



**STRATHBOGRIE SHIRE COUNCIL**  
**SPECIAL PLANNING COMMITTEE MEETING**  
**MINUTES**

**MEETING HELD ON FRIDAY 21 APRIL 2017**

**AT THE EUROA COMMUNITY CONFERENCE CENTRE**

**COMMENCING AT 4.00 P.M.**

**Councillors:**

Malcolm Little (Chair)	(Hughes Creek Ward)
Amanda McClaren	(Lake Nagambie Ward)
John Mason	(Seven Creeks Ward)
Kate Stothers	(Honeysuckle Creek Ward)
Debra Swan	(Lake Nagambie Ward)
Alistair Thomson	(Mount Wombat Ward)
Graeme (Mick) Williams	(Seven Creeks Ward)

**Officers:**

Phil Howard - Acting Chief Executive Officer / Director, Sustainable Development  
Emma Kubeil – Manager, Sustainable Development  
Cameron Fraser – Principal Planner  
Roy Hetherington - Director, Asset Services  
David Roff – Acting Director, Corporate and Liveability

**Business:**

1. Welcome
2. Acknowledgement of Traditional Land Owners

*'I acknowledge the Traditional Owners of the land on which we are meeting.  
I pay my respects to their Elders, past and present'*

3. Apologies

Steve Crawcour - Chief Executive Officer  
Caroline Wallis - Group Manager, Corporate and Liveability

4. Disclosure of Interests

*Cr Mason declared a 'Conflict of Interest' due to "prejudgement or bias - S79". Cr Mason left the meeting at 4.04 p.m. and did not return to the meeting.*

*Cr Williams declared an 'Interest Only' as "have been a friend of the applicant for many years".*

*Cr Thomson made the following declaration:-*

*"I have considered my position, including taking advice, with regard to Planning Application 2017-008 at 67 Railway Street, Euroa. I have concluded that I do not have a Conflict of Interest in this matter as defined by s 77, s 78 and s 79 of the Local Government Act, 1989, or the Strathbogie Shire Councillor Code of Conduct.*

*Previously, as a community member, I opposed the introduction of poker machines at 67 Railway Street as it contravened the Strathbogie Planning Scheme. My opposition included the preparation of comments and acting as a spokesperson for 'No Pokies for Euroa'.*

*With regards to the new application:*

- *I take my responsibility seriously and have an open mind*
- *I am able to reconsider my previous view in the light of contrary evidence*
- *I can consider all the facts and can be persuaded by the Officer Reports and the debate among my fellow Councillors".*

5. Planning Reports

6. Other Business

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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**PLANNING COMMITTEE REPORT NO. 1 (MANAGER, SUSTAINABLE DEVELOPMENT - EMMA KUBEIL / PRINCIPAL PLANNER - CAMERON FRASER)**

**6. OTHER BUSINESS**

**6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008**

**Report Description:**

Urbis Pty Ltd on behalf of Blossom Hotels Pty Ltd have made a request to Council under Section 96A of the *Planning and Environment Act 1987* to seek authorisation from the Minister for Planning to prepare and subsequently exhibit the application.

The application as proposed is for the following:

1. Amend *Schedule 4* to *Clause 52.28 Gaming*, to exclude the Euroa Hotel from land included in a Strip Shopping Centre; and
2. Use and development of the land for buildings and works and the use and installation of no more than 30 electronic gaming machines, advertising signage, waiver of carparking requirements and bicycle parking requirements, change to the area where liquor may be consumed and increase in the maximum number of patrons.

The application applies to land known as The Euroa Hotel located at 67 Railway Street, Euroa.

**Authors & Department:**

Manager Sustainable Development, Emma Kubeil  
Principal Planner, Cameron Fraser

**Disclosure of conflicts of interest in relation to advice provided in this report:**

No officer involved in the preparation of this report has any direct or indirect interest in this matter as provided in accordance with the *Local Government Act 1989*.

**Summary:**

Urbis Pty Ltd on behalf of Blossom Hotels Pty Ltd has made a request for a combined planning scheme amendment and planning permit application for the Euroa Hotel.

The proposal has been allocated the following number:

- Planning permit application number P2017-008; and
- An amendment number will be allocated if the Planning Committee decides to seek authorisation from the Minister.

**Proposed Planning Scheme Amendment**

The proposed amendment to the Strathbogie Planning Scheme seeks to amend Schedule 4 of Clause 52.28 to remove 67 Railway Street, Euroa from the prohibition on gaming machines in a strip shopping centre.

**Why the amendment is required?**

In 2014, the Victorian Civil and Administrative Tribunal (**VCAT**) considered planning permit application P2013-079 and determined that the Euroa Hotel was located within a strip shopping centre. This meant the use and installation of gaming machines at the Euroa Hotel was prohibited under the provisions of the Strathbogie Planning Scheme.

6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

The proponent has requested Council to amend its planning scheme to remove the prohibition identified by the VCAT decision. They have also applied for a planning permit to redevelop the Euroa Hotel, including the use and installation of 30 gaming machines.

The proponent has requested that Council considers the permit application concurrently with the proposed planning scheme amendment.

The proponent has advised that the proposed planning scheme amendment and in turn the permit application are required to facilitate a significant refurbishment of the Euroa Hotel as the Euroa Hotel has become run down and is in need of an upgrade. The Amendment will facilitate the revitalisation of the hotel to create a modern, high quality venue that provides a broader range of services to the community and visitors.

Planning permit application

The permit application submitted with the proposed Planning Scheme Amendment seeks approval for the use and installation of up to 30 gaming machines, buildings and works, advertising signs, waiver of car parking requirements and bicycle parking requirements, changes to the area where liquor may be consumed and an increase in maximum number of patrons.

The key elements of the permit application are:

- Use and installation of 30 gaming machines to be used within the current hours of operation of the hotel being:
  - Sunday between 10am and 11pm;
  - Good Friday between 12 noon and 11pm;
  - Anzac Day (not being a Sunday) between 12 noon and 1am the following day; and
  - On any other day between 7am and 1am the day following except for the morning of Good Friday.
- Enclosure of the existing courtyard/beer garden with a pitched roof to create a gaming room.
- A single storey extension to the rear of the existing building to accommodate a function room, overflow bistro, bar and amenities. The extension will be constructed of rendered brick with aluminium glazed windows and doors along the rear façade.
- An outdoor terrace along the south east side of the building, covered with a timber pergola.
- A feature entrance along the south west side of the building incorporating a glazed brick wall and an exposed steel structure canopy.
- Conversion of the existing public bar and TAB at the front of the hotel into the bistro area with an associated indoor children's play area.
- Formal construction of the rear car park with overall provision of 47 car parking spaces (including two disabled access spaces).
- New crossover from McGuinness Street to service as the 'exit' for the drive thru bottle shop.
- Loading bay along the north eastern boundary.

6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

- Installation of two flood lit business identification signs: a 3.8 square metre sign on the south east elevation and a 0.108 square sign on the south west elevation.

A second stage of redevelopment is proposed at some point in the future but is not part of this permit application.

Supporting documentation

In support of the amendment and the permit application, the following specialist reports have been submitted:

- Town Planning Report prepared by Urbis Pty Ltd dated November 2015.
- Social and Economic Impact Assessment prepared by Urbis Pty Ltd dated November 2015.
- EGM Expert Report prepared by ShineWing Australia dated 13 November 2015.
- Euroa Hotel Redevelopment – Residents Survey Report prepared by DJL Consulting Group dated November 2015.

The documentation provided with the combined amendment and permit application identifies that the Euroa Hotel is not within an area where the community undertakes its day to day shopping activities as the hotel it is not located within the core of the Euroa shopping strip on Binney Street.

The re-design of the hotel (e.g. main gaming entrance) and reports submitted with the application (e.g. Residents Survey Report) gives Council and the community more information to assess the relationship of the hotel with Euroa's core shopping strip.

Residents Survey Report

The proponent has undertaken a community survey assessing the community's support or otherwise for the proposed redevelopment of the Euroa Hotel, including the use of EGMs. The 'Euroa Hotel Redevelopment – Residents Survey Report' summarises the findings of a survey undertaken in September 2015 of 300 adult residents within the Euroa community.

The combined amendment and permit application process

Where a proposed development requires a planning scheme amendment and a planning permit, the combined amendment and permit application process can streamline the decision making process and provide greater transparency. The process allows Council and the community to know and assess the specific development which is proposed as a result of a planning scheme amendment.

As part of this process, a draft planning permit is required to form part of the exhibited amendment documents. The preparation of such documentation does not indicate that a permit will be granted for the proposal or that Council is obliged to support the permit application. The document is intended to provide information to the community and the proponent regarding the type of conditions which would likely be included should a planning permit be issued. If Council decides to seek authorisation to place the proposal on exhibition, the draft permit can be amended to reflect changes required as a result of exhibition.

6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

Referral authorities

Referral authorities will be consulted as part of the combined planning scheme amendment and permit application process.

Policy Considerations

In 2016, the previous Council commenced the preparation of a gaming policy which included objectives in relation to the installation of Electronic Gaming Machines. This policy, *Electronic Gaming Machine (EGM) Policy Statement*, was adopted by Council on 21 June 2016. While this policy does not override the provisions of the *Planning and Environment Act 1987* or the Strathbogie Planning Scheme, it must form part of the overall consideration of the Planning Committee in the decision making process and has been considered by the officers in the preparation of this report.

**Background**

Planning Application P2013-079 – (refer to Planning Committee Minutes dated 21 November 2013)

A planning permit application was previously made to Council for the redevelopment of the Euroa Hotel, including a new bistro with an increased capacity of 114 diners and the use of 30 gaming machines. The proposal also involved the retention of the hotel's existing TAB, drive through bottle shop and public bar. A subsequent stage of the redevelopment to reconfigure the first floor accommodation did not form part of the application.

When the previous application was advertised, 39 objections (including one petition) and five letters of support were received. Council determined at a Planning Committee Meeting to support the proposal and to issue a Notice of Decision to Grant a Planning Permit. One objector then appealed Council's decision to VCAT (VCAT Reference: *Altson v Strathbogie SC* [2014] VCAT 760).

The application for review was made on various grounds relating to the social and economic effects of increasing the number of gaming machines in Euroa as well as the approval being contrary to community preferences. Another stated ground was that the permit application was inconsistent with the Strathbogie Planning Scheme, particularly Clause 52.28-4: prohibition of a gaming machine in a strip shopping centre.

The Tribunal determined that the installation and use of gaming machines at the Euroa Hotel was prohibited because the site was located within a strip shopping centre. The VCAT decision did not consider the merits of the application for gaming machines at this location.

The combined Planning Scheme Amendment, C76 and Planning Permit Application P2015-148 – (refer to Planning Committee Minutes dated 7 June 2016)

An application made under Section 96A of the *Planning and Environment Act 1987* was received in late 2015 for a combined planning scheme amendment and application for a planning permit. Amendment C76 proposed to exempt the Euroa Hotel from the general prohibition of gaming machines within strip shopping centres by amending Schedule 4 to Clause 52.28 (Gaming machines) of the Strathbogie Planning Scheme.

6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

This amendment would not have automatically allowed the use of gaming machines on the site, but rather a permit application would have been required to be issued by Council. Further, the proposed amendment would not have allowed other landowners in the strip shopping centre along Binney Street to apply for a planning permit to use and install gaming machines.

It was resolved by the previous Council at a Special Meeting of the Planning Committee on 7 June 2016, that authorisation would not be sought from the Minister for Planning to put the application on public exhibition. This decision was the end of the process for that application.

Current Application

The current application was received on 9 February 2017. This application is identical to the application received in 2015. Since the decision of the previous Council, there has been no relevant changes to the *Planning and Environment Act 1987* or the Strathbogie Planning Scheme, including the State Planning Policy Framework and the Local Planning Policy Framework.

Although there have been no changes to the provisions under which the previous decision had been made, the proponent remains entitled to lodge an application in this manner.

**Options for consideration:-**

**Option 1:**

1. **That Council seeks authorisation from the Minister for Planning to prepare Amendment CX to the Strathbogie Planning Scheme and planning permit application P2017-008.**
2. **That subject to the Minister for Planning authorising Council to prepare Amendment CX, Council agrees, pursuant to section 96A(2) of the *Planning and Environment Act 1987*, to consider planning application P2017/008 concurrently with Amendment CX.**
3. **That, upon receipt of the Minister's authorisation, Council prepares Amendment CX to the Strathbogie Planning Scheme, and formally exhibits Amendment CX concurrently with permit application P2017-008 for a period of not less than one calendar month after the date that notice is published in the Government Gazette.**

This option is not for/against the proposal itself and would only be a resolution as to whether or not there is merit in consultation with the community before making a final decision.

This option seeks only for the Minister for Planning to authorise Council to prepare and exhibit the application, however, the Minister for Planning may choose not to grant authorisation. Should the Minister not grant authorisation, this would be the end of the application process.



6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

**Option 2:**

1. That Council NOT seek authorisation from the Minister for Planning to exhibit the combined amendment and planning permit application.

**Option 3:**

1. That Council does not consider the proposed amendment application until a separate Planning Scheme Amendment is completed for the inclusion of the Electronic Gaming Machines Policy Statement, as a reference document within the Strathbogie Planning Scheme.

**RECOMMENDATION**

For Council determination.

**CRS McCLAREN/STOTHERS -**

1. That Council NOT seek authorisation from the Minister for Planning to exhibit the combined amendment and planning permit application.
2. That Council commence a process by 1 July 2017 to complete a separate Planning Scheme Amendment for the inclusion of the Electronic Gaming Machine Policy Statement, as a reference document within the Strathbogie Planning Scheme.

14/17

**ON BEING PUT, THE MOTION WAS CARRIED**

**Cr Williams called for a Division**

For the Motion

Cr McClaren  
Cr Stothers  
Cr Thomson  
Cr Swan

Against the Motion

Cr Williams  
Cr Little

**Risk Management**

There are no corporate risk management issues associated with the proposal.

**Strategic links - policy implications and relevance to Council Plan**

The proposed framework is consistent with the strategic intent of the Council Plan, notably Goal 7 *A desirable and safe destination that supports the development of tourism and hospitality enterprises that drive economic growth across our Shire.*

**Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications**

The submission is consistent with NCP policy.

6.1 Strathbogie Planning Scheme Amendment C (Number) & Planning Permit Application P2017-008 (cont.)

**Financial/Budgetary implications**

At this stage the existing Council budget is considered adequate, as this is proponent driven.

**Economic implications**

Economic implications of the development will be considered in full as part of the combined planning scheme amendment and planning permit application process.

**Environmental/Amenity implications**

The proposed development is unlikely to have any environmental impacts. Amenity impacts can be fully considered as part of the combined planning scheme amendment and planning permit application process.

Conditions can be prepared on the draft planning permit to manage various amenity impacts relating to construction, noise and the appearance of the site.

**Community implications**

The combined planning scheme amendment and permit application process ensures the community has an input into the appropriateness of removing the Euroa Hotel from the definition of a strip shopping centre and whether the proposed redevelopment of the hotel is appropriate.

If the amendment is authorised and placed on exhibition, the community will be given at least one month to consider all aspects of the proposal.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

The report content is consistent with Council's responsibilities under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Legal/Statutory implications**

The process to amend a planning scheme is governed by the *Planning and Environment Act 1987*. Final approval is given by the Minister for Planning.

**Consultation**

Consultation is required as part of the combined planning scheme amendment and planning permit application process and will be undertaken by Council Officers in accordance with the requirements of the *Planning and Environment Act 1987*. This includes both the general public and relevant authorities.

**Attachments**

1. Proposed Explanatory report
2. Instruction sheet
3. Proposed Schedule to Clause 52.28-4

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.30 P.M.***

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

.....  
Date

**ATTACHMENT 1**

*Planning and Environment Act 1987*

**STRATHBOGIE PLANNING SCHEME**

**AMENDMENT C X**

**EXPLANATORY REPORT**

**Who is the planning authority?**

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

The amendment has been made at the request of Blossom Hotels Pty Ltd, the owner and operator of the Euroa Hotel at 67 Railway Street, Euroa.

**Land affected by the amendment**

The amendment applies to land at 67 Railway Street, Euroa known as the Euroa Hotel.

**What the amendment does**

The amendment amends the provisions of Clause 52.28-4 of the Strathbogie Planning Scheme.

The amendment

- Amends the Particular Provisions at Schedule 4 to Clause 52.28 Gaming to exclude 67 Railway Street from the strip shopping centre prohibition.

**Strategic assessment of the amendment**

**Why is the amendment required?**

A planning scheme amendment is required in order to allow an application for a planning permit to be made for the use and installation of gaming machines at the Euroa Hotel.

A VCAT determination (*Alston v Strathbogie SC* [2014] VCAT 760) identified that the installation or use of EGMs at the Euroa Hotel is prohibited by virtue of the location of the Euroa Hotel in a strip shopping centre as defined through consideration of Clause 52.28-4.

Clause 52.28-4 requires that: *The installation or use of a gaming machine is prohibited in a strip shopping centre if the schedule to the Clause provides that a gaming machine is prohibited in all strip shopping centres on land covered by the planning scheme.*

Through amendment VC39 in 2006, Councils were encouraged to utilise the schedules at 52.28-3 and 52.28-4 to identify shopping complexes and strip shopping locations where gaming would be prohibited. The default for Councils was a standard clause:

*A gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.*

A number of Councils utilised the ability to specify their strip shopping centres to notably exclude some areas that might otherwise fall under the strip shopping definition.

It is this process, excluding the Euroa Hotel property in Railway Street from the definition of strip shopping in the Euroa Township, that is the essence of the amendment sought.

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

This amendment will implement the objectives of Planning in Victoria by providing for the fair, orderly, economic and sustainable use and development of land. The amendment will allow the use and installation of gaming machines at the venue to be considered on its merits.

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

#### ***Environmental Effects***

The proposed amendment to allow Strathbogie Shire Council to consider an application for the use of the Euroa Hotel for gaming will not give rise to any environmental effects.

The planning permit concurrently sought to seek an extension of the existing use of the land as a hotel (and to add gaming machines) is not considered to have any greater environmental impact than any use otherwise permitted on the land under the current zone control. We note the land is subject to the Land Subject to Inundation Overlay and this control has been considered in the design of the new buildings and works.

The application of Clause 52.28 to the proposal will require Council to confirm that the proposal is compatible with surrounding uses and will not detrimentally affect the amenity of the area.

#### ***Social and Economic Effects***

Of itself the amendment sought does not have any direct social and economic impacts. The impacts to be considered will be through the planning permit application process as amendment does not seek to vary the permit requirements for the use and installation of gaming machines at the venue.

Research demonstrates that the operation of gaming venues can have a variety of positive and negative social and economic effects. In the absence of a Council gaming policy, the Social Economic Impact Assessment (SEIA) prepared by Urbis has provided an assessment of existing socio-economic conditions and the projected impact associated with the introduction of 30 gaming machines to the Hotel.

The expansion and refurbishment of the Euroa Hotel is expected to have positive economic benefits to the local community through the provision of a dining and entertainment venue where the works will provide an improved layout. The bistro's relocation to the front of Hotel with associated children's play area is expected to encourage a more family friendly environment and a subsequent increase in patronage. The Residents Survey Report prepared by DJL Consulting Group identifies that 81% of residents supported the overall redevelopment of the Euroa Hotel. In reference to Gaming, the survey identified that 56% of Euroa residents supported a gaming lounge with 30 electronic gaming machines.

Negative impacts likely to arise from the introduction of gaming into the Euroa Community have been considered.

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

The subject site is not in a bushfire prone area and does not present a bushfire risk. The change of Clause 52.28-4 does not create any changed circumstances relating to bushfire risk.

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

The proposed amendment is compliant with the requirements of the following Ministerial Directions as discussed below:

#### **Ministerial Direction 1**

Ministerial Direction 1 relates to potentially contaminated land. We have no reason to believe this is a consideration for the subject site.

#### **Ministerial Direction 11**

Ministerial Direction 11 relates to the Strategic Assessment for Amendments and this direction is considered in this section of the report. As illustrated in this section, it is considered that the amendment is consistent with Ministerial Direction 11.

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

To ensure planning schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the SPPF.

What objectives and strategies of the SPPF are relevant and how are they relevant?

- Does the amendment or proposal support or give effect to the objectives and strategies of the SPPF?
- Are there any competing SPPF objectives? If so, how have they been balanced in favour of net community benefit and sustainable development (Clause 10.02 of the planning scheme)?
- Does the amendment support or give effect to any relevant adopted state policy?

We note there is no state planning policy explicitly dealing with gaming. Consequently, there are no strategies of the SPPF that are directly relevant to the proposed change to Clause 52.28-4.

The amendment also supports the following elements of the State Planning Policy Framework:

- Clause 11 (Settlement) – Supporting the provision of an upgraded venue to meet the needs of the existing and future community.
- Clause 11.10 (Hume Regional Growth) - Gaming at The Euroa Hotel will create additional employment activity within the Euroa Township through the provision of a new entertainment offering (gaming) which is supported by an expanded bistro and new function rooms.
- Clause 11.10-3 (Planning for Growth) – Supporting the growth of an existing business in Euroa.
- Clause 17 (Economic Development) – Supporting and fostering economic growth at the Hotel. This Clause encourages districts to build upon its strengths and achieve its economic potential. The amendment will allow for the upgrade of an important tourism asset in the Euroa township and will create employment and long-term economic benefits.
- **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

Strathbogie Shire Council has foreshadowed the development of a local gaming policy however this has not occurred to date. Consequently, there are no strategies of the LPPF that are directly relevant to the proposed change to Clause 52.28-4.

The Strathbogie Planning Scheme's Municipal Strategic Statement (MSS) vision for the Shire is to create a *vibrant, diverse and caring community, building a sustainable future with enhanced liveability in a secure and stimulating environment*. The proposed amendment will facilitate a planning permit application which in turn will allow for the efficient use of land, is complementary to the existing and approved uses for the site and will encourage employment opportunities on the site.

These opportunities align with key objectives of the Local Planning Policy Framework. Specific instances where the proposal implements the local planning policy objectives are detailed below:

- The local area plan for Euroa identifies that it is the largest village within the Strathbogie Shire and its role as a major township is expected to grow to meet the needs of its residents, surrounding rural areas and visitors. The town's expected growth and development presents a wide range of existing and potential land use opportunities.
- Provide a diverse range of community services to meet the aging population of the Shire. The provision of gaming and the expanded bistro and new function rooms will create opportunities for the population to connect to others in the community.
- Council's vision seeks to promote the Shire as a tourism destination through encouraging tourism related development that supports towns, promote employment and recreational opportunities and to support new and existing tourism developments.
- The amendment supports the demand for additional employment opportunities on the site to meet the needs of the growing population.
- The amendment supports Council's objective to support the retention of existing retail and commercial businesses in the Shire.

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

The amendment has been prepared in keeping with the State Government Practice Note, *Strategic Assessment Guideline: for planning scheme amendments*.

The amendment makes proper use of the Victorian Planning Provisions as the Schedule to Clause 52.28-4 is the appropriate location to identify areas where exemptions can apply for the location of gaming machines.

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

It is not anticipated that any other relevant agency will be affected by the proposed amendment.

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

The amendment involves a site specific exemption to use controls and will not impact the requirements of the Transport Integration Act.

### **Resource and administrative costs**

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

The amendment will not result in any substantive on-going administrative costs to the Responsible Authority as it does not introduce any additional planning triggers.

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

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

- Shire of Strathbogie, 109A Binney Street, Euroa
- Shire of Strathbogie website at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au)

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection) .

**[The following sections of the Explanatory Report are only applicable to exhibited amendments and should be removed at the adoption stage**

### **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: Shire of Strathbogie, 109A Binney Street, Euroa.

### **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] ]**



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**ATTACHMENT 2**

*Planning and Environment Act 1987*

**STRATHBOGIE PLANNING SCHEME**

**AMENDMENT C76**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Strathbogie Shire.

The Strathbogie Planning Scheme is amended as follows:

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

1. In Particular Provisions – Clause 52.28 Gaming, replace the Schedule with a new Schedule in the form of the attached document.

End of document

**ATTACHMENT 3**

STRATHBOGIE PLANNING SCHEME

18/10/2006  
VC39

**SCHEDULE TO CLAUSE 52.28-4**

**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme, except for the land at 67 Railway Street, Euroa, known as the Euroa Hotel.