivisions.	**No changes required.** Included at Schedule to Clause 74.02 'Further Strategic Work' are a number of projects that plan to investigate and review the effectiveness of the ESOs and SLOs. A review of the South Gippsland Rural Land Use Strategy is also included at Schedule to Clause 74.02 'Further Strategic Work'.

Demographics of Survey Responders

Gender



Age Group



SOUTH GIPPSLAND SHIRE COUNCIL

9 Smith Street (Private Bag 4) Leongatha VIC 3953
Phone: 5662 9200
Email: council@southgippsland.vic.gov.au
Website: www.southgippsland.vic.gov.au
Facebook: www.facebook.com/southgippslandshirecouncil

South Gippsland
Shire Council

South Gippsland Shire Council

SOUTH GIPPSLAND SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

21 OCTOBER 2026

South Gippsland Shire Council

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegate each duty and/or function and/or power described in column 1 of the Schedule to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 1 of the Schedule;
2. record that references in the Schedule refer to the Positions table in this document:
3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 21 October 2026; and

3.2 the delegation:

3.2.1 comes into force immediately once the Chief Executive Officer's signature is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy adopted by Council;

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by the Chief Executive Officer of Council in the presence of:

Date:

Witness:

Date:

Delegation Sources

- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Planning and Environment Interim Regulations 2026
- Planning and Environment (Fees) Regulations 2016
- Road Management (General) Regulations 2026
- Road Management (Works and Infrastructure) Regulations 2026

Positions

Position
Asset Systems Officer
Building and Planning Enforcement Officer
Chief Executive Officer
Chief Financial Officer
Coordinator Biodiversity
Coordinator Building and Planning Compliance
Coordinator Civil Asset Strategy
Coordinator Community Safety
Coordinator Environmental Health

Position
Coordinator Governance
Coordinator Procurement and Assurance
Coordinator Property
Coordinator Strategic Planning
Environment Health Technical Officer
Environmental Health Officer
Executive Director Empowering Communities
Executive Director Infrastructure Sustainability
Executive Director Strategy and Integrity
Head of Planning Services
HR & RTW Advisor
Major Planning Projects Officer
Manager Community, Customer and Visitor
Manager Governance and Integrity

Position
Manager Infrastructure Delivery
Manager Infrastructure Maintenance
Manager Infrastructure Planning
Manager Open Space and Environment
Manager Planning and Building Services
Municipal Building Surveyor
Planning and Building Support Officer
Principal Statutory Planner
Principal Strategic Planner
Senior Community Safety Officer
Senior Statutory Planner
Senior Subdivisions, Planning and Building Support Officer
Statutory Planner
Strategic Planning Officer

South Gippsland Shire Council

Position
Team Leader Planning and Building Support

Positions Groups

Positions Group
Major Planning Projects

South Gippsland Shire Council

S6 Instrument of Delegation - Members of Staff

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 7	Power to enter into a written agreement with a caravan park owner	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 10	Function of receiving application for registration	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 11	Function of receiving application for renewal of registration	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 12(4) & (5)	Duty to issue certificate of registration	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 14(1)	Function of receiving notice of transfer of ownership.	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 14(3)	Power to determine where notice of transfer is displayed	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 15(1)	Duty to transfer registration to new caravan park owner	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 15(2)	Duty to issue a certificate of transfer of registration	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 15(3)	Power to determine where certificate of transfer of registration is displayed	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 17	Duty to keep register of caravan parks	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 21(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 21(2)	Duty to consult with relevant emergency services agencies	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 24(2)	Power to consult with relevant floodplain management authority	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 39(3)	Function of receiving installation certificate	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	

Domestic Animals Act 1994			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 41A(1)	Power to declare a dog to be a menacing dog	Senior Community Safety Officer, Manager Community, Customer and Visitor, Coordinator Community Safety	Council may delegate this power to a Council authorised officer

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(2)(a)	Power to direct by written order that the particular food premises be put into a clean and sanitary condition	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19(2)(c)	Power to direct by written order that any applicable requirement of the Food Safety Standards referred to in s 19(1)(d) is complied with	Coordinator Environmental Health	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19CB(4)(b)	Power to request copy of records	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19E(1)(d)	Power to request a copy of the food safety program	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19N(2)	Function of receiving notice from the auditor	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	Coordinator Building and Planning Compliance, Coordinator Environmental	

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a particular food premises to comply with any requirement under Part IIIB	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a particular food premises to have staff at the premises undertake training or instruction	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 19W(3)(b)	Power to direct a proprietor of a particular food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
--	Power to register or renew the registration of a food premises	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 36A	Power to accept an application for registration or notification using online portal	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 38A(4)	Power to request a copy of a completed food safety program template	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 38D(3)	Power to request copies of any audit reports	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A(6)	Duty to comply with a direction of Safe Food Victoria under s 39A(4)	Environmental Health Officer, Coordinator Building and Planning Compliance,	

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Environmental Health, Manager Planning and Building Services	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health, Manager Planning and Building Services	
s 40D(1)	Power to suspend or revoke the registration of food premises	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 40E(4)	Duty to comply with direction of Safe Food Victoria under s 40E(1)	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 40F	Power to cancel registration of food premises	Environmental Health Officer, Coordinator Environmental Health	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 43	Duty to maintain records of registration	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 45AC	Power to bring proceedings	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	Where Council is the registration authority

Heritage Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 116	Power to sub-delegate Executive Director's functions, duties or powers	No delegate	Must first obtain Executive Director's written consent

Heritage Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 185L(4)	Power to declare and levy a cladding rectification charge	No delegate, Not applicable	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	Principal Strategic Planner, Strategic Planning Officer , Executive Director	If authorised by the Minister

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Empowering Communities, Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 12B(1)	Duty to review planning scheme	Manager Planning and Building Services, Head of Planning Services (HPS)	
s 12B(2)	Duty to review planning scheme at direction of Minister	Manager Planning and Building Services, Head of Planning Services (HPS)	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Coordinator Building and Planning Compliance, Coordinator Biodiversity, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 16B	Duty (upon receiving a request to prepare an amendment to the planning scheme) to decide:	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	- to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F, or - to refuse the request. Note: see also sections 16A, 16D, 16E and 16K.	Support, Head of Planning Services (HPS)	
s 16C(1)	Duty to give written notice of its decision under section 16B to the person who made the request within 10 business days of making the decision. Note: The notice must contain prescribed information, and reasons if it is a refusal.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	
s 16C(4)	Duty to give a copy of the request and the notice under subsection 16C(1) to the Minister.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16F	Power to apply to the Minister for authorisation to prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in the municipal district. Note: see also sections 16G and 16K.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	
s 16F	Power to prepare an amendment to the planning scheme where the Minister has authorised Council to do so under section 16F	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	
s 16H	Power to prepare an amendment specified in an application without the Minister's authorisation if no response received after 10 business days Note: see also section 16K.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	Does not apply in relation to an application for the preparation of an amendment that will apply to land to which a Suburban Rail Loop planning area declaration applies.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16I	Power to apply to the Minister for authorisation to prepare an amendment to any part of the State standard provisions and local provisions of a planning scheme applying to an area adjoining its municipal district.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	
s 16I	Power to prepare amendment to the planning scheme applying to an area adjoining Council's municipal district where the Minister has authorised Council to do so under section 16I. Note: see also sections 16D, 16G and 16J.	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	
s 17(1)	Duty of giving copy amendment to the planning scheme	Principal Strategic Planner, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 17(2)	Duty of giving copy s 173 agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	Principal Strategic Planner, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager Planning and Building Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer,	Where Council is a planning authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Head of Planning Services (HPS), Major Planning Projects	
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 22(1)	Duty to consider all submissions received before the date specified in the notice	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 23A(2)	Power to: - change the amendment in the manner requested;	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building	Where Council is the planning authority.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	- not change the amendment in the manner requested; or - abandon the amendment or part of the amendment.	Support, Head of Planning Services (HPS)	After considering a submission which requests a change to a 'low-impact' amendment (as described in section 16N).
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 28(1)	Duty to notify the Minister if abandoning an amendment, with a copy of any submission	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering	Note: the power to make a decision to abandon an amendment cannot be delegated

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	considered, and a statement of reasons for the decision	Communities, Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 28(2)	Duty to publish notice of the decision on Internet site	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning and Building Support Officer, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Head of Planning Services (HPS), Major Planning Projects	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning and Building Support Officer, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 28C	Duty to comply with directions of the Minister after abandoning the amendment with respect to: - providing relevant documentation; and	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	- providing assistance with steps to be taken for the amendment.	Support, Head of Planning Services (HPS)	
s 30(4)(a)	Duty to say if amendment has lapsed	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 30(4)(b)	Duty to provide information in writing upon request	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 32(2)	Duty to give more notice if required	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 33(1)	Duty to give more notice of changes to an amendment	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 36(2)	Duty to give notice of approval of amendment	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 38(5)	Duty to give notice of revocation of an amendment	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 40(1)	Function of lodging copy of approved amendment	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning and Building Support Officer, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	accordance with the requirements set out in s 197B of the Act after the inspection period ends	Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent	Not applicable	Where Council is a responsible public entity and is a planning authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity		
s 46AW	Function of being consulted by the Minister	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	expressed to be binding on the responsible public entity	Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GG(1)(d)	Power to incorporate into a planning scheme an infrastructure contributions plan that provides for the imposition of infrastructure contributions to fund the reasonable costs and expenses incurred by the planning authority, the collecting agency and a development agency in carrying out their respective	Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	functions under this Part in relation to the infrastructure contributions plan and the related precinct structure plan or strategic plan, capped at an annual percentage of the standard levy	Strategic Planning, Head of Planning Services (HPS)	
s 46GG(1A)	Power to incorporate into a planning scheme an infrastructure contributions plan that provides for the monetary component to fund any acquisition of land (other than public purpose land) necessary for the provision of works, services and facilities referred to in s 46GG(1), where the plan does not include a land component	Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation, content and administration of infrastructure contributions plans	Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GJ(2A)(a)	Power to specify an infrastructure contributions plan the priority categories of works, services or facilities and relevant land acquisitions to be founded through a standard levy	Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where Council is the planning authority and Minister makes a direction under s 46GJ(2A)
s 46GJ(2A)(b)	Power to determine from time to time the specific works, services or facilities and relevant land acquisitions to be funded	Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where Council is the development agency specified in the infrastructure contributions plan and Minister makes a direction under s 46GJ(2A)
s 46GJ(2C)	Duty to make available in accordance with the public availability requirements any document relied on for the determination of specific works, services or facilities or relevant land acquisitions to be funded, and written notice of any such determination	Principal Strategic Planner, Strategic Planning Officer , Chief Executive Officer, Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Planning and Building	Where Council is the development agency specified in the infrastructure contributions plan and Minister makes a direction under s 46GJ(2A)

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GP	Function of receiving a notice under s 46GO	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Head of Planning Services (HPS)	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Services, Head of Planning Services (HPS)	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Chief Executive Officer	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Chief Executive Officer	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building Services, Head of Planning Services (HPS)	
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs or plan administration costs to the planning authority that incurred those costs The forwarding duty does not apply to any monetary component that is imposed for plan administration costs incurred by the collecting agency	Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component imposed for plan preparation costs or plan administration costs The monetary component does not include plan administration costs incurred by the collecting agency	Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan,as responsible for those works, services or facilities	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and	Where Council is the development agency specified in the approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building Services, Head of Planning Services (HPS)	This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Principal Strategic Planner, Strategic Planning Officer , Coordinator	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning (Stat Plan Coord), Planning Administration Officer , Team Leader Planning and Building Support, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b), including expenditure of remaining monetary component for the provision of other works, services or facilities or relevant land acquisitions in the ICP plan area	Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager	Where Council is the collection agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Building Services, Head of Planning Services (HPS)	This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	under Part 3AB as a debt in any court of competent jurisdiction	Planning and Building Services, Head of Planning Services (HPS)	
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Chief Executive Officer, Executive Director Empowering Communities, Chief Financial Officer, Manager	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Building Services, Head of Planning Services (HPS)	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46Q(1)	Duty to keep proper accounts of levies paid	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Manager Planning and Building Services, Head of Planning Services (HPS)	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration	Must be done within six months of the end of the period required by the development

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Manager Planning and Building Services, Head of Planning Services (HPS)	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner,	With the consent of, and in the manner approved by, the Minister

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46QC	Power to recover any amount of levy payable under Part 3B	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 46QD	Duty to prepare report and give a report to the Minister	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not applicable	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 47	Power to decide that an application for a planning permit does not comply with that Act	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 48A	Power to notify an applicant that the application is incomplete Note: The notice must set out any required fees or information, the date for payment or production, and the effect of non-compliance set out in section 48B(1).	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Head of Planning Services (HPS)	Where Council is the responsible authority
s 48C	Power to refund a fee paid for an application which is void and of no effect under section 48B(1)	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Manager Planning and Building Services,	Where Council is the responsible authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Head of Planning Services (HPS)	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager Planning and Building Services, Statutory Planner, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	
s 50(4)	Duty to amend application	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 50(5)	Power to refuse to amend application	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 50(6)	Duty to make note of amendment to application in register	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 50A(1)	Power to make amendment to application	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 50A(4)	Duty to note amendment to application in register	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 52(3)	Power to give any further notice of an application where appropriate	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 54(1)	Power to require the applicant to provide more information	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 54(1B)	Duty to specify the lapse date for an application	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 57A(5)	Power to refuse to amend application	Manager Planning and Building Services, Head of Planning Services (HPS)	
s 57A(6)	Duty to note amendments to application in register	Manager Planning and Building Services, Head of Planning Services (HPS)	
s 57B(1)	Duty to determine whether and to whom notice should be given	Manager Planning and Building Services, Head of Planning Services (HPS)	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Manager Planning and Building Services, Head of Planning Services (HPS)	
s 57C(1)	Duty to give copy of amended application to referral authority	Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 58	Duty to consider every application for a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 58A	Power to request advice from the Planning Application Committee	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 60	Duty to consider certain matters	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 60(1A)	Duty to consider certain matters	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objection to the grant of the permit are received by Council, or b) In the Chief Executive Officers opinion, the permit application raises significant issues of Council policy or public interest.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 In accordance with Council Resolution 25 August 2010 Item B2 the delegate must not determine to grant a planning permit and must instead refer the permit application to Council for Council determination where: a) Five or more objections to the grant of the permit are received by Council, or b) In the Chief Executive Officer's opinion, the permit application raises significant issues of Coucnil policy or public interest.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 62(2)	Power to include other conditions	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Principal Strategic Planner, Strategic Planning Officer , Executive Director Empowering Communities, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions,	Note: The scope of approved infrastructure contributions plans has been expanded by the Planning Amendment (Better Decisions Made Faster) Act 2026 (No. 3 of 2026) to include works outside the ICP plan area, plan administration costs, and relevant land acquisitions.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Building Support Officer, Head of Planning Services (HPS)	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Senior Statutory Planner, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 64(3)	Duty not to issue a permit until after the specified period	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64(5)	Duty to give each objector a copy of an exempt decision	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services,	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Head of Planning Services (HPS), Major Planning Projects	
s 69(1)	Function of receiving application for extension of time of permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 69(1A)	Function of receiving application for extension of time to complete development	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 69(2)	Power to extend time	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 71(1)	Power to correct certain mistakes	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 71(2)	Duty to note corrections in register	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 73	Power to decide to grant amendment subject to conditions	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 74	Duty to issue amended permit to applicant if no objectors	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 76D	Duty to comply with direction of Minister to issue amended permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 83	Function of being respondent to an appeal	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 83B	Duty to give or publish notice of application for review	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 84AB	Power to agree to confining a review by the Tribunal	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 91(2)	Duty to comply with the directions of VCAT	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 93(2)	Duty to give notice of VCAT order to stop development	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 95(3)	Function of referring certain applications to the Minister	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 95(4)	Duty to comply with an order or direction	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	The request to prepare the amendment must be made under section 16A. Delegate must not agree to consider the application for the permit concurrently with the preparation of the proposed amendment unless it has made a decision under section 16B(a) to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 96F	Duty to consider the panel's report under s 96E	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96H(3)	Power to give notice in compliance with Minister's direction	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 96J	Duty to issue permit as directed by the Minister	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord),	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Executive Director Empowering Communities, Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 96Z	Duty to keep levy certificates and levy exemption certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97C	Power to request Minister to decide the application	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	Executive Director Empowering Communities, Head of Planning Services(HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 97Q(4)	Duty to comply with directions of VCAT	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer ,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 101	Function of receiving claim for expenses in conjunction with claim	Principal Strategic Planner, Strategic Planning Officer , Coordinator	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 103	Power to reject a claim for compensation in certain circumstances	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.107(1)	Function of receiving claim for compensation	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 107(3)	Power to agree to extend time for making claim	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	Principal Strategic Planner, Strategic Planning Officer , Planning Administration Officer , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 114(1)	Power to apply to the VCAT for an enforcement order	Coordinator Building and Planning Compliance, Coordinator Biodiversity, Principal Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 123(1)	Power to carry out work required by enforcement order and recover costs	Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Head of Planning Services(HPS)	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Head of Planning Services(HPS)	Except Crown Land
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	Coordinator Building and Planning Compliance, Executive Director Empowering Communities, Municipal Building Surveyor, Manager Community, Customer and Visitor, Coordinator Community Safety , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 126B	Power to commence criminal proceedings	Coordinator Building and Planning Compliance, Chief Executive Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.
s 129	Function of recovering penalties	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 130(5)	Power to allow person served with an infringement notice further time	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 132B	Power to make application for specific orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Executive Director Empowering Communities, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	
s 132C	Power to make application for adverse publicity orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities, Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.
s 132D	Power to apply for commercial benefits orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities,	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	
s 132E	Power to apply for supervisory intervention orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities, Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.
s 132G	Power to apply for industry exclusion orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities,	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	
s 132J	Power to apply for contravention orders	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities, Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.
s 133A	Power for an authorised person to be assisted by a relevant expert	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities,	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	
s 134A	Power for immediate entry of land	Coordinator Building and Planning Compliance, Building and Planning Enforcement Officer, Chief Executive Officer, Executive Director Empowering Communities, Executive Director Strategy and Integrity, Manager Planning and Building Services, Major Planning Projects Officer, Head of Planning Services (HPS)	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.
s 147A	Power to issue an identity card to each authorised officer	Coordinator Building and Planning Compliance, Chief Executive Officer, Executive Director Empowering Communities, Executive Director Strategy and Integrity, Coordinator	Note: This provision commences on 3 August 2026 as proclaimed by proclamation order dated 2 June 2026.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Governance, Manager Planning and Building Services, Manager Governance and Integrity, Head of Planning Services (HPS)	
s 149A(1)	Power to refer a matter to the VCAT for determination	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 149B	Power to apply to the Tribunal for a declaration.	Coordinator Building and Planning Compliance, Executive Director Empowering Communities, Municipal Building Surveyor, Manager Community, Customer and Visitor, Coordinator Community Safety , Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	Where Council is the relevant planning authority
s 158F	Power to make submissions in response to a directions panel	Coordinator Statutory Planning (Stat Plan Coord), Executive Director Empowering Communities, Team Leader Planning and Building Support, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 171(2)(f)	Power to carry out studies and commission reports	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 171(2)(g)	Power to grant and reserve easements	Principal Strategic Planner, Strategic Planning Officer , Coordinator Statutory Planning (Stat Plan Coord), Planning Administration Officer , Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Chief Executive Officer	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Chief Executive Officer	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Chief Executive Officer	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	No delegate	Chief Executive Officer
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	No delegate	Where Council is the relevant responsible authority Chief Executive Officer
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987	Coordinator Building and Planning Compliance, Coordinator Property , Building and Planning Enforcement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	requires something to be to the satisfaction of Council or Responsible Authority	Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178A(1)	Function of receiving application to amend or end an agreement	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Head of Planning Services (HPS)	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178A(5)	Power to propose to amend or end an agreement	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Head of Planning Services (HPS)	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Manager Infrastructure Planning , Coordinator Property , Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	After considering objections, submissions and matters in s.178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178E(3)(d)	Power to refuse to amend or end the agreement	Manager Infrastructure Planning , Coordinator Property , Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	Manager Infrastructure Planning , Coordinator Property , Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Manager Infrastructure Planning , Coordinator Property , Executive Director Infrastructure Sustainability, Executive Director Empowering Communities, Manager Planning and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building Services, Head of Planning Services (HPS)	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Manager Infrastructure Planning , Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	No delegate	Chief Executive Officer
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	Manager Infrastructure Planning , Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager Infrastructure Planning , Coordinator Property , Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 181	Duty to apply to the Registrar of Titles to record the agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Planning and Building Support Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Planning and Building Support Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 182	Power to enforce an agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer ,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 184G(2)	Duty to comply with a direction of the Tribunal	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 184G(3)	Duty to give notice as directed by the Tribunal	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	Coordinator Statutory Planning (Stat Plan Coord), Manager Planning and Building Services, Coordinator Strategic Planning, Major Planning Projects Officer, Head of Planning Services (HPS), Major Planning Projects	
s 198(1)	Function to receive application for planning certificate	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
s 199(1)	Duty to give planning certificate to applicant	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 201(1)	Function of receiving application for declaration of underlying zoning	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer ,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 201(3)	Duty to make declaration	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
-	Power to decide, in relation to any planning scheme or permit, that a specified thing may be altered or modified with Council's consent	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing may be done subject to Council's prior consent or must not be done without Council's prior consent	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing is required to be approved and or endorsed by Council	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services (HPS), Major Planning Projects	
-	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
-	Power to approve and or endorse any plan or any amendment to a plan or other document in accordance	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer ,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	with a provision of a planning scheme or condition in a permit	Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
-	Power to give written authorisation in accordance with a provision of a planning scheme	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Coordinator Building and Planning Compliance, Principal Strategic Planner, Strategic Planning Officer , Building and Planning Enforcement Officer, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS), Major Planning Projects	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 522(1)	Power to give a compliance notice to a person	Environmental Health Officer, Coordinator Building and Planning Compliance, Executive Director Empowering Communities, Coordinator Environmental Health, Manager Planning and Building Services	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	No delegate	Chief Executive Officer
s 525(4)	Duty to issue identity card to authorised officers	PCA, Executive Director Strategy and Integrity, HR & RTW Advisor, Coordinator Procurement and Assurance, Chief Financial Officer, Manager Planning and Building Services, Head of Planning Services (HPS)	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 526(5)	Duty to keep record of entry by authorised officer under s 526	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 526A(3)	Function of receiving report of inspection	Environmental Health Officer, Coordinator Building and Planning Compliance, Coordinator Environmental Health, Manager Planning and Building Services	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Coordinator Building and Planning Compliance, Executive Director Empowering Communities, Manager Community, Customer and Visitor, Manager Planning and Building Services	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Manager Governance and Integrity	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 11(9)(b)	Duty to advise Registrar	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Manager Governance and Integrity	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Manager Governance and Integrity	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Manager Governance and Integrity	Where Council is the coordinating road authority
s 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 12(10)	Duty to notify of decision made	Manager Infrastructure Planning , Coordinator Property , Manager	Duty of coordinating road authority where it is the discontinuing body

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Manager Governance and Integrity	Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	Manager Infrastructure Planning , Coordinator Property , Manager Infrastructure Delivery, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 15(2)	Duty to include details of arrangement in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	
s 16(7)	Power to enter into an arrangement under s 15	Manager Infrastructure Planning , Executive Director Infrastructure	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Sustainability, Manager Infrastructure Maintenance	
s 16(8)	Duty to enter details of determination in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	
s 17(2)	Duty to register public road in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18(3)	Duty to record designation in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	
s 19(4)	Duty to specify details of discontinuance in public roads register	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	
s 19(5)	Duty to ensure public roads register is available for public inspection	Manager Infrastructure Planning , Coordinator Civil Assets Strategy, Executive Director Infrastructure	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Sustainability, Manager Infrastructure Maintenance , Asset Systems Officer	
s 21	Function of replying to request for information or advice	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 22(5)	Duty to give effect to a direction under s 22	Manager Infrastructure Planning , Executive Director Infrastructure	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Sustainability, Manager Infrastructure Maintenance	
s 40(1)	Duty to inspect, maintain and repair a public road.	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 42(1)	Power to declare a public road as a controlled access road	Manager Infrastructure Planning , Executive Director Infrastructure	Power of coordinating road authority and sch 2 also applies

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Sustainability, Manager Infrastructure Maintenance	
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 49	Power to develop and publish a road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 51	Power to determine standards by incorporating the standards in a road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 54(2)	Duty to give notice of proposal to make a road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 54(6)	Power to amend road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 54(7)	Duty to incorporate the amendments into the road management plan	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	
s 63(1)	Power to consent to conduct of works on road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the infrastructure manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64(1)	Duty to comply with cl 13 of sch 7	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the coordinating road authority
s 67(3)	Power to request information	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 68(2)	Power to request information	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	No delegate	Chief Executive Officer
s 72	Duty to issue an identity card to each authorised officer	Manager Infrastructure Planning , Manager Infrastructure Delivery, PCA, Executive Director Infrastructure Sustainability, HR & RTW Advisor, Senior Community Safety Officer, Manager Infrastructure Maintenance , Coordinator Procurement and Assurance, Chief Financial Officer, Coordinator Community Safety , Manager Open Space and Environment (MOS&E)	
s 85	Function of receiving report from authorised officer	Manager Infrastructure Planning , Executive Director Infrastructure	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 86	Duty to keep register re s 85 matters	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	
s 87(1)	Function of receiving complaints	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 87(2)	Duty to investigate complaint and provide report	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	Chief Executive Officer	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 112(2)	Power to recover damages in court	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 116	Power to cause or carry out inspection	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	
s 119(2)	Function of consulting with the Head, Transport for Victoria	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 121(1)	Power to enter into an agreement in respect of works	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 122(1)	Power to charge and recover fees	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
s 123(1)	Power to charge for any service	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 2 cl 5	Duty to publish notice of declaration	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road	Manager Infrastructure Planning , Executive Director Infrastructure	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	infrastructure and technical advice or assistance in conduct of works	Sustainability, Senior Community Safety Officer, Coordinator Community Safety	
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Senior Community Safety Officer, Coordinator Community Safety	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability, Manager Infrastructure Maintenance	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the works manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 13(2)	Power to vary notice period	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 16(2B)	Power to refuse to consider an application made under sch 7 cl 16(1) if the application does not comply with sch 7 cl 16(2A)	Manager Infrastructure Planning	Where Council is the coordinating road authority
sch 7 cl 16(2C)	Power to request further information in relation to an application made under sch 7 cl 16(1)	Manager Infrastructure Planning	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 16(4)	Duty to consult	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl18(1)	Power to enter into an agreement	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7A cl 2	Power to cause street lights to be installed on roads	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	Manager Infrastructure Planning , Executive Director Infrastructure Sustainability	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Planning and Environment Interim Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 6	Function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	Principal Strategic Planner, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority. Note: the Planning and Environment Interim Regulations 2026 will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Principal Strategic Planner, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and	Note: the Planning and Environment Interim Regulations 2026 will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.

Planning and Environment Interim Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building Support Officer, Head of Planning Services (HPS)	
r 25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	Principal Strategic Planner, Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	Where Council is the responsible authority Note: the Planning and Environment Interim Regulations 2026 will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.
r 25(b)	Function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	Principal Strategic Planner, Strategic Planning Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building	Where Council is not the responsible authority but the relevant land is within Council's municipal district Note: the Planning and Environment Interim Regulations 2026 will be revoked on 8 May 2027, it is anticipated that new

Planning and Environment Interim Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Head of Planning Services (HPS)	regulations will commence prior to this date.
r 42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Principal Strategic Planner, Strategic Planning Officer , Senior Statutory Planner, Team Leader Planning and Building Support, Principal Statutory Planner, Manager Planning and Building Services, Coordinator Strategic Planning, Statutory Planner, Major Planning Projects Officer, Senior Subdivisions, Planning and Building Support Officer, Head of Planning Services (HPS)	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority. Note: the Planning and Environment Interim Regulations 2026 will be revoked on 8 May 2027, it is anticipated that new regulations will commence prior to this date.

Planning and Environment (Fees) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	Executive Director Empowering Communities, Manager Planning and Building Services, Head of Planning Services (HPS)	

Road Management (General) Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 8(3)	Duty to conduct reviews of road management plan within the period specified in s 90(3) of the Local Government Act 2020.	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the road authority
r 9(2)	Duty to produce written report of review of road management plan and make report available	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the road authority
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Road Management Act 2024	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the road authority

Road Management (General) Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 13(1)	Duty to publish notice of amendments to road management plan	Manager Infrastructure Planning , Manager Infrastructure Maintenance	where Council is the road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the road authority
r 16(6)	Power to issue permit	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the coordinating road authority
r 20(2)	Function of being consulted with by the Head, Transport for Victoria prior to it granting authorisation under r 20(1)	Manager Infrastructure Planning	Where Council is the road authority

Road Management (General) Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 23(1)	Function of receiving application for written consent for the purpose of s 66(1) of the Road Management Act 2004	Manager Infrastructure Planning	Where Council is the coordinating road authority Must consider the matters in r 23(4)
r 23(3)	Power to charge a fee for application made under r 23(1)	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish, substance or other material deposited or left on road or part of a road	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the appropriate road authority
r 25(2)	Power to sell or dispose of things removed from road under r 25 (after first complying with regulation 25(3))	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the appropriate road authority

Road Management (General) Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the appropriate road authority

Road Management (Works and Infrastructure) Regulations 2026			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 16	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the coordinating road authority and where consent given under clause16(5) of Schedule 7 to the Road Management Act 2004
r 24(2)	Power to waive whole or part of fee in certain circumstances	Manager Infrastructure Planning , Manager Infrastructure Maintenance	Where Council is the coordinating road authority