

## **SURF COAST PLANNING SCHEME**

### **AMENDMENT C99**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the Surf Coast Shire Council, which is the planning authority for this amendment.

The Amendment has been made at the request of St Quentin Consulting Pty Ltd on behalf of Great Ocean Road Projects Pty Ltd.

#### **Land affected by the Amendment**

The Amendment applies to land known as 305 Great Ocean Road, Jan Juc.

#### **What the amendment does**

The Amendment rezones the land from Farming Zone to Low Density Residential Zone to facilitate subdivision of the land.

The Amendment

- Rezones the land from Farming Zone to Low Density Residential Zone.
- Amends Clause 21.08 Torquay-Jan Juc Strategy to delete the first dot point under “Undertaking further strategic work” and to modify Map 1 Torquay-Jan Juc Framework Map to replace the designation “Future Low Density Residential” with “Low Density Residential”.

#### **Strategic assessment of the Amendment**

##### **Why is the Amendment required?**

The amendment is required to implement Clause 21.08 Torquay-Jan Juc Strategy, which identifies the land as being within the settlement boundary and recommends investigation into the rezoning of the subject land for low density residential use.

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

This Amendment seeks to facilitate land use and development that responds to the key principles and directions of the Torquay-Jan Juc Strategy relating to land use, urban growth and infrastructure development, while having specific regard to the characteristics, opportunities and constraints of the subject site.

On this basis the proposed Amendment provides for the fair, orderly, economic and sustainable use, and development of the land. The Amendment is supported by ecological and archaeological assessments, which provide a basis for the protection of natural and man-made resources (including those of cultural value), and the maintenance of ecological processes and genetic diversity.

The proposed combined amendment and permit will ensure that residential development is planned in a fully integrated and comprehensive manner, provide for the orderly provision and coordination of public utilities, and ensure that all major planning issues are resolved prior to the commencement of subdivision development.

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

The Amendment will facilitate a net gain in the quality and quantity of native vegetation and promotes water sensitive urban design and energy efficient subdivision design. Significant additional buffer planting will also deliver environmental outcomes.

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

The subject site is not affected by a Bushfire Management Overlay.

The subject site is located within a Bushfire Prone Area. The majority of the lots can be constructed to a minimum construction standard of BAL 12.5; some other lots will be subject to BAL-19.

Compliance with minimum construction standards will be addressed at building approvals stage.

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

This Amendment is affected by and complies with:

- Ministerial Direction Section 7(5) – Form and Content of Planning Schemes
- Ministerial Direction Section 12(2)(a) – Strategic Assessment of Amendments

It has been determined that this Amendment is not affected by Ministerial Direction No. 13 - Managing Coastal Hazards and the Coastal Impacts of Climate Change. This Direction does not apply because all of the land affected by this Amendment:

- Does not abut the coastline or a coastal reserve; and
- Is greater than 5 metres Australian Height Datum.

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

The Amendment implements the State Planning Policy Framework (Clause 11.05-5) by facilitating infill development within defined settlement boundaries and within an existing settlement that is capable of accommodating moderate growth. Similarly the proposal is consistent with Clauses 12.02-2 and 12.02-6 relating to development in coastal areas.

The Amendment supports the State Planning Policy Framework by ensuring that the change to land use achieves no net loss in the extent and quality of native vegetation (Clause 12.01-2), addresses bushfire concerns (Clause 13.05), and properly considers cultural heritage (Clause 15.03).

The Amendment supports the State Planning Policy Framework (Clause 19) by ensuring that future residential development is properly integrated with appropriate infrastructure and services.

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

The Amendment implements the Local Planning Policy Framework (Clause 21.08) by facilitating residential development within a designated urban growth area within the designated settlement boundaries of Torquay-Jan Juc. Further implementation of this Clause is achieved by consideration of landscape and environmental objectives.

The Amendment supports Clauses 21.02-3 and 21.02-4 by addressing issues of settlement and character and implements Clause 21.03 and 21.06-3 relating to environmental management and landscape, by thoroughly addressing these issues and achieving the objectives.

The Amendment also implements Clause 21.07 by ensuring the proposal is consistent with the objectives and strategies of rural residential living.

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

The Amendment seeks to facilitate the future use and development of the land for low density residential purposes. To achieve this outcome, the Amendment proposes to rezone the land from Farming Zone (FZ) to Low Density Residential Zone (LDRZ) and apply concurrently for a planning permit to subdivide.

It is considered that the Amendment makes proper use of the Victoria Planning Provisions to achieve the land use and development outcomes that are sought for the land. The purpose of the Low Density Residential Zone is to:

- *implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

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

Service authorities and providers have been consulted to identify the location of services, the needs/triggers for service/network upgrades as a consequence of future urban re-development. It is anticipated that the formal views of relevant agencies will be sought through the exhibition of the Amendment.

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

This Amendment is unlikely to have a significant impact on the transport system as defined by the Transport Integration Act 2010.

### **Resource and administrative costs**

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

The proposed Amendment will not impose any unreasonable resource and/or administrative costs on Council in its capacity as the responsible authority.

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

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

- Surf Coast Shire Offices, 1 Merrijig Drive, Torquay
- [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au)

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **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: Surf Coast Shire, PO Box 350, Torquay VIC 3228 or emailed to [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au).

### **Panel hearing dates**

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

- directions hearing: **TBC**
- panel hearing: **TBC**