

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

AMENDMENT C151egip

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

The Amendment applies to the following land:

- 4 Lands End Grove, Metung 3904
- 11 Outlook Drive, Metung 3904
- 1 Mathew Avenue Metung 3904
- 24 Brolga Grove, Metung 3904
- 2 Kookabura Avenue, Metung 3904
- 5 Segull Avenue, Metung 3904
- 1 Magpie Avenue, Metung 3904
- 27 Broadlands Road, Metung 3904
- 59B Broadlands Road, Metung 3904
- 3 Jeremy Avenue, Metung 3904
- 5 Jeremy Avenue, Metung 3904
- 1 Curlew Grove, Metung 3904
- 1 Pelican Court, Metung 3904
- 6 Pelican Court, Metung 3904
- 3A Grevillia Avenue, Metung 3904
- 3B Grevillia Avenue, Metung 3904
- 24 Broadlands Road, Metung 3904
- 1 Swan Drive, Metung 3904
- 16 Meridian Way, Newlands Arm Victoria 3875
- 16 Crown Ridge Avenue, Newlands Arm 3875
- 24 Crown Ridge Avenue, Newlands Arm 3875
- 2 Tahoe Court, Newlands Arm 3875
- 62 Colony Club Drive, Newlands Arm 3875
- 3 Landfall Avenue, Newlands Arm 3875
- 46 Riverine Street, Bairnsdale 3875
- 256 Day Avenue, Omeo 3898
- Road reserve adjoining 12 Greer Street, Mallacoota 3892 (Mallacoota Recreation Reserve - Crown)

- 2 McEacharn Street, East Bairnsdale 3875 (Howitt Park Recreation Reserve - Crown)
- Reserve 1 - Hueton Place Lucknow adjoining 64 Great Alpine Road, Lucknow 3875 (Lucknow Recreation Reserve - EGSC)

A mapping reference table can be viewed at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment corrects inappropriate zonings and deletes overlays that are no longer effective within the East Gippsland Planning Scheme:

Deletion of Overlays on private land

1. Delete the Restructure Overlay from 4 Lands End Grove, Metung 3904
2. Delete the Restructure Overlay from 11 Outlook Drive, Metung 3904
3. Delete the Restructure Overlay from 1 Mathew Avenue, Metung 3904
4. Delete the Restructure Overlay from 24 Brolga Grove, Metung 3904
5. Delete the Restructure Overlay from 2 Kookaburra Avenue, Metung 3904
6. Delete the Restructure Overlay from 5 Seagull Avenue, Metung 3904
7. Delete the Restructure Overlay from 1 Magpie Avenue, Metung 3904
8. Delete the Restructure Overlay from 27 Broadlands Road, Metung 3904
9. Delete the Restructure Overlay from 59B Broadlands Road, Metung 3904
10. Delete the Restructure Overlay from 3 Jeremy Avenue, Metung 3904
11. Delete the Restructure Overlay from 5 Jeremy Avenue, Metung 3904
12. Delete the Restructure Overlay from 1 Curlew Grove, Metung 3904
13. Delete the Restructure Overlay from 1 Pelican Court, Metung 3904
14. Delete the Restructure Overlay from 6 Pelican Court, Metung 3904
15. Delete the Restructure Overlay from 3A Grevillia Avenue, Avenue Metung 3904
16. Delete the Restructure Overlay from 3B Grevillia Avenue, Metung 3904
17. Delete the Restructure Overlay from 24 Broadlands Road, Metung 3904
18. Delete the Restructure Overlay from 1 Swan Drive, Metung 3904
19. Delete the Restructure Overlay from 16 Meridian Way, Newlands Arm Victoria 3875
20. Delete the Restructure Overlay from 16 Crown Ridge Avenue, Newlands Arm 3875
21. Delete the Restructure Overlay from 24 Crown Ridge Avenue, Newlands Arm 3875
22. Delete the Restructure Overlay from 2 Tahoe Court, Newlands Arm 3875
23. Delete the Restructure Overlay from 62 Colony Club Drive, Newlands Arm 3875
24. Delete the Restructure Overlay from 3 Landfall Avenue, Newlands Arm 3875
25. Delete Heritage Overlay 157 from 46 Riverine Street Bairnsdale 3875

Rezoning on privately owned land

26. Rezone CA 2 Sec A at 256 Day Avenue, Omeo 3898

Rezoning on state government owned land

27. Rezone part of road reserve adjoining 12 Greer Street Mallacoota 3892 (Mallacoota Recreation Reserve)

28. Rezone CA A11 Sec A and CA PART 17 Sec A at 2 McEacharn Street East Bairnsdale 3875 from General Residential Zone to Public Park and Recreation Zone. (Howitt Park Recreation Reserve)

Rezoning on Council owned land

29. Rezone Res 1\PS817995 at Hueton Place Lucknow adjoining 64 Great Alpine Road Lucknow 3875 from General Residential Zone to Public Park and Recreation Zone.

Strategic assessment of the Amendment

Why is the Amendment required?

An internal review process and day to day use of the planning scheme has revealed a number of inappropriate zoning, mapping anomalies and overlay controls that no longer serve a purpose across East Gippsland Shire Municipality. This corrections amendment seeks to rectify these anomalies.

Deleted: s

Correcting these anomalies and removing redundant controls will ensure the planning controls are reflective of the land ownership and use. Matching the correct planning controls to the land use and ownership improves the functionality of the planning scheme, reduces conflicts and minimises the event of a planning permit being unnecessarily required.

The planning scheme is the most relevant and appropriate tool to give affect to the proposed items listed in this amendment.

Approval of the amendment will improve the general operation and administration of the East Gippsland Planning Scheme for practitioners and landowners resulting in net community benefit.

Deletion of Overlay on private land

1. Deletion of the Restructure Overlay from 4 Lands End Grove, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

2. Delete the Restructure Overlay from 11 Outlook Drive, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

3. Delete the Restructure Overlay from 1 Mathew Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

4. Delete the Restructure Overlay from 24 Brolga Grove, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the

effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

5. Delete the Restructure Overlay from 2 Kookaburra Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

6. Delete the Restructure Overlay from 5 Seagull Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

7. Delete the Restructure Overlay from 1 Magpie Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

8. Delete the Restructure Overlay from 27 Broadlands Road, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

9. Delete the Restructure Overlay from 59B Broadlands Road, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

10. Delete the Restructure Overlay from 3 Jeremy Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

11. Delete the Restructure Overlay from 5 Jeremy Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

12. Delete the Restructure Overlay from 1 Curlew Grove, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

13. Delete the Restructure Overlay from 1 Pelican Court, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the

effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

14. Delete the Restructure Overlay from 6 Pelican Court, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

15. Delete the Restructure Overlay from 3A Grevillia Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

16. Delete the Restructure Overlay from 3B Grevillia Avenue, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Tambo Bluff Restructure Plan 2018 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

17. Delete the Restructure Overlay from 24 Broadlands Road, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

18. Delete the Restructure Overlay from 1 Swan Drive, Metung 3904

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

19. Delete the Restructure Overlay from 16 Meridian Way, Newlands Arm Victoria 3875

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

20. Delete the Restructure Overlay from 16 Crown Ridge Avenue, Newlands Arm 3875

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

21. Delete the Restructure Overlay from 24 Crown Ridge Avenue, Newlands Arm 3875

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

22. Delete the Restructure Overlay from 2 Tahoe Court, Newlands Arm 3875

The Restructure Overlay applies to this privately owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the

effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

23. Delete the Restructure Overlay from 62 Colony Club Drive, Newlands Arm 3875

The Restructure Overlay applies to this privately-owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

24. Delete the Restructure Overlay from 3 Landfall Avenue, Newlands Arm 3875

The Restructure Overlay applies to this privately-owned land which has been consolidated in accordance with the Newlands Arm Restructure Plan 2017 (Incorporated Document) Therefore, the overlay has done its job and is now redundant and should be deleted from the land. This has the effect of reducing unnecessary planning permits and facilitates development consistent with the East Gippsland Planning Scheme.

25. 46 Riverine Street Bairnsdale 3875

The Heritage Overlay applies across three titles with common property and relates to a heritage house and outbuildings. The house has been destroyed in a fire and all remanence of buildings have been removed from the land. Therefore, the heritage values no longer exist. As such it is deemed appropriate to delete the Heritage Overlay from the land as it no longer serves a purpose.

Rezoning on privately owned land

26. 256 Day Avenue, Omeo 3898

Sections of this privately owned land is incorrectly zoned Public Conservation and Resource Zone. The remainder of the privately-owned land is Farming Zone Schedule 1 as is the surrounding privately-owned land. It is therefore logical for the entire property to be Farming Zone Schedule 1.

Rezoning on state government owned land

27. 12 Greer Street Mallacoota 3892 (Mallacoota Recreation Reserve)

Sections of this Council managed Crown land recreation reserve are incorrectly zoned as residential. Rezoning to Public Park and Recreation Zone is appropriate and will allow the land to be appropriately managed for the community under the Planning and Environment Act 1987 and other legislation including the Crown Land Reserves Act 1978. The rezoning will provide the public land manager with a level of flexibility to manage the land for public benefit that may not otherwise be possible without a planning permit under the existing General Residential Zone.

28. 2 McEacharn Street East Bairnsdale 3875 (Howitt Park Recreation Reserve)

Sections of this Council managed Crown land recreation reserve are incorrectly zoned as residential. Rezoning to Public Park and Recreation Zone is appropriate and will allow the land to be appropriately managed for the community under the Planning and Environment Act 1987 and other legislation including the Crown Land Reserves Act 1978. The rezoning will provide the public land manager with a level of flexibility to manage the land for public benefit that may not otherwise be possible without a planning permit under the existing General Residential Zone.

Rezoning on Council owned land

29. Reserve 1 – Hueton Place Lucknow adjoining 64 Great Alpine Road Lucknow 3875 (Lucknow Recreation Reserve)

This General Residential Zone land comprises a 5m wide 850m² reserve containing a footpath created by a residential subdivision (310/2017/P). The reserve is owned and managed by East Gippsland Shire Council and forms part of the existing East Gippsland Shire Lucknow Recreation Reserve sporting ground. Rezoning the 850m² reserve from General Residential Zone to Public

Park and Recreation Zone will facilitate better management of the land in conjunction with the broader sporting recreation facility.

How does the Amendment implement the objectives of planning in Victoria?

The amendment is consistent with the objective and planning in Victoria pursuant to section 4 and 12 of the *Planning and Environment Act 1987*, in particular:

- Provide for the fair and orderly development of the land;
- to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community

The amendment advances these objectives by ensuring the accuracy of the ordinance, maps and overlays of planning scheme across the Municipality.

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

The proposed amendment is limited in scope in that it relates to correcting errors and anomalies and does not include policy changes. Therefore, the effect on the above strategic assessment areas of consideration are limited.

Environmental

The proposed amendment will not have an impact on the environment as the nature of the corrections do not relate to environmental issues.

Social

A positive impact will result in that the amendment includes correcting zoning in instances where public zones are mapped to private land and vice versa. Ensuring the zone matches the land ownership promotes a fairer regulatory environment for private landowners and more streamlined process for community infrastructure on public land.

Economic

The amendment will provide more certainty for private landowners whereby the correct zoning allows private land to be developed and correctly rated. The proposed items in the amendment that relate to council owned land used for public or community use will have the effect of reinforcing first principles of achieving net community benefit.

Does the Amendment address relevant bushfire risk?

Some of the land identified in the amendment is subject to the Bushfire Overlay and designated bushfire prone areas. However, given the nature of the proposed amendment bushfire risk will not be increased as the amendment will only change zoning to reflect existing ownership and delete a redundant overlay control.

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

The proposed amendment is consistent with all Ministers Directions under section 12 of the *Planning and Environment Act 1987*. In particular, the amendment is consistent with the following:

- Ministerial Direction 11, *Strategic Assessment of Amendments*
- Ministerial Direction 15, *The Planning Scheme Assessment Process*

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

The amendment will support the implementation of the Planning Policy Framework (PPF) in particular Objectives for Clause 11 Settlement, Clause 15 Built Environment and Heritage and Clause 16 Housing by providing more clarity and certainty for users of the planning scheme.

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

The Amendment will have the effect of ensuring the appropriate planning controls are applied to land and deleting planning controls from land in instances where they have become redundant. The amendment does not require any changes to existing policy nor insertion of new policy to the Local Planning Policy Framework and the Municipal Strategic Statement.

The Amendment will support the implementation of the East Gippsland Planning Scheme and relevant sections of the Municipal Strategic Statement as it will have the effect of ensuring the more appropriate planning controls applying to land.

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

The Amendment will have the effect of correcting controls applied to land in situations where private land has a public zone applied and vice versa. It has also identified instances where a specific overlay (Restructure Overlay) is no longer required to be applied to land where the specific reason it was applied (title consolidation) has occurred.

Correcting zoning and deleting controls as outlined in the Amendment is consistent with the intended and proper use of the Victorian Planning Provisions, will not conflict with other policy direction and is consistent with relevant practice notes, including Planning Practice note 46 – Strategic Assessment of Planning Scheme Amendments.

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

There is one instance where the Amendment affects land owned by an agency; Department of Environment, Land, Water and Planning.

The Department of Environment, Land Water and Planning land management division have provided written consent to the proposed rezoning at the Howitt Park Recreation Reserve and the Mallacoota Recreation Reserve.

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

The Amendment does not involve changes to the transport network, nor will it have any affect on the transport network. Therefore, there are no consequences for the Transport Integration Act 2010 arising as a result of the Amendment and no significant impact will be felt in association with the Amendment.

Resource and administrative costs

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

In instances where public zoning will align with the land ownership and public use of land, there will be an administrative cost reduction where planning permits will not be required for community projects on public land/ recreation reserves.

The Amendment will have the effect of reducing unnecessary and no value adding planning permits being triggered by deleting redundant controls from land where the intent of the control has been met.

Therefore, the amendment will have the overall effect of reducing resource and administrative costs for the Responsible Authority.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at 273 Main Street and 34 Pyke Street Bairnsdale VIC 3875 and is on our website eastgippslandd.vic.gov.au.

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

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by [\[insert submissions due date\]](#).

A submission must be sent to: East Gippsland Shire Council 273 Main Street, Bairnsdale VIC 3875 or feedback@egipp.vic.gov.au

Panel hearing dates

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

- directions hearing: [\[insert directions hearing date\]](#)
- panel hearing: [\[insert panel hearing date\]](#)

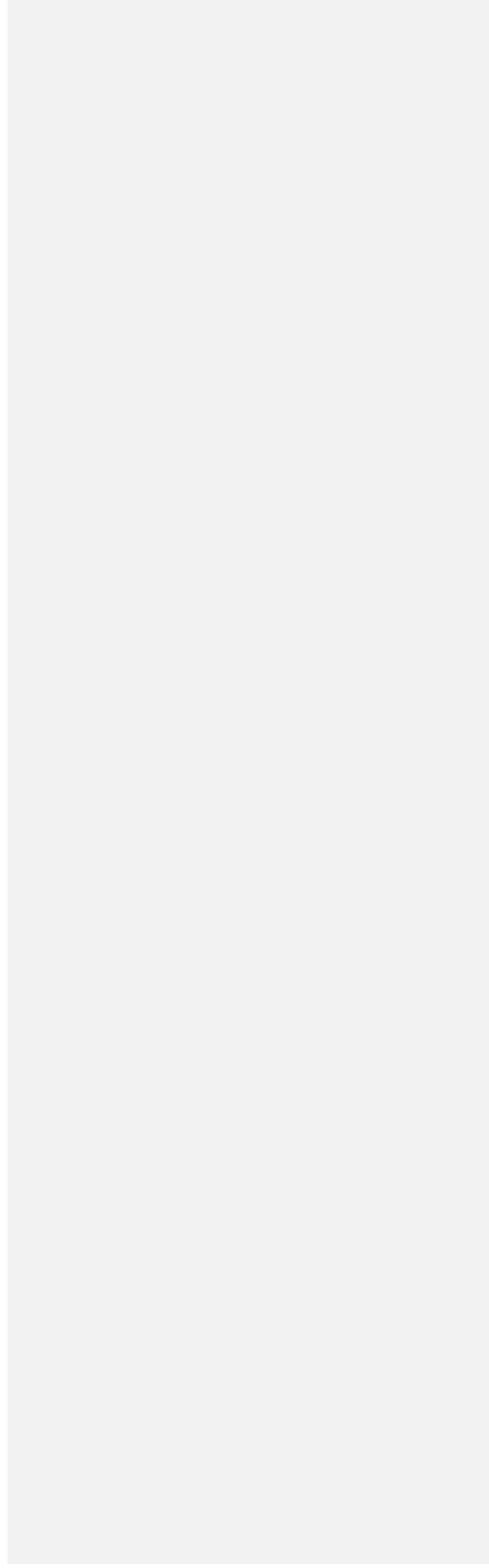
Attachment 1– Mapping Reference Table

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#	Location	Land/Area Affected	Planning Scheme Map
1	4 Lands End Grove, Metung 3904	Consolidated Plan 378206H Vol 11954 Folio 289	East Gippsland C151egip 001d-roMap53 Exhibition
2	11 Outlook Drive, Metung 3904	Consolidated Plan 378213L Vol 11955 Folio 210	East Gippsland C151egip 001d-roMap53 Exhibition
3	1 Mathew Avenue Metung 3904	Consolidated Plan 378200Q Vol 11943 Folio 958	East Gippsland C151egip 001d-roMap53 Exhibition
4	24 Brolga Grove, Metung 3904	Consolidated Plan 378235A Vol 12067 Folio 914	East Gippsland C151egip 001d-roMap53 Exhibition
5.	2 Kookabura Avenue, Metung 3904	Consolidated Plan 378234C Vol 12071 Folio 869	East Gippsland C151egip 001d-roMap53 Exhibition
6	5 Segull Avenue, Metung 3904	Consolidated Plan 375512R Vol 11932 Folio 033	East Gippsland C151egip 001d-roMap53 Exhibition
7	1 Magpie Avenue, Metung 3904	Consolidated Plan 378229U Vol 12066 Folio 721	East Gippsland C151egip 001d-roMap53 Exhibition
8	27 Broadlands Road, Metung 3904	Consolidated Plan 378214J Vol 12022 Folio 314	East Gippsland C151egip 001d-roMap53 Exhibition
9	59B Broadlands Road, Metung 3904	Consolidated Plan 375518D Vol 11943 Folio 124	East Gippsland C151egip 001d-roMap53 Exhibition
10	3 Jeremy Avenue, Metung 3904	Consolidated Plan 378207F Vol 12020 Folio 482	East Gippsland C151egip 001d-roMap53 Exhibition
11	5 Jeremy Avenue, Metung 3904	Consolidated Plan 378208D Vol 12009 Folio 358	East Gippsland C151egip 001d-roMap53 Exhibition
12	1 Curlew Grove, Metung 3904	Consolidated Plan 375965B Vol 11593 Folio 182	East Gippsland C151egip 001d-roMap53 Exhibition
13	1 Pelican Court, Metung 3904	Consolidated Plan 378223H Vol 12019 Folio 756	East Gippsland C151egip 001d-roMap53 Exhibition
14	6 Pelican Court, Metung 3904	Consolidated Plan 78240H Vol 12173 Folio 507	East Gippsland C151egip 001d-roMap53 Exhibition
15	3A Grevillia Avenue, Metung 3904	Lot 2 PS 821619Y Vol 12174 Folio 233	East Gippsland C151egip 001d-roMap53 Exhibition
16	3B Grevillia Avenue, Metung 3904	Lot 1 PS821619Y Vol 12174 Folio 232	East Gippsland C151egip 001d-roMap53 Exhibition
17	24 Broadlands Road, Metung 3904	Consolidated plan 379880N Vol 12172 Folio 933	East Gippsland C151egip 001d-roMap53 Exhibition
18	1 Swan Drive, Metung 3904	Consolidated plan Vol 12174 Folio 455	East Gippsland C151egip 001d-roMap53 Exhibition
19	16 Meridian Way, Newlands Arm Victoria 3875	Consolidated Plan 377408A Vol 12067 Folio 535	East Gippsland C151egip 002d-roMap51 Exhibition
20	16 Crown Ridge Avenue, Newlands Arm 3875	Consolidated Plan 378238T Vol 12143 Folio 609	East Gippsland C151egip 002d-roMap51 Exhibition
21	24 Crown Ridge Avenue, Newlands Arm 3875	Consolidated Plan 375509E Vol 11926 Folio 647	East Gippsland C151egip 002d-roMap51 Exhibition
22	2 Tahoe Court, Newlands Arm 3875	Consolidated Plan 375516H Vol 11974 Folio 374	East Gippsland C151egip 002d-roMap51 Exhibition

23	62 Colony Club Drive, Newlands Arm 3875	Consolidated Plan 378216E Vol 12014 Folio 541	East Gippsland C151egip 002d-roMap51 Exhibition
24	3 Landfall Avenue, Newlands Arm 3875	Consolidated Plan 375514M Vol11943 Folio 824	East Gippsland C151egip 002d-roMap51 Exhibition
25	46 Riverine Street, Bairnsdale 3875	PS 721696M Lot 1 Vol 11621 Folio 883 Lot 2 Vol 11933 Folio 329 Lot 3 11933 Folio 330	East Gippsland C151egip008d-hoMap33 Exhibition
26	256 Day Avenue, Omeo 3898	Crown Allotment 2 Section A and Crown Allotment 13 Section A Township of Omeo	East Gippsland C151egip003znMap06_07 Exhibition
27	12 Greer Street, Mallacoota 3892 (Mallacoota Recreation Reserve - Crown)	Roads adjoining 10B Section 1 Township of Mallacoota Parish of Mallacoota	East Gippsland C151egip 007znMao23 Exhibition
28	2 McEacham Street, East Bairnsdale 3875 (Howitt Park Recreation Reserve - Crown)	Crown Allotment A11 Vol 11800 Folio 530 and A17 Vol11800 Folio 533 Township of Lucknow	East Gippsland C151egip 006znMap33 Exhibition
29	64 Great Alpine Road, Lucknow 3875 (Lucknow Recreation Reserve - EGSC)	Reserve 1 PS 817995S Vol 12061 Folio 217	East Gippsland C151egip 005znMap33 Exhibition

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Planning and Environment Act 1987
EAST GIPPSLAND PLANNING SCHEME
AMENDMENT C151egip
INSTRUCTION SHEET

Planning Scheme Maps

A total of 7 Planning Scheme Maps are amended as per the attached map sheets.

Zoning Maps (4 rezones)

Amend Planning Scheme Maps 6 & 7, 23 and 33 in the manner shown on the attached 4 map sheets marked East Gippsland Planning Scheme C151egip.

Overlay Maps

Amend Planning Scheme Maps 33, 51 and 53 as shown on the attached 3 map sheets marked East Gippsland Planning Scheme C151egip.

Planning Scheme Ordinance

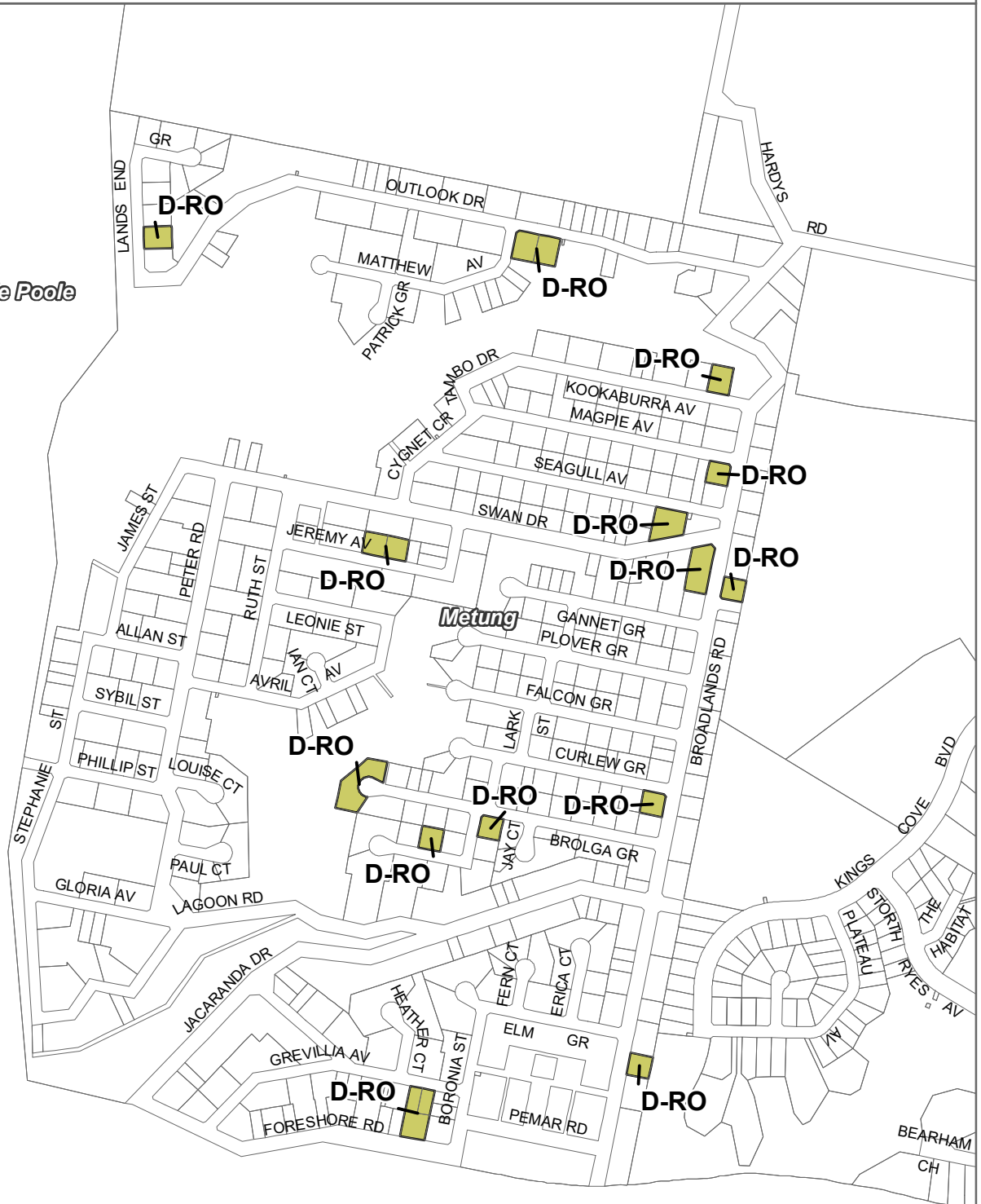
There are no amendments required to the Planning Scheme Ordinance.

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EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip

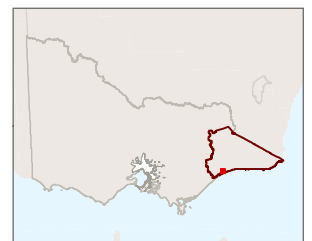
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LEGEND

-  D-RO - Area to be deleted from a Restructure Overlay
-  Local Government Area

Part of Planning Scheme Map 53RO

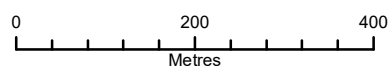


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Environment,
Land, Water
and Planning

EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

- D-RO - Area to be deleted from a Restructure Overlay
- Local Government Area

Disclaimer

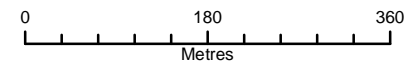
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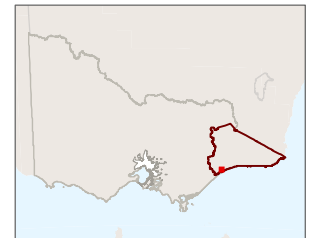
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Part of Planning Scheme Map 51RO



EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

- D-HO - Area to be deleted from a Heritage Overlay
- Local Government Area



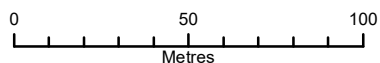
Part of Planning Scheme Map 33HO

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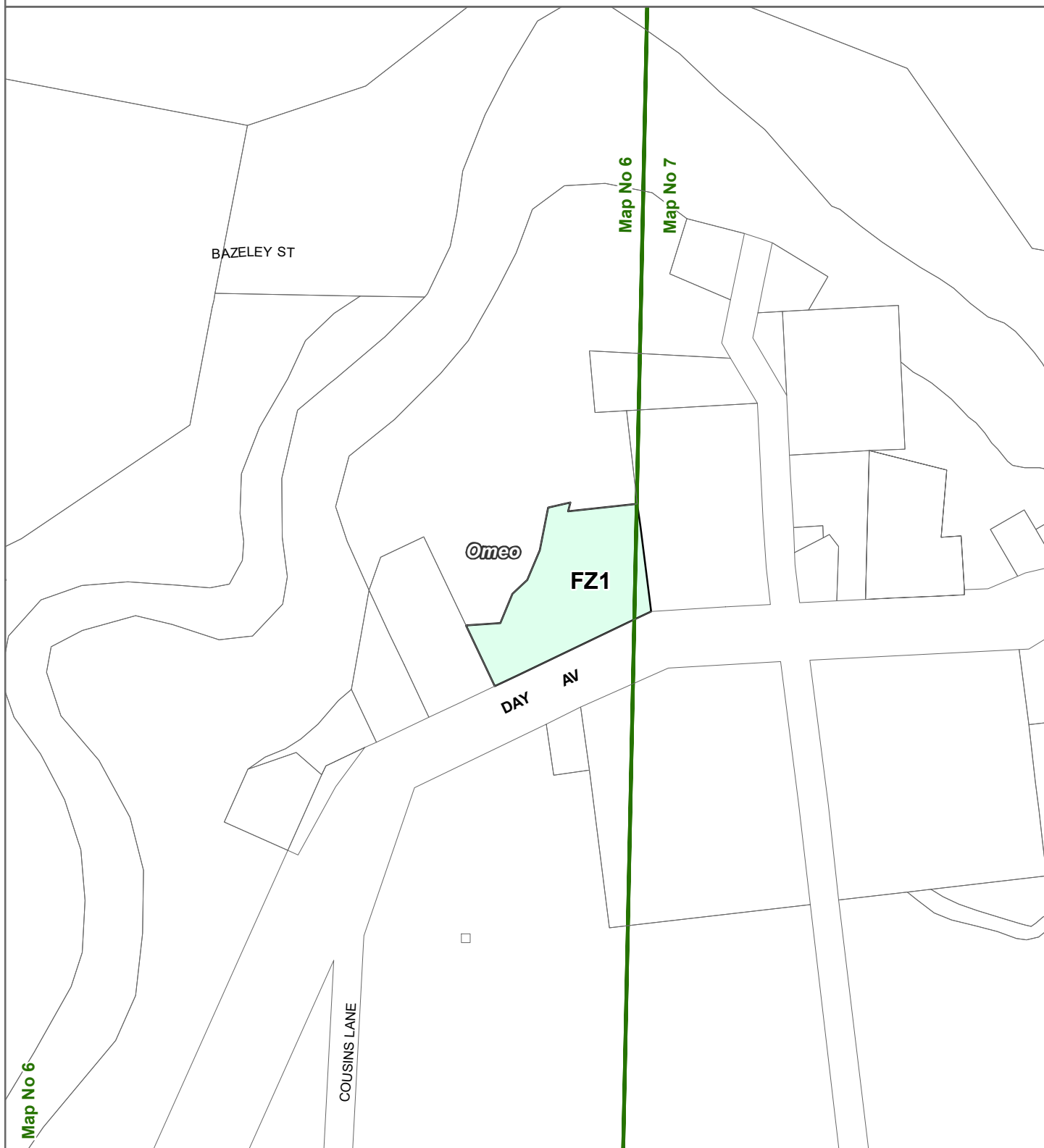
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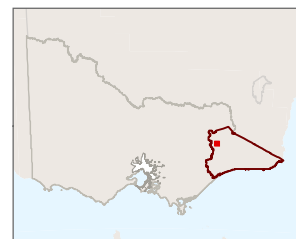
EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

-  FZ - Farming Zone
-  Local Government Area



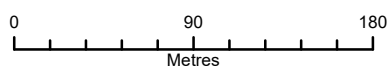
Part of Planning Scheme Maps 6 & 7

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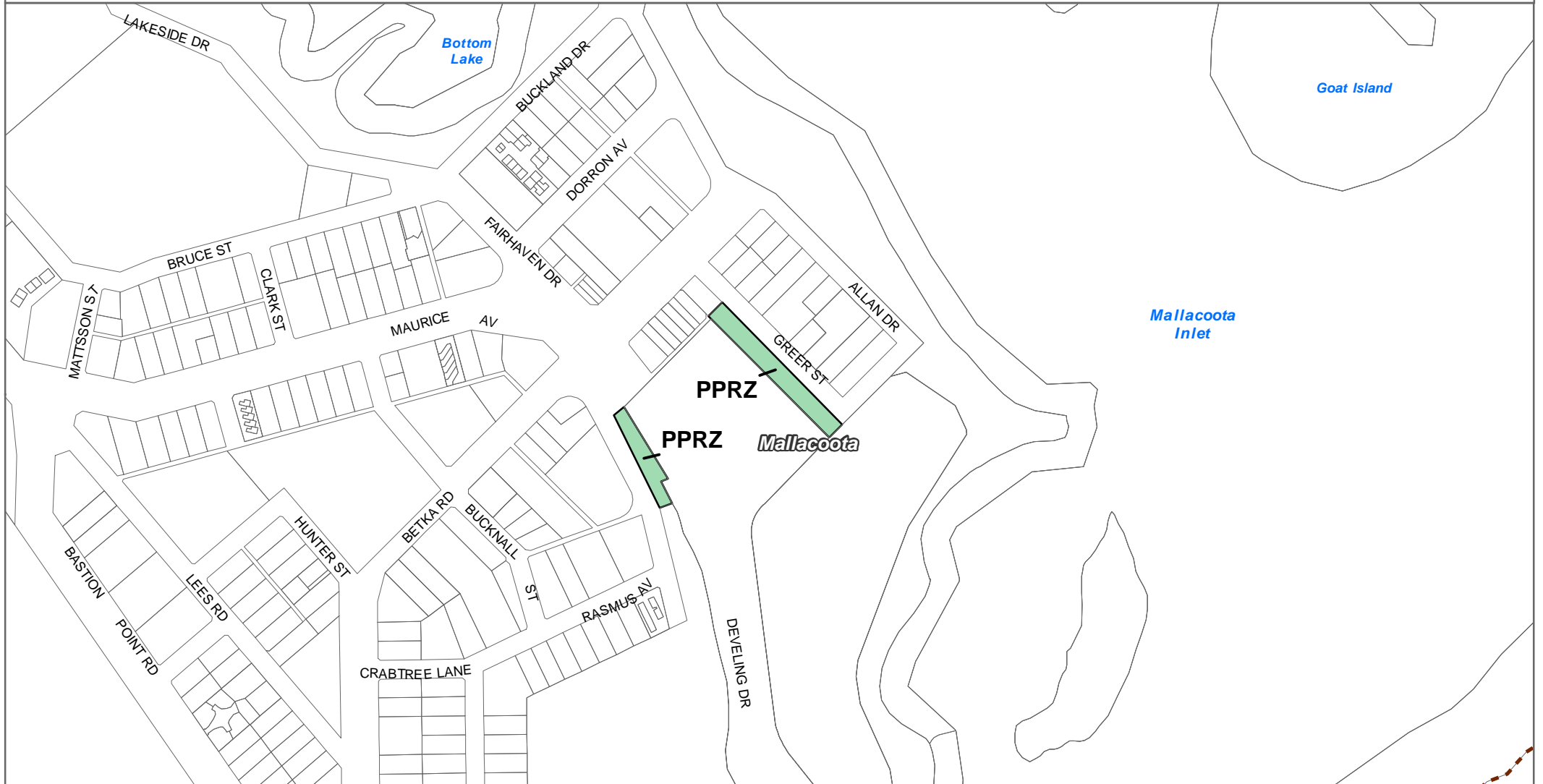
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EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

- PPRZ - Public Park and Recreation Zone
- Local Government Area

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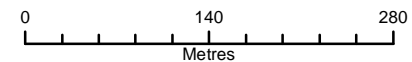
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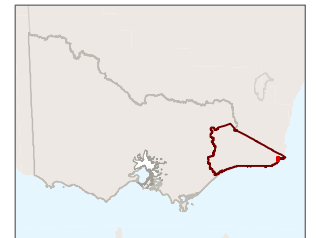
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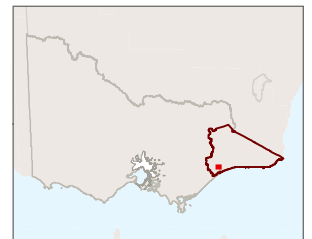
EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

-  PPRZ - Public Park and Recreation Zone
-  Local Government Area



Part of Planning Scheme Map 33

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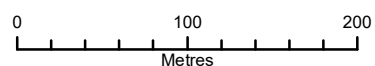
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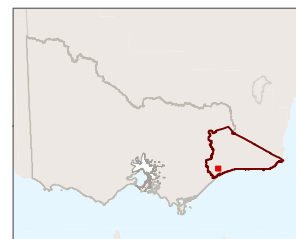
EAST GIPPSLAND PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C151egip



LEGEND

-  PPRZ - Public Park and Recreation Zone
-  Local Government Area



Part of Planning Scheme Map 33

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Environment,
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C151egip Planning Scheme Amendment – East Gippsland Shire Council

Supporting information January 2020

46 Riverine Street, Bairnsdale, VIC 3875

It is proposed to delete Heritage Overlay 157 as the heritage house and outbuildings were damaged by a domestic fire (May 2015) and permanently removed from the land following an Emergency Order issued by Councils Municipal Building Surveyor May 2015. A planning permit was subsequently approved for subdivision of the land for which titles issued November 2017.

The trees mentioned in the heritage citation were also damaged/destroyed in the fire.

Below are photographs of where the heritage house used to stand at 46 Riverine Street, Bairnsdale. Fig.3 -7 photographs taken 20 January 2020.



Fig. 1 – 46 Riverine Street (image 2014)



Fig. 2 – 46 Riverine Street (image 2019)



Fig. 3 – 46 Riverine Street – Concrete crossovers constructed as a requirement of the 2017 subdivision planning permit.



Fig. 4 – 46 Riverine Street – Taken from the eastern side looking back to the street where heritage outbuildings stood (burnt tree fern in centre)



Fig. 5 – 46 Riverine Street – Take from the west looking east where heritage house and outbuildings stood (burnt tree fern visible on left hand side and burnt tree fern stump in the centre)





Fig. 6 – 46 Riverine Street – showing tree fern burnt from domestic house fire






Fig. 7 – 46 Riverine Street – Burnt tree fern stump




Table of amendment items C151egip

#	Address	Owner	Proposed amendment	Map	Consultation	Reason
1	4 Lands End Grove, Metung 3904	Private	Delete the Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
2	11 Outlook Drive, Metung 3904	Private	Delete the Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

3	1 Mathew Avenue Metung 3904	Private	Delete the Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
4	24 Brolga Grove, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
5.	2 Kookabura Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

6	5 Segull Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
7	1 Magpie Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
8	27 Broadlands Road, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

9	59B Broadlands Road, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
10	3 Jeremy Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
11	5 Jeremy Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

12	1 Curlew Grove, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
13	1 Pelican Court, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
14	6 Pelican Court, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

15	3A Grevillia Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
16	3B Grevillia Avenue, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
17	24 Broadlands Road, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.




ATTACHMENT 1

18	1 Swan Drive, Metung 3904	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Tambo Bluff Restructure Plan 2018. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
19	16 Meridian Way, Newlands Arm Victoria 3875	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
20	16 Crown Ridge Avenue, Newlands Arm 3875	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.


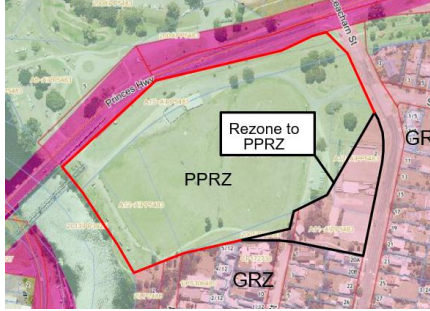

ATTACHMENT 1

21	24 Crown Ridge Avenue, Newlands Arm 3875	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
22	2 Tahoe Court, Newlands Arm 3875	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
23	62 Colony Club Drive, Newlands Arm 3875	Private	Delete Restructure Overlay		Letters will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.

ATTACHMENT 1

24	3 Landfall Avenue, Newlands Arm 3875	Private	Delete Restructure Overlay		A Letter will be mailed out to landowner during the Public Exhibition period.	The purpose of this Restructure Overlay is to consolidate lots in accordance with the Newlands Arm Restructure Plan 2017. The subject land has complied with this requirement. Good planning practice directs that unnecessary and redundant planning controls should be removed from the planning scheme. This lessens the burden on landowners and cuts red tape by reducing the requirement for a planning permit.
25	46 Riverine Street, Bairnsdale 3875	Private	PS 721696M Lot 1 Vol 11621 Folio 883 Lot 2 Vol 11933 Folio 329 Lot 3 11933 Folio 330		A written request has been provided from a planning consultant on behalf of the landowner requesting the proposed amendment be undertaken. Letters will be mailed out to landowner during the Public Exhibition period.	The Heritage Overlay applies across three titles with common property and relates to a heritage house and outbuildings. The house has been destroyed in a fire and all remanence of buildings have been removed from the land. Therefore, the heritage values no longer exist. As such it is deemed appropriate to delete the Heritage Overlay from the land as it no longer serves a purpose and unnecessarily restricts development opportunities for the land.
26	256 Day Avenue, Omeo 3898	Private	Rezone from Public Conservation and Resource Zone to Farming Zone		Letters will be mailed out to landowner during the Public Exhibition period. Multipole discussions have been undertaken with the landowner. Written consent has been obtained from the landowner to proceed with the proposed amendment.	Sections of this privately owned land are incorrectly zoned Public Conservation and Resource Zone. The remainder of the privately-owned land is Farming Zone Schedule 1 as is the surrounding privately-owned land. It is therefore logical for the entire property to be Farming Zone Schedule 1.

ATTACHMENT 1

27	12 Greer Street, Mallacoota 3892 (Mallacoota Recreation Reserve - Crown)	Crown (Council Managed)	Rezone roads forming recreation zone from General Residential Zone to Public Park and Recreation Zone.		Letters will be mailed out to landowner (DELWP) and occupants during the Public Exhibition period. Written consent has been obtained from the landowner (DELWP) to proceed with the proposed amendment.	Sections of this Council managed Crown land recreation reserve are incorrectly zoned as residential. Rezoning to Public Park and Recreation Zone is appropriate and will allow the land to be appropriately managed for the community under the <i>Planning and Environment Act 1987</i> and other legislation including the <i>Crown Land Reserves Act 1978</i> . The rezone will provide the public land manager with a level of flexibility to manage the land for public benefit that is not otherwise possible without a planning permit under the existing General Residential Zone.
28	2 McEacharn Street, East Bairnsdale 3875 (Howitt Park - Crown)	Crown (Council Managed)	Crown Allotment A11 Vol 11800 Folio 530 and A17 Vol 11800 Folio 533 Township of Lucknow		Letters will be mailed out to landowner (DELWP) and occupants during the Public Exhibition period. Written consent has been obtained from the landowner (DELWP) to proceed with the proposed amendment.	Sections of this Council managed Crown land recreation reserve are incorrectly zoned as residential. Rezoning to Public Park and Recreation Zone is appropriate and will allow the land to be appropriately managed for the community under the <i>Planning and Environment Act 1987</i> and other legislation including the <i>Crown Land Reserves Act 1978</i> . The rezone will provide the public land manager with a level of flexibility to manage the land for public benefit that is not otherwise possible without a planning permit under the existing General Residential Zone.
29	Reserve 1 – Hueton Place Lucknow adjoining 64 Great Alpine Road, Lucknow 3875 (Lucknow Recreation Reserve EGSC)	EGSC	Reserve 1 PS 817995S Vol 12061 Folio 217		Letters will be mailed out to the occupants during the Public Exhibition period. Councils land manager consents to the proposed amendment.	This General Residential Zone land comprises a 5m wide 850m2 reserve containing a footpath created by a residential subdivision (310/2017/P). The reserve is owned and managed by East Gippsland Shire Council and forms part of the existing East Gippsland Shire Lucknow Recreation Reserve sporting ground. Rezoning the 850m2 reserve from General Residential Zone to Public Park and Recreation Zone will facilitate better management of the land in conjunction with the broader sporting recreation facility.