



*South Gippsland  
Shire Council*

## **Submissions Report**

PLANNING SCHEME AMENDMENT C-129

<b>Website:</b>	<a href="https://yoursay.southgippsland.vic.gov.au/planning-scheme-review-amendment-c129">https://yoursay.southgippsland.vic.gov.au/planning-scheme-review-amendment-c129</a>
<b>Responsible Officer:</b>	Skye Radcliffe-Scott
<b>Exhibition Period:</b>	18 January 2024 to 16 February 2024
<b>Submissions:</b>	Three Supporting, One Objection (withdrawn)
<b>Change Summary:</b>	No changes to exhibited amendment proposed.

South Gippsland Shire Council



South Gippsland  
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## Submission 1

Type	Submission summary	Comment and resolution
Objection (withdrawn)	Proposed addition of local policy strategy and removal of residential expansion area from the Poowong framework plan at <a href="#">Clause 11.01-1L-07</a> to protect Gippsland Giant Earthworm.	<p>The proposed change to the framework plan would significantly impact land owners within the subject area that have not had a chance to formally respond to the proposed change and is not currently supported by strategic studies.</p> <p>In addition, they are considered by officers to be unnecessary due to the presence of relevant local policy within <a href="#">Clause 12.01-1L – Biodiversity</a> and existing planning controls within <a href="#">Schedule 9 of Clause 42.01</a> to protect the Gippsland Giant Earthworm.</p> <p>Officers have successfully sought the submission's withdrawal. As such, the matter will not need referral to <a href="#">Planning Panels Victoria</a>.</p>

South Gippsland Shire Council



## **Submission 2 – West Gippsland Catchment Management Authority**

<b>Type</b>	<b>Submission summary</b>	<b>Comment and resolution</b>
Support	Supports the proposed changes to the Land Subject to Inundation Overlay.	Suggested changes by the West Gippsland Catchment Management Authority, in consultation with Statutory Planning, were included in the amendment.

South Gippsland Shire Council

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**WGCM Ref:** WGCM-F-2024-00057  
**Document No:** 1  
**Date:** 12 February 2024

[council@southgippsland.vic.gov.au](mailto:council@southgippsland.vic.gov.au)

Skye Radcliffe-Scott  
Strategic Planning Officer  
South Gippsland Shire Council

Dear Skye,

**Application Number (CMA Ref):** WGCM-F-2024-00057

**Subject:** Planning Scheme Amendment C129

Thank you for your enquiry received at the West Gippsland Catchment Management Authority ('the Authority') on 18 January 2024 in relation to South Gippsland Planning Scheme Amendment C129 which proposes to implement the collective recommendations of the South Gippsland Planning Scheme Review 2023, remove onerous permit triggers in the rural zone schedules and include several background documents.

In particular, the Authority notes the proposal to remove Coastal Development Application requirements from clause 4 of Schedule 1 to Clause 44.04 (LSIO).

The Authority has reviewed the changes proposed under Planning Scheme Amendment C129, including the above change to Clause 44.04-1, and does not object to the proposal.

Should you have any queries, please do not hesitate to contact Ben Proctor on [REDACTED] or email [REDACTED]. To assist the Authority in handling any enquiries please quote **WGCM-F-2024-00057** in your correspondence with us.

Yours sincerely,

**Adam Dunn**  
**Executive Manager – Statutory Planning**

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

Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953  
Call 1300 094 262 | Email [planning@wgcm.vic.gov.au](mailto:planning@wgcm.vic.gov.au) | Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)  
PO Box 1374, Traralgon VIC 3844 | ABN 88 062 514 481

We acknowledge and pay our respects to the Traditional Owners of the region, the Gunaikurnai, Bunurong, Boonwurrung and Wurundjeri Peoples and pay our respects to Elders past, present and emerging.

**OFFICIAL****Definitions and Disclaimers**

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

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

4. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.
5. **ARI** as Average Recurrence Interval is the likelihood of occurrence expressed in terms of the long-term average number of years between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.



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### Submission 3 – Parks Victoria

Type	Submission summary	Comment and resolution
Support	<p>Notes that previously suggested rezonings have not been included at this time but does not request any changes.</p> <p>Seeks to continue the discussion as to how these could best be implemented in the future.</p>	<p>Council officers have asserted, with DTP support, that the number of public land rezonings proposed by Parks Victoria are considered to be beyond the scope of this amendment and should be undertaken at a regional or state level.</p> <p>Council officers will continue to liaise with Parks Victoria in identifying an appropriate amendment process to implement the zone changes.</p>

South Gippsland Shire Council

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**Parks Victoria**  
PO Box 91  
Foster VIC 3960  
**Telephone 8427 3662**  
parks.vic.gov.au  
ABN 95 337 637 697

14 February 2024

Skye Radcliffe-Scott  
Strategic Planning Officer  
South Gippsland Shire Council

Dear Skye

**AMENDMENT C129SGIP – PLANNING SCHEME REVIEW**

I refer to the above planning scheme amendment, which is currently on public exhibition, and which was sent to Parks Victoria for comment.

Parks Victoria made a submission to the draft planning scheme review report in 2023. While it is noted that the suggestions put forward have not been included in the proposed PSA C129sgip, Parks Victoria would like to continue the conversation with Council and the Department of Planning and Transport in relation to corrections to zoning and overlays on Parks Victoria estate.

Ensuring that the planning zones and overlays that effect Crown land within the Parks Victoria estate are correct and do not restrict the ease of Parks Victoria undertaking its land management function is an important consideration and Parks Victoria encourages Council to return to the scheme review submission in the future if there is a more appropriate planning scheme amendment which could include the identified changes.

If you require any further information, please contact Sharna Foon, Land Use and Statutory Planner, Eastern Region, via [REDACTED] or [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to be "Keith Primrose", written over a horizontal line.

**Keith Primrose**  
District Manager South Gippsland  
Parks Victoria



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## **Submission 4 – Department of Energy, Environment and Climate Change (Planning and Environment Assessment)**

<b>Type</b>	<b>Submission summary</b>	<b>Comment and resolution</b>
Support	DEECA has considered the amendment and provides their support.	Submission lodged after exhibition period on 18 March 2024.

South Gippsland Shire Council





Department of Energy, Environment  
and Climate Action

574 Main Street  
Bairnsdale, Vic 3875  
deeca.vic.gov.au

Skye Radcliffe-Scott  
Strategic Planner Officer  
South Gippsland Shire Council  
9 Smith Street  
LEONGATHA VIC 3953  
By email: council@southgippsland.vic.gov.au

Ref: 3844

Dear Ms Radcliffe-Scott

REFERENCE NUMBER: AM C129  
PROPOSAL: SOUTH GIPPSLAND PLANNING SCHEME REVIEW  
ADDRESS: ALL LAND IN THE SHIRE

Thank you for your correspondence of 20 February 2024 pursuant to Section 19 of the *Planning and Environment Act 1987* (the Act).

Council has given the Department of Energy, Environment and Climate Action (DEECA) notice of a proposed planning scheme amendment that seeks to implement the South Gippsland Planning Scheme Review 2023 by introducing new and revised local content in the Municipal Planning Strategy and the Planning Policy Framework, and by amending the schedules to zones, overlays, general provisions and operational provisions. The amendment also proposes to remove onerous permit triggers in the rural zone schedules and to include the following background documents in the Schedule to Clause 72.08 (Background Documents) being the Giant Gippsland Earthworm Environmental Significance Overlay Reference Document (South Gippsland Shire Council, September 2015), South Gippsland Social and Affordable Housing Strategy (Hornsby & Co, 2022) and Nyora Development Strategy (Planisphere, 2016).

The Amendment:

- Implements the land use and development directions of Council's adopted strategies and documents, including the:
  - Council Plan 2022-2026 (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 (Hornsby & Co, 2022)
    - South Gippsland Visitor Economy Strategy 2021-2031 (SGSC, 2021)
    - Gippsland Regional Plan 2020-2025 (Gippsland Regional Plan Leadership Group 2020)
- Clarifies and improves the style, format, language or grammatical form of content in accordance with the requirements of the Ministerial Direction: the Form and Content of Planning Schemes and principles set out in A Practitioner's Guide to Victoria's Planning Schemes, August 2019 where the intended effect of that clause or any other clause is not changed.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to [foi.unit@deeca.vic.gov.au](mailto:foi.unit@deeca.vic.gov.au) or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 3002.



- Updates clause references, department names, legislation names, document references, terminology and statistical data.
- Deletes or adjusts content that conflicts with State planning policy of the Victoria Planning Provisions.
- Removes repetitive content.
- Removes or updates outdated content

DEECA has considered the above application and supports the amendment.

If you have any queries regarding this matter, please contact Elaine Wood on [REDACTED]  
or at [REDACTED]

Yours sincerely

*Elaine Wood*

**Elaine Wood**  
Senior Planning Officer  
Planning Services (Central East)  
DEECA Planning and Environment Assessment

18 March 2024