

# SOUTH GIPPSLAND SHIRE COUNCIL

Planning Scheme Amendment  
C125sgip – General Amendment



South Gippsland  
Shire Council

## CONTENTS

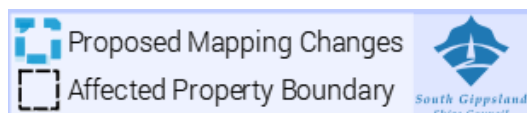
Version Control.....	1
Map Legend .....	1
General Policy.....	4
<i>ALL-21-27-PPF – Bushfire Management Overlay Schedule 2 – Amend.....</i>	<i>4</i>
<i>All-25-28-PPF – Land Subject to Inundation Overlay Schedule 1 - Amend.....</i>	<i>6</i>
Buffalo / Middle Tarwin .....	10
<i>BUF-3-29-020_008 – Zoning Anomaly.....</i>	<i>10</i>
Dumbalk.....	11
<i>Dum-18-1-010_025 - Zoning Anomaly/Split Zoning / Overlay Adjustment.....</i>	<i>11</i>
Foster .....	12
<i>FOS-17-2-003_030 - Zoning Correction.....</i>	<i>12</i>
<i>FOS-6-3-006 – Zoning Correction .....</i>	<i>12</i>
Jumbunna .....	13
<i>JUM-32-024 - Overlay Anomaly.....</i>	<i>13</i>
<i>JUM-28-5-013 - Zoning Anomaly.....</i>	<i>13</i>
<i>JUM-27-4-014 – Zoning Anomaly.....</i>	<i>14</i>
Kongwak.....	15
<i>KON-34-005 – Zoning correction.....</i>	<i>15</i>
Korumburra.....	16
<i>KOR-31-10-034_033 – Zoning Correction and Overlay Deletion.....</i>	<i>16</i>
<i>KOR-29-6-015 - Zoning Anomaly.....</i>	<i>17</i>
<i>KOR-11-9-032 - Overlay Correction .....</i>	<i>18</i>
<i>KOR-13-8-016 – Zoning Correction.....</i>	<i>18</i>
<i>KOR-9-11-018_027 – Zoning Correction / Overlay deletion.....</i>	<i>19</i>
<i>KOR-12-7-017_026 - Zoning Proposal / Overlay Deletion.....</i>	<i>20</i>
<i>KOR-x-x-PPF – Framework plan update.....</i>	<i>21</i>
Leongatha.....	22
<i>LEO-1-12-019 – Zoning Anomaly .....</i>	<i>22</i>
<i>LEO-14-13-009 – Zoning Correction .....</i>	<i>22</i>
<i>LEO-15-14-009 – Zoning Correction .....</i>	<i>23</i>
<i>LEO-16-15-009 – Zoning Correction .....</i>	<i>23</i>
Loch.....	24
<i>LOC-7-16-012 – Zoning Anomaly .....</i>	<i>24</i>
Meeniyan .....	25
<i>MEE-22-17-011 – Zoning Correction .....</i>	<i>25</i>
Mirboo North.....	26

<i>MIR-2-18-006 – Zoning Anomaly</i> .....	26
<i>MIR-5-19-021 – Zoning Anomaly/Split Zoning</i> .....	27
Nyora .....	28
<i>NYO-20-21-PPF – Design and Development Overlay Schedule Update</i> .....	28
<i>NYO-24-23-022 – Overlay removal</i> .....	32
<i>NYO-19-20-PPF – Rural Living Zone Schedule Update</i> .....	33
<i>NYO-23-22-007 – Zoning Correction</i> .....	35
Port Welshpool .....	36
<i>POR-8-24-004 – Zoning Correction</i> .....	36
Sandy Point .....	37
<i>SAN-10-25-028 – Overlay Adjustment</i> .....	37
<i>SAN-4-26-001_023_028_029 – Zoning Anomaly/Split Zoning</i> .....	38
Venus Bay.....	39
<i>VEN-30-30-002 – Rezoning Proposal</i> .....	39
<i>VEN-x-x-PPF – Coastal Villages and Background Documents - Amend</i> .....	39
Waratah Bay.....	40
<i>WAR-26-31-PPF – Farming Zone Schedule 1 – Amend</i> .....	40

Version	Detail	Who	Approved	Date
1.	Council Report – Authorisation	Vera Greerley	Ken Griffiths	21/4/2021
2.	Update – Added ESO5 deletions	Skye Radcliffe-Scott	Ken Griffiths	
3.	Update – Added zone change at Item 35	Skye Radcliffe-Scott	Ken Griffiths	
4.	Update – Added zone change at Item 10	Skye Radcliffe-Scott	Ken Griffiths	22/7/2021
5.	Authorisation – Final document with map references	Skye Radcliffe-Scott	Ken Griffiths	

### VERSION CONTROL

### MAP LEGEND



C125sgip – Background Report - Approval

**GENERAL POLICY**

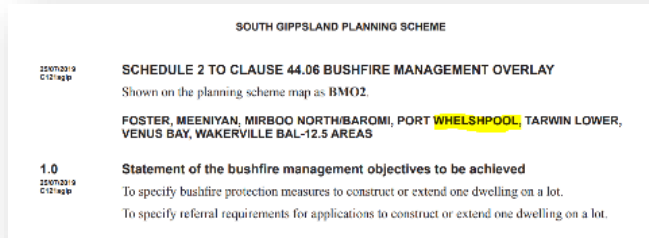
**ALL-21-27-PPF – Bushfire Management Overlay Schedule 2 – Amend**

*Issue*

Port Welshpool is misspelt in the heading of the Bushfire Management Overlay Schedule 2 (BMO2).

*Proposed Change*

Amend the spelling of Port Wheshpool to Port Welshpool in the heading of Bushfire Management Overlay Schedule 2 (BMO2).



**SOUTH GIPPSLAND PLANNING SCHEME**

25/07/2019 --/--/---  
 C121sgip Proposed  
 C125sgip

**SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO2**.

**FOSTER, MEENIYAN, MIRBOONORTH / BAROMI, PORT ~~WHELSPHPOOL~~ WELSHPOOL, TARWIN LOWER, VENUS BAY, WAKERVILLE BAL-12.5 AREAS**

**1.0**  
 25/07/2019  
 C121sgip

**Statement of the bushfire management objectives to be achieved**

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**  
 25/07/2019  
 C121sgip

**Application**

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**  
 25/07/2019  
 C121sgip

**Permit requirement**

None specified.

**Application requirements**

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, and
  - Details vehicle access.

## C125sgip – Background Report - Approval

**4.0**25/07/2019  
C121sgip**Requirements to be met**

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, and Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

**5.0**25/07/2019  
C121sgip**Substitute approved measures for Clause 53.02**

None specified.

**6.0**25/07/2019  
C121sgip**Additional alternative measures for Clause 53.02**

None specified.

**8.0**25/07/2019  
C121sgip**Mandatory Condition**

An application must include the mandatory conditions as specified in Clause 44.06-5.

**9.0**25/07/2019  
C121sgip**Referral of application not required**

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.

**10.0**25/07/2019  
C121sgip**Notice and review**

None specified.

**11.0**25/07/2019  
C121sgip**Decision guidelines**

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.

## C125sgip – Background Report - Approval

## All-25-28-PPF – Land Subject to Inundation Overlay Schedule 1 - Amend

*Issue*

Under the 'Permit requirement' heading in the Land Subject to Inundation Schedule 1 (LSIO) there is a typing error in the fifth dot point with the numeral 1 after the word dwelling.

*Proposed Change*

Remove the numeral 1 after the word dwelling in the fifth dot point under the heading 'Permit requirement' heading in the Land Subject to Inundation Schedule 1 (LSIO).

## SOUTH GIPPSLAND PLANNING SCHEME

25/07/2019  
C121sgip

## SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**.

### 1.0

25/07/2019  
C121sgip

#### Land subject to inundation objectives to be achieved

None specified.

### 2.0

25/07/2019  
C121sgip

#### Statement of risk

None specified.

### 3.0

~~25/07/2019~~ - / - / -

#### Permit requirement

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 finished floor level of the habitable building is 3.0 metres or more above AHD.
- A ground floor extension to an existing habitable building (including a dwelling) 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 ~~dwelling~~dwelling provided that the floor level is 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) with a 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 the finished 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 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.

## C125sgip – Background Report - Approval

- A replacement fence of the same materials as an existing fence, in the same location.
- Open type fencing (excluding paling and Colorbond style fencing, brick and concrete walls) and maintenance to existing fencing.
- 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 access way (public or private) 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 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.
- Windmills and solar units 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, 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**

C124sgip Proposed  
C125sgip

**Application requirements**

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.



## C125sgip – Background Report - Approval

- 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 year flood 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.

**Coastal Development**

For land below 5 metres AHD, the responsible authority or floodplain management authority may require that a coastal hazard vulnerability assessment, or similar statement, be prepared to accompany the following planning application types:

- Subdivision.
- Accommodation (including Dwelling, Residential building, Residential village, Retirement village, Camping and caravan park, Corrective institution, Dependent persons unit, Group accommodation and Host farm).

This requirement does not apply where the information has been previously published in a regional Local Coastal Hazard Assessment.

If a report is required, the report must be prepared by a suitably qualified coastal processes engineer and/or coastal processes specialist and prepared in accordance with any approved coastal hazard guidelines to the satisfaction of the responsible authority and floodplain management authority. The assessment is to be prepared in accordance with the background document *Victorian Coastal Hazard Guide* (or superseding document) and must not be more than six months old and contain at least the following information:

- A location plan drawn to scale, showing the boundaries and dimensions of the site, surrounding uses, the layout of existing and proposed buildings and works and the distance to coast or estuary.
- Elevation plans taken by or under the direction and supervision of a licensed land surveyor showing natural ground level, finished ground level and the floor levels of any proposed buildings in relation to both AHD and the level as nominated by the relevant floodplain management authority at 2100.
- A detailed site plan with 0.5 metres contours showing the layout of existing and proposed buildings and works, watercourses, access roads, vegetation and all infrastructure that may be affected by flooding, sea level rise or coastal inundation, taken by or under the direction and supervision of a licensed land surveyor.

*Note: Before commencing preparation of the coastal hazards vulnerability assessment, consultation should occur with the floodplain management authority and the responsible authority to determine what information, additional to that specified above, must be provided to fulfill the requirements of the Victorian Coastal Hazard Guide*

**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:

- Is 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.

C125sgip – Background Report - Approval

- Is in accordance with an adopted local floodplain development plan or other agreement between the floodplain management authority and the responsible authority.
- Complies 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.

**Background documents**

*Corner Inlet Dynamic Storm Tide Modelling Assessment – Water Technology June 2014*

**5.0**

25/07/2019  
C121sgip

**Decision guidelines**

None specified.

C125sgip – Background Report - Approval

**BUFFALO / MIDDLE TARWIN**

BUF-3-29-020\_008 – Zoning Anomaly

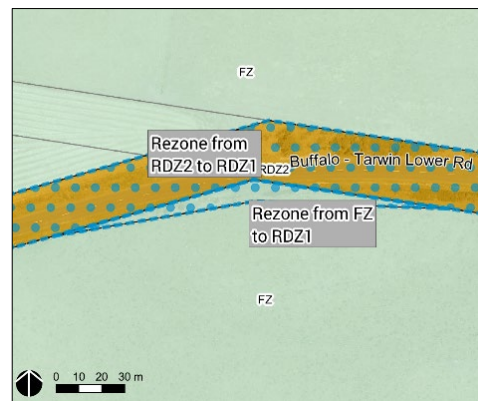
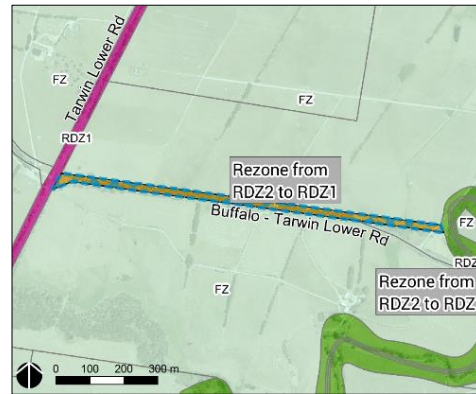
Location	Land /Area Affected	Mapping Reference
Buffalo / Middle Tarwin	Buffalo-Tarwin Road 1/TP512541 Parish of Meeniyana	South Gippsland C125sgip 020znMaps23 Exhibition South Gippsland C125sgip 008znMaps23_26 Exhibition

*Issue*

The Buffalo Tarwin Road and 1/TP512541 Parish of Meeniyana is currently zoned Road Zone Category 2 (RDZ2) and Farming Zone respectively. The No S 355 Government Gazette on 2 November 2011 declared the Buffalo Tarwin Road and 1/TP512541 as an arterial road. It is a requirement that any declared roads under the *Road Management Act 2004* be zoned Road Zone Category 1.

*Proposed Change*

Rezone Buffalo-Tarwin Road from RDZ2 to RDZ1 and 1/TP512541 from Farming Zone to RDZ1.



C125sgip – Background Report - Approval

**DUMBALK**

**Dum-18-1-010\_025 - Zoning Anomaly/Split Zoning / Overlay Adjustment**

Location	Land /Area Affected	Mapping Reference
Dumbalk	38 Farmers Road (1\TP551546) 40 Farmers Road, (1\TP532469, 1\TP618655) 926A Meeniyan-Mirboo North Road (1\PS616954) 2 Dollar Road (1\LP122106) 4 Dollar Road (2\LP122106) 6 Dollar Road (2\TP753819, 1\TP753819) 4 Farmers Road (1\TP377728, 2\LP142495)	South Gippsland C125sgip 010znMap19 Exhibition South Gippsland C125sgip 025d-esoMap19 Exhibition

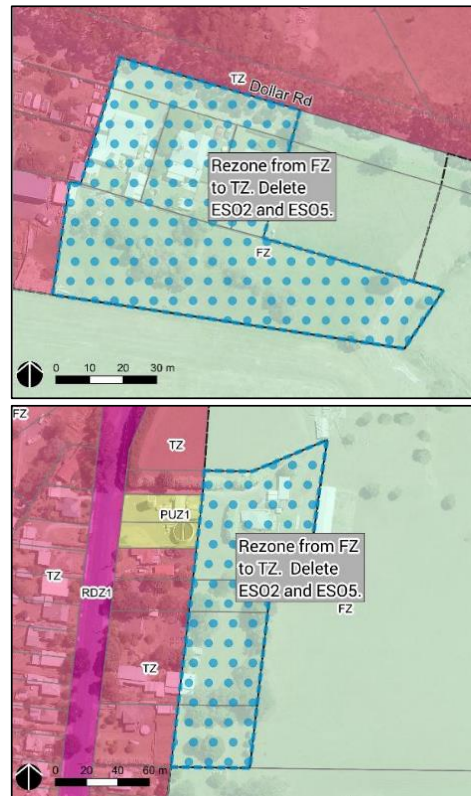
*Issue*

There are a number of properties that are entirely within the Dumbalk settlement boundary however through historical boundary realignments have become split zoning lots. It is understood that good planning practice avoids split zoning. The properties within the settlement boundary that are split zoning are developed with a dwelling (Township Zone portion of the property) with the rear backyards zoned Farming Zone.

2- and 4-Dollar Road are entirely within the settlement boundary and the Farming Zone however they are much smaller lots which have been developed with a dwelling and have standard residential yards. Farming zone Schedule 1 (FZ) for these properties is not reflective of the land use as they are associated with the Dumbalk settlement which is majority Township Zone Schedule 1 (TZ).

*Proposed Change*

Rezone the portions of properties that are Farming Zone Schedule 1 (FZ) to Township Zone Schedule 1 (TZ) and remove the Environmental Significance Overlay Schedule 2 (ESO2) and Environmental Significance Overlay Schedule 5 (ESO5). Amendment GC31 excluded land from ESO2 from the residential zones of unsewered areas in Mirboo North, Korumburra, Leongatha, Meeniyan, Stoney Creek, Kardella, Koonwarra and Dumbalk in the South Gippsland Planning Scheme. The removal of ESO2 from the FZ portions of the lots matches the intentions of Amendment GC31. The ESO5 Areas Susceptible to Erosion was an overlay carried over from the former Shire of Woorayl Planning Scheme and applied as blanket controls. It affects considerable areas of the Shire and were not originally applied to residential zones nor do they appropriately reflect the residential characteristics of affected land. Therefore, in line with the zoning of Dumbalk it is appropriate to match the overlays with the zoning and remove the ESO5.



C125sgip – Background Report - Approval

**FOSTER**

**FOS-17-2-003\_030 - Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Foster	Hall Road, Foster (CA 1E SB Parish of Wonga Wonga South)	South Gippsland C125sgip 003znMap29 Exhibition South Gippsland C125sgip 030d-sloMap29 Exhibition

*Issue*

Part of the publicly owned land at Hall Road Foster (CA 1E SB Parish of Wonga Wonga South) is currently zoned Farming Zone. This is not reflective of the current land use or ownership. The land is owned by the Department of Environment, Land, Water and Planning (DELWP) and it is understood to be managed in conjunction with the neighbouring publicly owned land.

*Proposed Change*

Rezone the land at Hall Road, Foster (CA 1E SB Parish of Wonga Wonga South) to the Public Conservation and Resource Zone (PCRZ) to align the land use and ownership with the correct zone. Remove Significant Landscape Overlay Schedule 3 to ensure that the land has the same overlay provisions as the broader PCRZ land. The removal of the overlay is supported by Amendment C45sgip where the panel report stated 'land within the larger settlements, the PCRZ and the PPRZ is excluded from the SLOs'.



**FOS-6-3-006 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Foster	Foster Golf Club, 11 Reserve Street Foster (14~22\PP5296)	South Gippsland C125sgip 006znMap29 Exhibition

*Issue*

The land at 11 Reserve Street Foster (14~22\PP5296) is privately owned by the Foster Golf Club and it is the location of the Foster Club House. It is currently zoned Public Park and Recreation Reserve. This is not an appropriate zone for a private use.

*Proposed Change*

Rezone the portion of 11 Reserve Street, Foster which is currently zoned Public Park and Recreation Zone (PPRZ) to General Residential Zone 1 (GRZ1) as it is privately owned.



C125sgip – Background Report - Approval

**JUMBUNNA**

**JUM-32-024 - Overlay Anomaly**

Location	Land /Area Affected	Mapping Reference
Jumbunna	Cruikshanks Road, Jumbunna Herring Lane, Jumbunna Lynns Road, Jumbunna 39 Cruikshanks Road (2\TP20904) 12 Herring Lane (1\TP910278)	South Gippsland C125sgip 024d-esoMap11 Exhibition

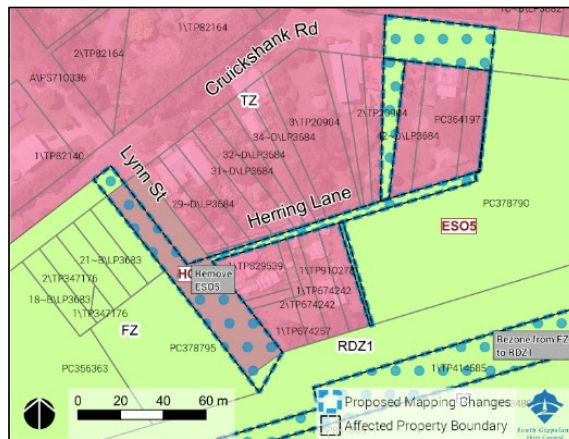
*Issue*

The ESO5 Areas Susceptible to Erosion was an overlay carried over from the former Shire of Woorayl Planning Scheme and applied as blanket controls. It affects considerable areas of the Shire and were not originally applied to residential zones nor do they appropriately reflect the residential characteristics of affected land.

It is currently unnecessarily triggering a planning control.

*Proposed Change*

Remove the Environmental Significance Overlay (ESO5) from land at 39 Cruikshanks Road, Jumbunna, 12 Herring Lane, Jumbunna and public road reserves for Cruikshanks Road, Herring Lane and Lynn Street.



**JUM-28-5-013 - Zoning Anomaly**

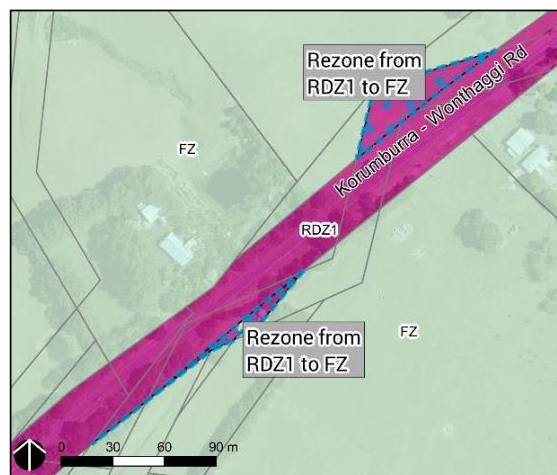
Location	Land /Area Affected	Mapping Reference
Jumbunna	Korumburra – Wonthaggi Road (north of Jumbunna settlement).	South Gippsland C125sgip 013znMap11 Exhibition

*Issue*

There are misalignments between the declared boundaries of the Korumburra-Wonthaggi Road in Jumbunna and the zonings.

*Proposed Change*

Rezone the portions of the Korumburra-Jumbunna Boolarra – Mirboo North Road from Farming Zone (FZ) to Road Zone Category 1 (RDZ1) to more accurately reflect the declaration boundaries of Korumburra – Wonthaggi Road as per Government Gazette 9 October 1968 page 3427.



C125sgip – Background Report - Approval

JUM-27-4-014 – Zoning Anomaly

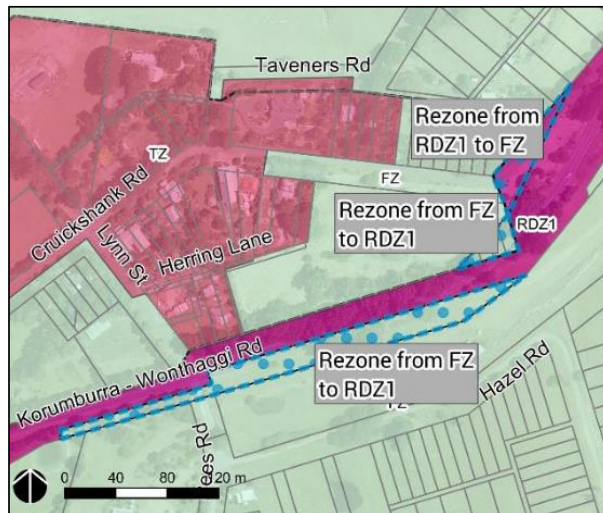
Location	Land /Area Affected	Mapping Reference
Jumbunna	Korumburra – Wonthaggi Road, Jumbunna	South Gippsland C125sgip 014znMap11 Exhibition

*Issue*

There are misalignments between the declared boundaries of the Korumburra-Wonthaggi Road in Jumbunna and the zonings.

*Proposed Change*

Rezone the portions of the Korumburra-Jumbunna Boolarra – Mirboo North Road from Farming Zone (FZ) to Road Zone Category 1 (RDZ1) to more accurately reflect the declaration boundaries of Korumburra – Wonthaggi Road as per Government Gazette 7 August 1968 page 2813.



C125sgip – Background Report - Approval

**KONGWAK**

KON-34-005 – Zoning correction

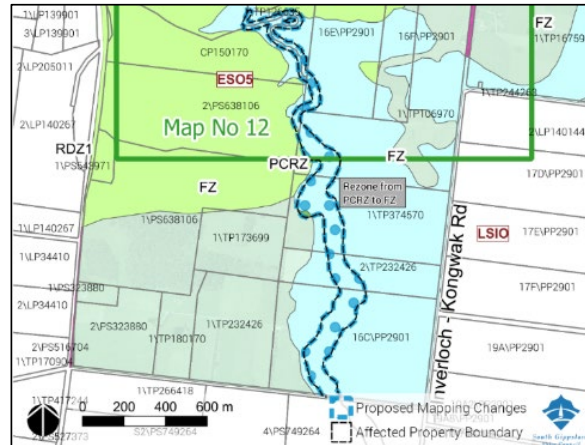
Location	Land /Area Affected	Mapping Reference
Kongwak	Foster Creek, Kongwak south of Pioneer Reserve	South Gippsland C125sgip 005znMap10_12 Exhibition

*Issue*

Privately owned land is incorrectly zoned PCRZ.

*Proposed Change*

Rezone land from PCRZ to FZ along Foster Creek, Kongwak where it is within privately owned land to correct zone mapping error.





C125sgip – Background Report - Approval

**KORUMBURRA**

**KOR-31-10-034\_033 – Zoning Correction and Overlay Deletion**

Location	Land /Area Affected	Mapping Reference
Korumburra	2 Victoria Street Korumburra	South Gippsland C125sgip 034znMap14 Exhibition South Gippsland C125sgip 033d-paoMap14 Exhibition

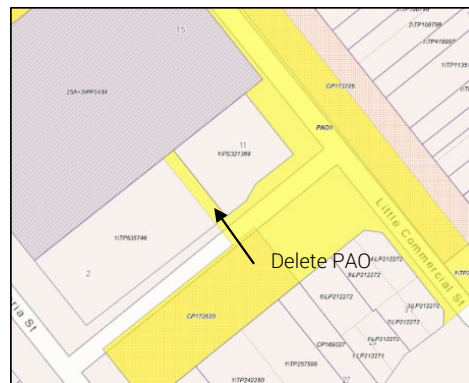
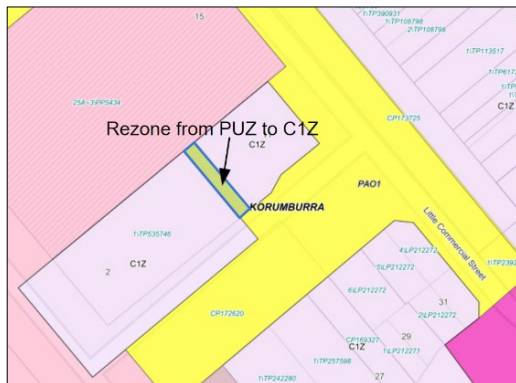
*Issue*

Privately owned land is incorrectly zoned PUZ.

The Public Acquisition Overlay (PAO) was initially placed on the land in the 1980’s for the purpose of car parking. Council used the POA to purchase the adjoining land at 11 Little Commercial Street however it subsequently decided to sell the land. Both lots are now privately owned. Council removed the PAO from 11 Little Commercial Street however the PAO remains on part of 2. The land adjoins the proposed Korumburra Community Hub. Council does not require retention of the PAO and the landowner has requested its removal.

*Proposed Change*

Rezone land from PUZ to C1Z to correct zone mapping error. Delete the PAO from the land at 2 Victoria Street Korumburra.



C125sgip – Background Report - Approval

KOR-29-6-015 - Zoning Anomaly

Location	Land /Area Affected	Mapping Reference
Korumburra	Korumburra – Wonthaggi Road, Korumburra	South Gippsland C125sgip 015znMap10 Exhibition

*Issue*

There are misalignments between the declared boundaries of the Korumburra-Wonthaggi Road in Jumbunna and the zonings.

*Proposed Change*

Rezone the portions of the Korumburra-Wonthaggi Road from Farming Zone (FZ) to Road Zone Category 1 (RDZ1) to more accurately reflect the declaration boundaries of Korumburra – Wonthaggi Road as per Government Gazette 28 August 1968 page 3070.



C125sgip – Background Report - Approval

**KOR-11-9-032 - Overlay Correction**

Location	Land /Area Affected	Mapping Reference
Korumburra	24 Commercial Street, Korumburra (1C~2\PP5434)	South Gippsland C125sgip 032hoMap14 Exhibition

*Issue*

The southern entry to the subway brick tunnel at the Korumburra Railway Station which is referenced in the Victorian Heritage Register VHR H1571 is not included within the Heritage Overlay Schedule 18's (HO18) mapping extent. The tunnel is located at 24 Commercial Street, Korumburra (1C~2\PP5434) which is owned by South Gippsland Shire Council.



*Proposed Change*

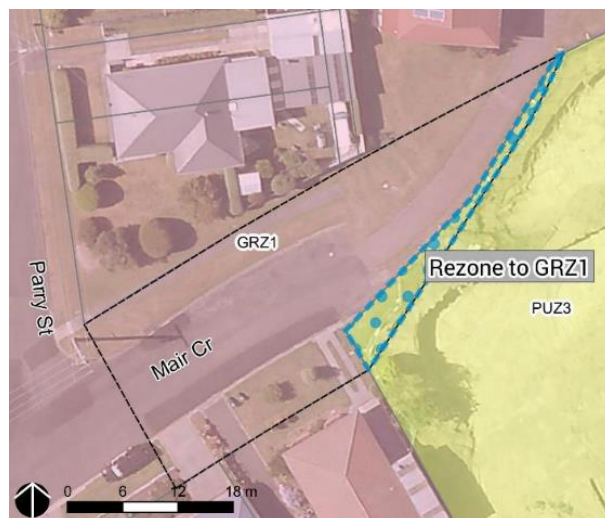
Extend the Heritage Overlay (schedule 18) at 24 Commercial Street, Korumburra (1C~2\PP5434) to include the southern entry to the subway brick tunnel as referenced in the Victorian Heritage Register VHR H1571.

**KOR-13-8-016 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Korumburra	Mair Crescent, Korumburra (identified as a road)	South Gippsland C125sgip 016znMap14 Exhibition

*Issue*

A section of Mair Crescent (towards the north-east end) is currently zoned Public Use Zone Category 3 (PUZ3) however as it is identified as part of the road it should be zoned General Residential Zone Schedule 1 (GRZ1). In the current zoning state, it is confusing as it appears that the part of the road forms part of the PUZ3 land.



*Proposed Change*

Rezone the portion of Mair Crescent from Public Use Zone Category 3 (PUZ3) to General Residential Zone Schedule 1 (GRZ1) to reflect the broader zoning of the road.

C125sgip – Background Report - Approval

KOR-9-11-018\_027 – Zoning Correction / Overlay deletion

Location	Land /Area Affected	Mapping Reference
Korumburra	6 Hislops Lane (CA 20~Q\PP5434 TP363305) 19 Hislops Lane (CA 19~Q\PP5434 TP786517) 10 Green Valley Rise (CA 14~Q\PP5434 TP855255) 8 Green Valley Rise (CA 13~Q\PP5434 TP316143) 6 Green Valley Rise (CA 12~Q\PP5434 TP286317) 4 Green Valley Rise (CA 11~Q\PP5434 TP286316) 2 Green Valley Rise (CA 10 SQ TP873553)	South Gippsland C125sgip 018znMap14 Exhibition South Gippsland C125sgip 027d-esoMap14 Exhibition

**Issue**

The lots identified in the corresponding map at Hislops Lane and Green Valley Rise are currently zoned Rural Activity Zone (RAZ). The lots identified have been developed with a dwelling and connected to reticulated sewer and water. Rezoning to the General Residential Zone Schedule 1 (GRZ1) has been identified as appropriate to reflect the land use. This rezoning is supported by the Korumburra Framework Plan which identifies this land as a future residential expansion area. To ensure the planning rules associated with the GRZ1 and Korumburra are consistent, the Environmental Significant Overlay Schedule 2 (ESO2) and the Environmental Significant Overlay Schedule 5 (ESO5) are proposed to be removed. The rezoning and removal of overlays would be reflective of the current land use where the small residential lots have been developed with a dwelling.

**Proposed Change**

Rezone the land which is currently Rural Activity Zone (RAZ) at 6 and 19 Hislops Lane and 2 to 10 Green Valley Rise to General Residential Zone Schedule 1 (GRZ1) and remove Environmental Significance Overlay Schedule 2 and Environmental Significance Overlay Schedule 5. The removal of Environmental Significant Overlay Schedule 2 (ESO2) is appropriate because the lots have been connected to reticulated sewer. The ESO5 Areas Susceptible to Erosion was an overlay carried over from the former Shire of Woorayl Planning Scheme and applied as blanket controls. It affects considerable areas of the Shire and were not originally applied to residential zones nor do they appropriately reflect the residential characteristics of affected land.



C125sgip – Background Report - Approval

KOR-12-7-017\_026 - Zoning Proposal / Overlay Deletion

Location	Land /Area Affected	Mapping Reference
Korumburra	293 Whitelaw Road, Korumburra (1/PS313150L Parish of Korumburra)	South Gippsland C125sgip 017znMaps10_14 Exhibition South Gippsland C125sgip 026d-esoMaps10_14 Exhibition

*Issue*

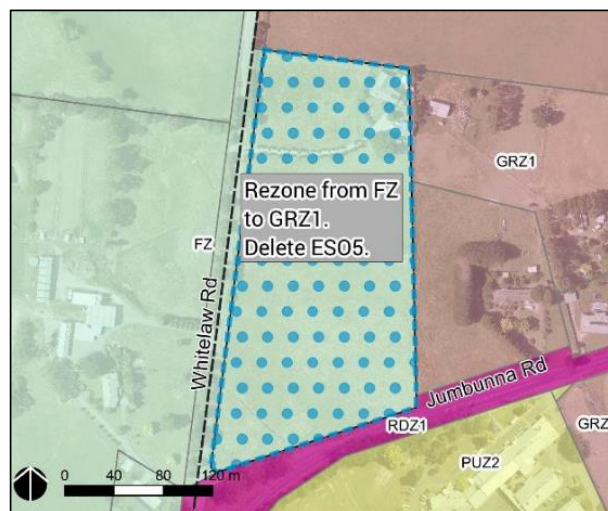
The landowners of 293 Whitelaw Road, Korumburra requested the land be rezoned from Farming Zone Schedule 1 (FZ) to General Residential Zone Schedule 1 (GRZ1). The land was originally exhibited to be rezoned as part of Amendment C66, but subsequently removed at the request of the owner. Development Plan Overlay Schedule 6 (DPO6) was applied to the land.

In consultation with DELWP, Council has deemed it appropriate to include this item in the general amendment. Council has limited resources and it not necessary to run an individual amendment for one item. If objections are received, Council will separate this item from the broader general amendment. This is to ensure that the majority of general amendment changes can be made in a timely manner and corrections to the planning scheme are gazetted to improve useability.

*Proposed Change*

Rezone the land at 293 Whitelaw Road, Korumburra from Farming Zone Schedule 1 (FZ1) to General Residential Zone Schedule 1 (GRZ1). Remove the Environmental Significance Overlay (ES05). The ES05 Areas Susceptible to Erosion was an overlay carried over from the former Shire of Woorayl Planning Scheme and applied as blanket controls. It affects considerable areas of the Shire and were not originally applied to residential zones nor do they appropriately reflect the residential characteristics of affected land.

The land proposed to be rezoned is within the settlement boundary and identified for future growth. Supply and demand data has been provided by the applicant and the applicant has agreed to signing the Section 173 agreement prior to the requirement of either planning panel or adoption of the amendment.



C125sgip – Background Report - Approval

**KOR-x-x-PPF – Framework plan update**

Clause 21.13-8

**ISSUE**

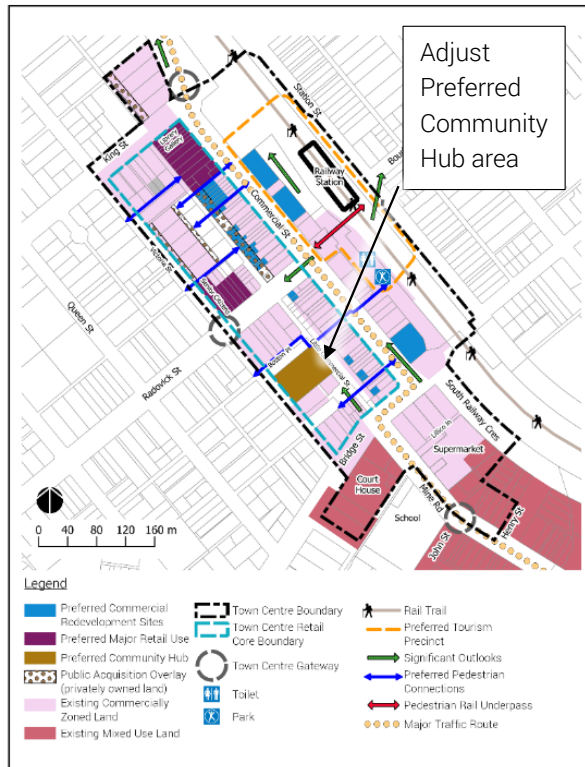
The figure in the Planning Scheme Clause 21.13-8 identifies the preferred community hub area extending over land at 2 Victoria Street and 11 Little Commercial Lane, Korumburra.

This land is privately owned and is not appropriate for use as a community hub. The adjacent land (as indicated on adjacent map) is currently being designed to be developed as the future Community Hub.

As such, Council seeks to adjust the area within the Figure.

**Proposed Change**

Amend Clause 21.13-8 Figure to reflect the Preferred Community Hub area as only covering publicly owned land.



C125sgip – Background Report - Approval

**LEONGATHA**

**LEO-1-12-019 – Zoning Anomaly**

Location	Land /Area Affected	Mapping Reference
Leongatha	Evans Petroleum Depot, 22-24 Hughes Street, Leongatha (1\TP102102)	South Gippsland C125sgip 019znMap16 Exhibition

*Issue*

For the land at 22-24 Hughes Street, Leongatha being 1\TP102102 Parish of Leongatha, a zoning anomaly exists where the Public Park Recreation Zone (PPRZ) applies to 3.9% of the title that is in private ownership. The land is currently used as a Petroleum Depot.

*Proposed Change*

Rezone the portion of 1\TP102102 from Public Park and Recreation Zone (PPRZ) to Industrial Zone 1 (INZ1) to remove the split zoning.



**LEO-14-13-009 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Leongatha	Tarwin Ridge Boulevard, Leongatha (RES1\PS820131)	South Gippsland C125sgip 009znMap16 Exhibition

*Issue*

The land at Tarwin Ridge Boulevard, Leongatha (RES1\PS820131) is owned by Council and is used as a drainage reserve. It is currently zoned Low-Density Residential Zone Schedule 1 (LDRZ). This is not reflective of the land use or the Reserve on the title.

*Proposed Change*

Rezone the land at Tarwin Ridge Boulevards, Leongatha (RES1\PS820131) from Low Density Residential Zone Schedule 1 (LDRZ) to Public Park and Recreation Zone (PPRZ).



C125sgip – Background Report - Approval

LEO-15-14-009 – Zoning Correction

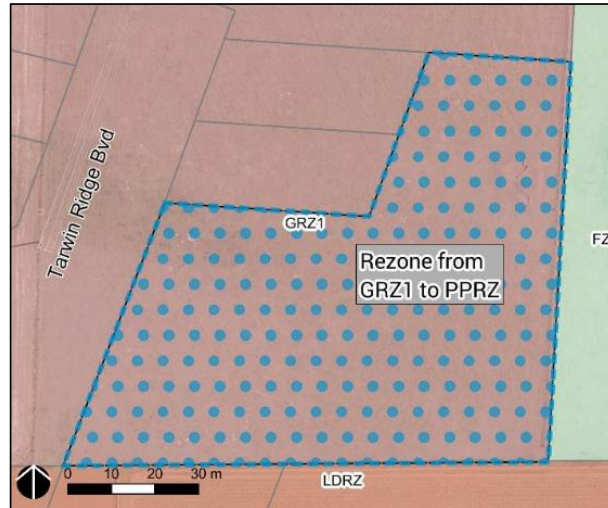
Location	Land /Area Affected	Mapping Reference
Leongatha	50 Panorama Rise, Leongatha (RES1\PS820131)	South Gippsland C125sgip 009znMap16 Exhibition

**Issue**

The land at 50 Panorama Rise, Leongatha (RES1\PS820131) is currently owned by Council and is used as a park. There is a playground on the land. It is currently zoned General Residential Zone (schedule 1). This is not reflective of the land use or the Reserve on the title.

**Proposed Change**

Rezone the land at 50 Panorama Rise, Leongatha (RES1\PS820131) from General Residential Zone Schedule 1 (GRZ1) to Public Park and Recreation Zone (PPRZ).



LEO-16-15-009 – Zoning Correction

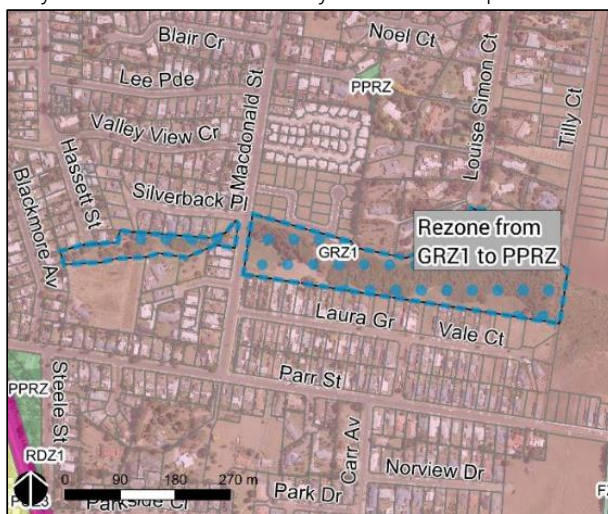
Location	Land /Area Affected	Mapping Reference
Leongatha	37 MacDonald Street, Leongatha (1\TP199094, RES1\PS524426, RES1\LP135549, RES1\PS347774).	South Gippsland C125sgip 009znMap16 Exhibition

**Issue**

The land at 37 MacDonald Street, Leongatha (1\TP199094, RES1\PS524426, RES1\LP135549 and RES1\PS347774) is currently owned by Council. It is a waterway with informal public walkway facilities. It has been identified in the South Gippsland Paths and Trails Strategy 2018 as a future unfunded project. It is currently zoned General Residential Zone Schedule 1 (GRZ1). This zone is not reflective of the land use or the Reserve on the title.

**Proposed Change**

Rezone the land at 37 MacDonald Street, Leongatha (1\TP199094, RES1\PS524426, RES1\LP135549 and RES1\PS347774). from General Residential Zone (schedule 1) to Public Park and Recreation Zone (PPRZ).





C125sgip – Background Report - Approval

**LOCH**

**LOC-7-16-012 – Zoning Anomaly**

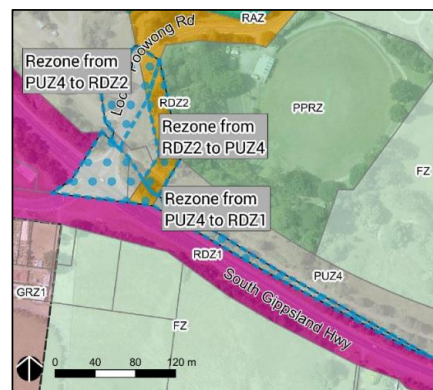
Location	Land /Area Affected	Mapping Reference
Loch	Intersection at South Gippsland Highway and the Loch-Poowong Road	South Gippsland C125sgip 012znMap04 Exhibition

*Issue*

The currently zoning at the intersection at South Gippsland Highway and the Loch-Poowong Road does not reflect the true alignment of the roads and the intersection. In consultation with VicRoads, rezoning of land from Public Use Zone Category 4 (PUZ4) and Road Zone Category 2 (RDZ2) to Road Zone Category 1 (RDZ1) to coincide with the Arterial Road boundaries is supported by the Government Gazette 7 September 2007 – Declaration part South Gippsland Highway. The Road Zone Category 2 does not match the alignment of the Loch-Poowong Road. Where the RDZ2 is moved to realign with the road the needs to be rezoned Public Use Zone Category 4 (PUZ4).

*Proposed Change (Exhibited)*

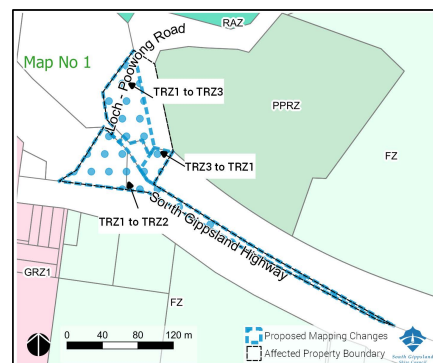
Apply the Road Zone Category 1 (RDZ1) to the land currently zoned Public Use Zone Schedule 4 (PUZ4) in accordance with the Arterial Road boundaries as the attached Government Gazette 7 September 2007 – Declaration part South Gippsland Highway. Align the Road Zone Category 2 (RDZ2) to match the Road alignment of the Loch-Poowong Road and rezone the land currently Road Zone Category 2 (RDZ2) to Public Use Zone Schedule 4 (PUZ4).



*Proposed Change (Approval)*

In response to a submission by the Department of Transport, and a subsequent amendment VC205, the land zoning will be amended as follows (see adjacent figure):

- Section of South Gippsland Hwy (Regional Roads Victoria) currently part without zone and part TRZ1 to be TRZ2.
- Rail Reserve land (Vic Track leased to SGSC) currently TRZ3 to be TRZ1.
- Loch-Poowong Road (Council) currently part without zone and part TRZ1 to be TRZ3.



C125sgip – Background Report - Approval

**MEENIYAN**

**MEE-22-17-011 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Meeniyam	Tompkins Road Meeniyam (2017\PP5513)	South Gippsland C125sgip 011znMap20 Exhibition

*Issue*

The three owners at 126, 134 and 140 Whitelaw Street have approached the Department of Environment, Land, Water and Planning (DELWP) to subdivide 2017/PP5513 in line with the boundaries that run from south-east to north-west and purchase the land. The land is currently zoned Public Park and Recreation Zone. The land has already been fenced off as such that the subdivision has already occurred and being used by the three owners. Before this subdivision and land can be sold off, the land must be rezoned. It is necessary to rezone the subject land prior to the disposal for private ownership pursuant to the Victorian Government Land Transactions Policy and Guidelines 2016 which states that “an agency must not offer land for sale to a private purchaser that is zoned for a public purpose under a planning scheme unless an exemption is obtained under section 2(d) of the Policy.”



*Proposed Change*

At the request of DELWP, rezone Lot 2017\PP5513 on Tomkins Road Meeniyam from Public Park and Recreation Zone (PPRZ) to Commercial Zone Schedule 1 (C1Z).

**Key Contact:** Carly Kee [carly.kee@delwp.vic.gov.au](mailto:carly.kee@delwp.vic.gov.au) Program Officer – Land Sales

C125sgip – Background Report - Approval

**MIRBOO NORTH**

MIR-2-18-006 – Zoning Anomaly

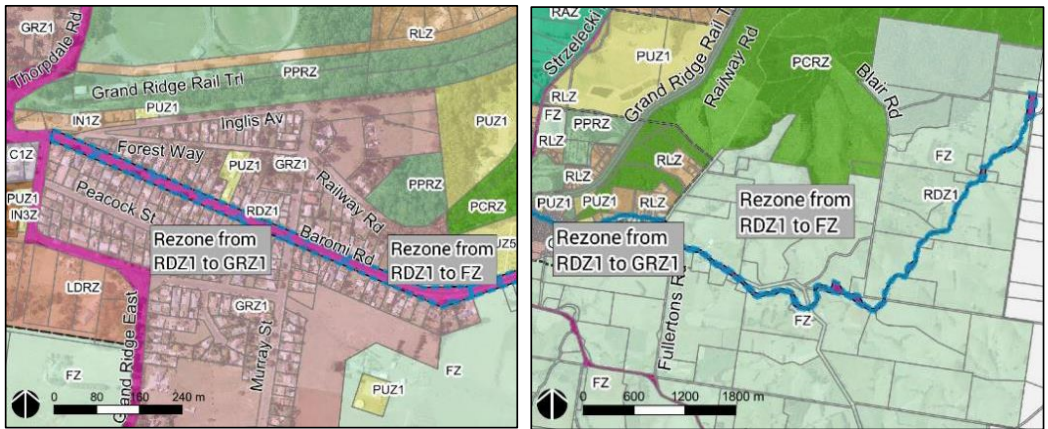
Location	Land /Area Affected	Mapping Reference
Mirboo North	Boolarra-Mirboo North Road	South Gippsland C125sgip 006znMaps08_09 Exhibition

*Issue*

The Boolarra – Mirboo North Road is currently zoned Road Zone Category 1 (RDZ1) however South Gippsland best practice is to only apply the RDZ1 to roads declared under the *Road Management Act 2004*. The No S 355 Government Gazette on 2 November 2011 declared the Boolarra-Mirboo North Road as a Municipal Road which revoked it from the *Road Management Act 2004*.

*Proposed Change*

Rezone Boolarra – Mirboo North Road from RDZ1 to match the neighbouring zoning being Farming Zone (FZ) and General Residential Zone Schedule 1 (GRZ1).



C125sgip – Background Report - Approval

MIR-5-19-021 – Zoning Anomaly/Split Zoning

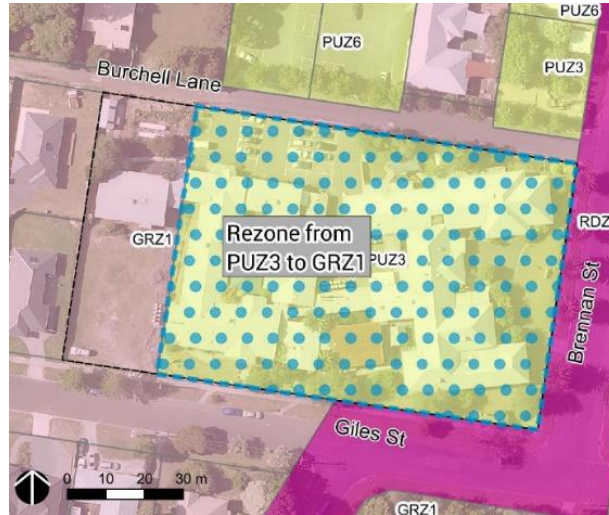
Location	Land /Area Affected	Mapping Reference
Mirboo North	Mirboo North Aged Care, 6 Brennan Street, Mirboo North (PC375463 Parish of Mirboo North Township)	South Gippsland C125sgip 021znMaps08_09 Exhibition

*Issue*

The land at 6 Brennan Street, Mirboo North (PC375463 Parish of Mirboo North Township) is privately owned however currently zoned Public Use Zone Category 3 (PUZ3). Even though this land is used as an aged care facility, it is privately owned and managed.

*Proposed Change*

Rezone 80% of 6 Brennan Street from Public Use Zone 3 (PUZ3) to match the remaining General Residential Zone Schedule 1 (GRZ1). The GRZ1 is reflective of the land use and ownership.



C125sgip – Background Report - Approval

**NYORA**

**NYO-20-21-PPF – Design and Development Overlay Schedule Update**

Design and Development Overlay Schedule 12 Figure 1

*Issue*

Figure 1 in the Design and Development Overlay Schedule 12 (DDO12) currently shows a blue line for the southern half of Davis Street with a 4m setback which is incorrect. Davis Street should show a setback of 0m.

The 0m setback for Davis Street is supported by the Nyora Development Strategy (2016) which was adopted by Council on 24 August 2017 and the as part of Amendment C110 gazetted policy wording in the DDO12.

The Nyora Development Strategy (2016) states (p.C4):

0 metres for Type A frontages along Mitchell Street, Davis Street, Henley Street and Grundy Avenue.

The policy wording under the heading ‘Height and Setbacks’ in DDO12 references zero metres for Type A frontages along Mitchell Street, Davis Street, Henley Street and Grundy Avenue. Figure 1 in the gazetted DDO12 is not reflective of this and was an administrative error in the development of the Strategy and Policy figure.

*Proposed Change*

Update Figure 1 to reflect the Nyora Development Strategy (2016) and DDO12 policy wording.



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**  
25/07/2019  
C121sgip

**Design objectives**

To ensure new development is consistent with the desired future character described in the Town Centre Character Statement at Clause 21.15.

To improve the pedestrian environment through human scale development, increased passive surveillance and improved pedestrian connections between public spaces and commercial and community buildings (existing and future).

## C125sgip – Background Report - Approval

**2.0**25/07/2019  
C121sgip**Buildings and works**

A planning 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:

- 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 and the Town Centre Character Statement at Clause 21.15-5.

**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 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**

## C125sgip – Background Report - Approval

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 (e.g. supermarket) 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 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 that contribute to the streetscape or will enhance proposed landscape areas.

Where practical, provision should be made for the planting of canopy trees with designated root protection zones.

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**

25/07/2019  
C121sgip

### **Subdivision**

None specified.

C125sgip – Background Report - Approval

**4.0 Signs**

25/07/2019  
C121sgip

Sign requirements are at Clause 52.05. In addition to the requirements of the zone, a permit is required to display an Internally-illuminated sign.

**5.0 Application requirements**

25/07/2019  
C121sgip

None specified

**6.0 Decision guidelines**

25/07/2019  
C121sgip Proposed  
C125sgip

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.
- The requirements of the Character Statement at Clause 21.15-5.

Figure 1 Illustration of DDO Requirements

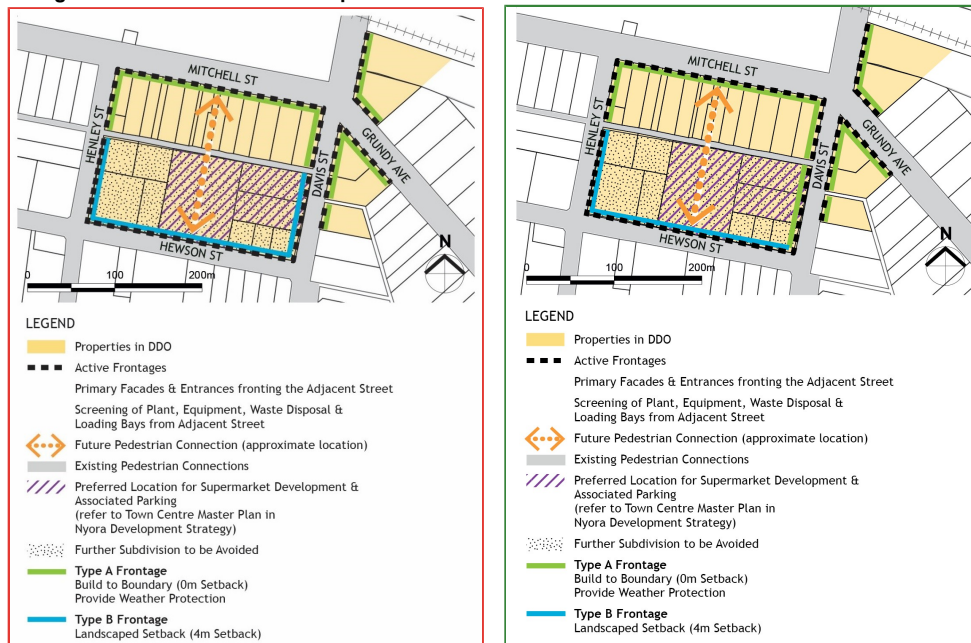


Figure 2 Illustration of Building Façade Controls





C125sgip – Background Report - Approval

NYO-24-23-022 – Overlay removal

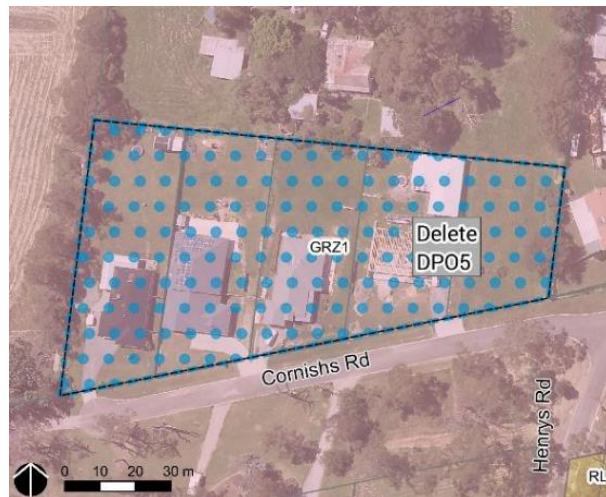
Location	Land /Area Affected	Mapping Reference
Mirboo North	17 Cornishs Road (1\PS715873) 19 Cornishs Road (2\PS715873) 23 Cornishs Road (3\PS715873) 27 Cornishs Road (4\PS715873) 31 Cornishs Road (5\PS715873)	South Gippsland C125sgip 022d-dpoMap2 Exhibition

*Issue*

The subdivision has already taken place at 17 to 31 Cornishs Road, Nyora. All the properties except for 31 Cornishs Road have been developed with a dwelling. There is minimal value retaining the Development Plan Overlay Schedule 5 (DPO5) on this land as a result of the subdivision and land and in some instances has confused future purchases of the land when they have been listed for sale. These enquiries are an unnecessary drain on council resources.

*Proposed Change*

Remove the now redundant Development Plan Overlay Schedule 5 (DPO5) from 17 Cornishs Road (1\PS715873), 19 Cornishs Road (2\PS715873), 23 Cornishs Road (3\PS715873), 27 Cornishs Road (4\PS715873) and 31 Cornishs Road (5\PS715873).



C125sgip – Background Report - Approval

**NYO-19-20-PPF – Rural Living Zone Schedule Update**

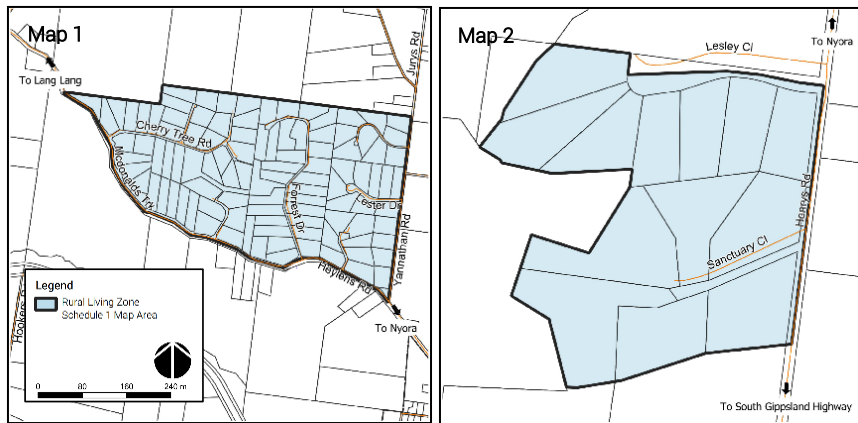
Rural Living Zone Schedule 1 Map 1 & 2

*Issue*

In their current state, Map 1 and Map 2 in the Rural Living Zone Schedule 1 (RLZ) are old and outdated. They are difficult to read and it is unclear as to where they are located in the South Gippsland Shire as there is no broader context or features associated with the maps.

*Proposed Change*

Update Map 1 and Map 2 in the Rural Living Zone Schedule 1 (RLZ) to ensure they meet the Form and Content of the planning scheme and to improve useability and readability.



25/07/2019  
C121sgip

**SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE**

Shown on the planning scheme map as **RLZ**.

**1.0**

25/07/2019

**Subdivision and other requirements**

C424sgip Proposed  
C125sgip

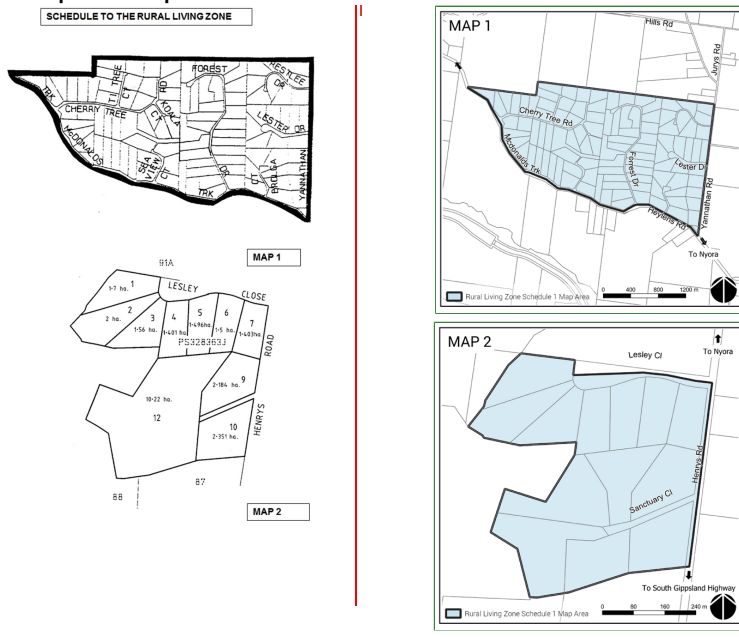
	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land except where specified on Map 1 or Map 2.	1 hectare
	All land specified on Map 1 of this schedule.	4 hectares
	All land specified on Map 2 of this schedule	2 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land except where specified on Map 1 or Map 2.	1 hectare
	All land specified on Map 1.	4 hectares
	All land specified on Map 2.	2 hectares

C125sgip – Background Report - Approval

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



Map 1 and Map 2 to the Schedule to Clause 35.03.



C125sgip – Background Report - Approval

**NYO-23-22-007 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Nyora	South Gippsland Highway, Nyora (Road Reserve) South Gippsland Highway, Nyora (1\TP835995)	South Gippsland C125sgip 007znMap01 Exhibition

*Issue*

Instead of the Road Zoning following the true alignment of the South Gippsland Highway it follows the Shire Boundary between South Gippsland and Bass Coast. The current zoning is not reflective of the current land use.

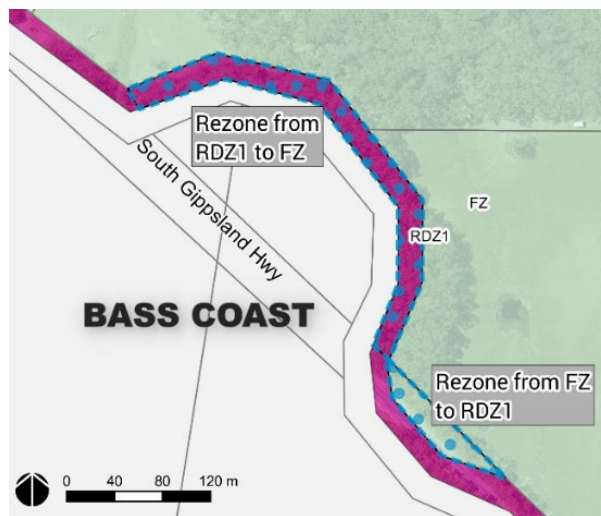
VicRoads has been consulted and support the rezoning of the South Gippsland Highway to match the true alignment of South Gippsland Highway as shown in the Government Gazette 1 September 1948 page 5633-4 and SP4128.

*Proposed Change*

Rezone 1\TP835995 from Farming Zone Schedule 1 (FZ) to Road Zone Category 1 (RDZ1).

Rezone the South Gippsland Highway (Road Reserve) from Road Zone Schedule 1 (RDZ1) to Farming Zone.

Bass Coast have been made aware of South Gippsland's rezoning intentions. Bass Coast have noted the South Gippsland Highway rezoning anomaly within their Shire boundary as part of their future strategic work.



C125sgip – Background Report - Approval

**PORT WELSHPOOL**

**POR-8-24-004 – Zoning Correction**

Location	Land /Area Affected	Mapping Reference
Port Welshpool	Lewis Street, Port Welshpool (35G~B\PP3790 and 1H\PP5652)	South Gippsland C125sgip 004znMap33 Exhibition

*Issue*

The land at Lewis Street, Port Welshpool (35G~B\PP3790 and 1H\PP5652) is owned by the Department of Environment, Land, Water and Planning (DELWP) and is zoned Public Conservation and Resource Zone (PCRZ). The land is used as a car park. As the land is being used as a carpark and not used for conservation purposes, the current zoning is not appropriate for the land use.

*Proposed Change*

Rezone the land which is Public Conservation and Resource Zone (PCRZ) at Lewis Street Port Welshpool (CA 35G SB Parish of Welshpool) to Public Park and Recreation Zone (PPRZ). The broader area which is used in conjunction with this land is zoned PPRZ.



C125sgip – Background Report - Approval

**SANDY POINT**

**SAN-10-25-028 – Overlay Adjustment**

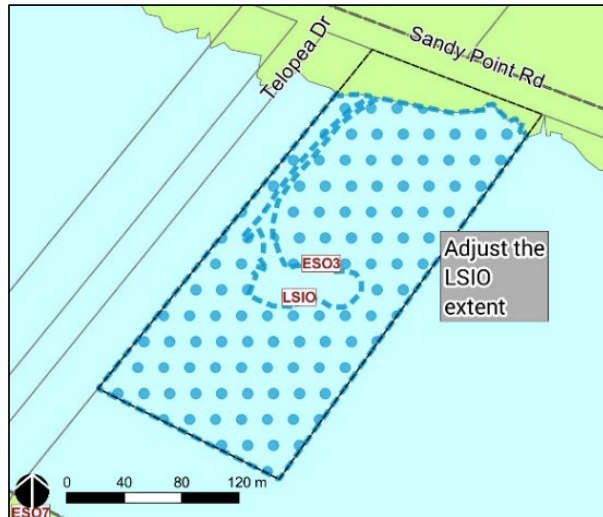
Location	Land /Area Affected	Mapping Reference
Sandy Point	6 Sandy Point Road, Sandy Point (L1 LP120355 Parish of Waratah North)	South Gippsland C125sgip 028d-Isio-foMap38 Exhibition

*Issue*

Earthworks at 6 Sandy Point Road, Sandy Point (L1 LP120355 Parish of Waratah North) have changed the Australian Height Datum (AHD) of the property which has changed the Land Subject to Inundation Overlay (LSIO) extents.

*Proposed Change*

The West Gippsland Catchment Management Authority (WGCMA) provided the new extents the LSIO based on the year 2100 1% AEP flood extent as a result of the earthworks that have taken place on the property. The new data was provided to Council on the 10 September 2020. This has been done at the request of the property owner.



C125sgip – Background Report - Approval

SAN-4-26-001\_023\_028\_029 – Zoning Anomaly/Split Zoning

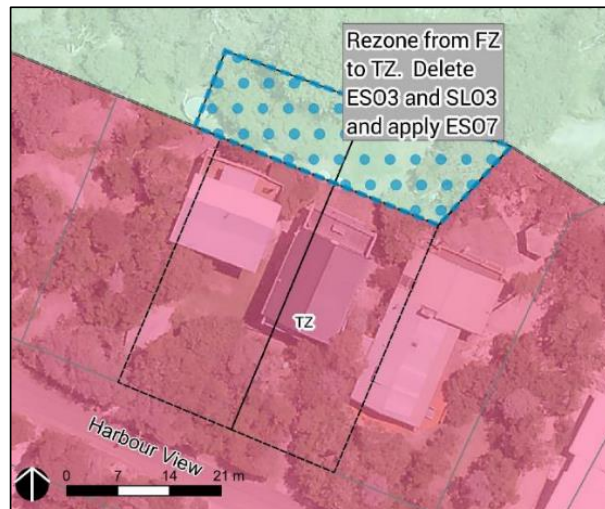
Location	Land /Area Affected	Mapping Reference
Sandy Point	39 Harbour View Road, Sandy Point (L1 LP502532S Parish of Waratah North) 41 Harbour View Road, Sandy Point (L1 PS502533Q Parish of Waratah North)	South Gippsland C125sgip 001znMap38 Exhibition South Gippsland C125sgip 023d-esoMap38 Exhibition South Gippsland C125sgip 028d-Isio-foMap38 Exhibition South Gippsland C125sgip 029d-slo-foMap38 Exhibition

**Issue**

39 and 41 Harbour View Sandy Point are both in private ownership with 70% of the properties in the Township Zone (TZ) and the remaining of the lot in the Farming Zone (FZ). The land towards the north-east has been fenced off and appears to be used with the residential dwelling that is towards Harbour View Road. The portion of the lots are not being used for farming purposes. The lots to the East which are of a similar lot size (compared with those to the north west which are smaller) and are entirely within the Township Zone. It is understood to be good planning practice to minimise lots with more than one zone as they can become more difficult and confusing for all parties to manage.

**Proposed Change**

Rezone the portion of 39 and 41 Harbour View, Sandy Point which is currently zoned Farming Zone (FZ) to Township Zone (TZ) so that the lots are entirely TZ. Remove the Significant Landscape Overlay Schedule 3 (SLO3) and the Environmental Significance Overlay Schedule 3 (ESO3) and apply the Environmental Significance Overlay Schedule 7 (ESO7) to ensure the overlays are consistent with Sandy Point.



C125sgip – Background Report - Approval

**VENUS BAY**

**VEN-30-30-002 – Rezoning Proposal**

Location	Land /Area Affected	Mapping Reference
Venus Bay	141-143 Jupiter Boulevard Venus Bay (22\LP52658 and 23\LP52658).	South Gippsland C125sgip 002znMap24 Exhibition

*Issue*

At the June 2020 Ordinary Council Meeting, Council adopted the *Venus Bay Tourism Precinct Plan, 2020*. As part of that plan, additional parking spaces that support the Venus Bay town centre. To ensure the timely transition of this land use, rezoning has been identified for Council owned land at 141-143 Jupiter Boulevard Venus Bay (22\LP52658 and 23\LP52658).



*Proposed Change*

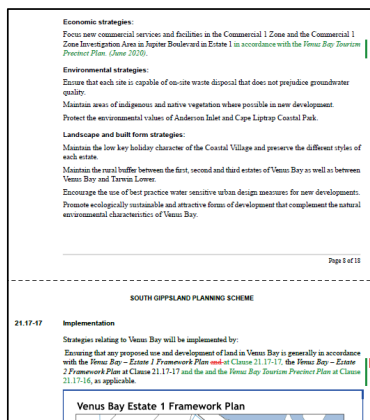
Rezoning the Council owned land at 141-143 Jupiter Boulevard Venus Bay (22\LP52658 and 23\LP52658) from Township Zone to Public Use Zone Category 6 (PUZ6).

**VEN-x-x-PPF – Coastal Villages and Background Documents - Amend**

Clauses 21.17 and 72.08

*Proposed Change*

Reference the *Venus Bay Tourism Precinct Plan, 2020* in Clause 21.17 and include in Background Documents under Clause 72.08.



SOUTH GIPPSLAND PLANNING SCHEME	
Name of background document	Amendment number - clause reference
	Clause 43.0263
	Clause 43.0264
	Clause 43.0265
	Clause 43.0266
South Gippsland Open Space Strategy 2007	Clause 43.0466
	Clause 43.0467
South Gippsland Paths and Trails Strategy 2010	Clause 43.0466
	Clause 43.0467
South Gippsland Shire Council's Infrastructure Design Manual	Clause 43.04611
South Gippsland Shire Municipal Reference Document, Coastal Spaces Landscape Assessment Study (Planisphere, 2005)	Clause 42.0261
	Clause 42.0262
	Clause 42.0263
State Overview Report, Coastal Spaces Landscape Assessment Study (Planisphere, 2005)	Clause 42.0261
	Clause 42.0262
	Clause 42.0263
Urban Design Framework: Settlement Background Paper, Sandy Point (Connell Wagner, 2006)	Clause 43.0263
Urban Design Framework: Settlement Background Paper, Tarwin Lower (Connell Wagner, 2006)	Clause 43.0266
Urban Design Framework: Settlement Background Paper, Waratah Bay (Connell Wagner, 2006)	Clause 43.0264
Urban Design Framework: Settlement Background Paper, Venus Bay (Connell Wagner, 2006)	Clause 43.0265
Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999)	Clause 43.0465
Venus Bay Tourism Precinct Plan 2020	Clause 21.17-18
Venus Bay Coastal Management Study	Clause 43.0264



C125sgip – Background Report - Approval

**WARATAH BAY**

**WAR-26-31-PPF – Farming Zone Schedule 1 – Amend**

Clause 35.07 Schedule 1

*Issue*

The Waratah Bay subdivision requirements referred to in Schedule 1 to the Farming Zone have already taken place and as a result this reference is no longer required.

*Proposed Change*

Remove the now redundant reference to Waratah Bay in Schedule 1 to the Farming Zone as the subdivision has already occurred.

SOUTH GIPPSLAND PLANNING SCHEME

25/07/2019  
C121sgip

**SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE**  
Shown on the planning scheme map as FZ.

1.0  
25/07/2019  
6421sgip Proposed C121sgip

**Subdivision and other requirements**

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	1- Lot 3 TP060296 Waratah Avenue, Waratah Bay as shown on Map 1 attached to this schedule-All land	The area of lots must be in accordance with Map 1 to this schedule-50 hectares
2- All other land	50 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

