

SURF COAST PLANNING SCHEME

AMENDMENT C106

EXPLANATORY REPORT

Who is the planning authority?

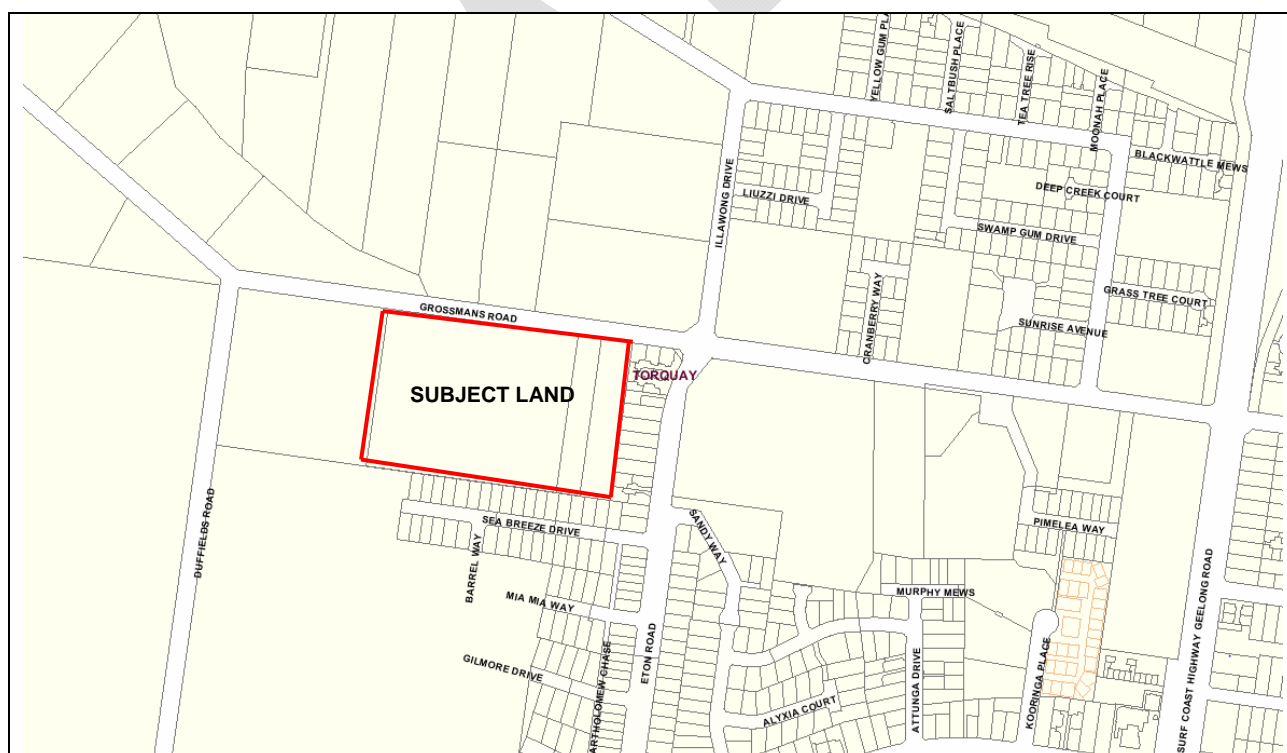
This amendment has been prepared by the Surf Coast Shire Council, which is the planning authority for this amendment.

The Amendment has been made at the request of the landowner, Barwon Water Corporation.

Land affected by the Amendment

The Amendment applies to land at 85 Grossmans Road, Torquay. The land is generally located to the south of Grossmans Road, west of Surf Coast Highway (Geelong Road), east of Duffield Road and north of Sea Breeze Drive (Figure 1).

Figure 1: Site Location



What the amendment does

The Amendment proposes to rezone part of 85 Grossmans Road (land contained within Lots 1 and 2 on Title Plan TP867669 together with Lot 1 on Title Plan TP119717) from Public Use Zone 1 (PUZ1) to General Residential Zone (GRZ1).

The Amendment also provides for a multi-lot subdivision of the land (wherein the planning permit application also incorporates land at 14 Sea Breeze, Torquay contained in Lot 605 on Plan of Subdivision PS648126N).

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to facilitate residential development which cannot be achieved under the current PUZ1 that applies to the subject site.

The Amendment is required to facilitate the residential development of the subject site in accordance with Clause 21.02 (Settlement, Built Environment, Heritage and Housing) and Clause 21.08 (Torquay-Jan Juc Strategy) of the Surf Coast Planning Scheme and the strategic directions of the Torquay Jan Juc Structure Plan (2007), where the strategic direction is reiterated by the Torquay Jan Juc 2040 Sustainable Futures Plan (2011).

Clause 21.02 identifies the intent to ensure that urban development minimises the impact on the environment, makes efficient use of land, infrastructure and resources, and is concentrated in accessible locations.

Clause 21.08 identifies the objective of accommodating and managing the population growth and demographic change of Torquay-Jan Juc through strategies seeking to contain and consolidate urban development within the defined urban boundary. Within this, the strategies promote a range of lot sizes and housing types, including medium density development in appropriate locations, supports a moderate level of housing growth and change in general residential areas including the provision of well-designed single dwellings and dispersed medium density developments that contribute positively to the preferred neighbourhood and coastal landscape character.

The land is subject to a planning permit application for a multi-lot subdivision under Section 96 of the Planning and Environment Act 1987 (Act).

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

The Amendment gives effect to the objectives of planning in Victoria by providing zoned land available for residential development consistent with the strategic direction established for Torquay, whilst having regard to the characteristics, opportunities and constraints of the subject site within the context of surrounding development.

The Amendment is supported by technical assessments which demonstrate that the proposals for the site provide for the protection of natural and man-made resources to secure a safe, efficient and safe living environment.

The accompanying planning permit application seeks to ensure that residential development is planned in a fully integrated and comprehensive manner, facilitating the resolution of the development interface within the subdivision development.

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

Technical documents have been prepared to inform the development in relation to the values associated with the land. The Biodiversity Assessment demonstrates that remnant vegetation is restricted to the Grossmans Road reserve, that the site itself is dominated by exotic and introduced pasture grass species with planted trees. The land is of low to moderate quality habitat for native fauna, with no nationally or state significant flora or fauna species likely to occur. The Biodiversity Assessment demonstrates that an offset

requirement, for the removal of a small patch of native vegetation impacted by the proposed western access, is not required.

The proposed development layout seeks to protect and enhance existing biodiversity values and promotes innovative use of water sensitive urban design techniques.

There is no requirement under the Aboriginal Heritage Act 2006 for an Aboriginal Cultural Heritage Management Plan (CHMP) to be prepared. Assessment of the land demonstrated that although the proposed subdivision is a high impact activity, the site is not located within an Area of Cultural Heritage Sensitivity and that the whole of the area has been subject to significant ground disturbance associated with the construction of the Torquay Basin which covers the majority of the land and, as such, it is considered unlikely that any Aboriginal cultural heritage is present on the site.

The Amendment will have positive social and economic effects, assisting Council in achieving its population growth forecasts for Torquay-Jan Juc whilst ensuring that appropriate contributions are made towards future provision of community infrastructure and facilities through the currently applicable Development Contributions Plan Overlay.

Does the Amendment address relevant bushfire risk?

The subject land is not covered by the Bushfire Management Overlay and is not identified as having a high risk from bushfire.

The fire risk to this part of the Torquay Township is low to medium risk posed by grass fire from the north to north west, CFA recommend that in case of a grass fire, residents should move two streets back from the interface.

The Shire's Municipal Fire Protection Officer monitors the Torquay grass interface each year on adjoining properties and may implement a grass fire break.

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 – Form and Content of Planning Schemes (Planning & Environment Act 1987, Section 7(5))

Ministerial Direction Section 11 – Strategic Assessment of Amendments

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 by assisting Council to accommodate projected population growth, taking account of opportunities for consolidation, redevelopment and intensification of the existing urban area as well as the limitations of land capability, environmental quality and infrastructure.

The Amendment supports Clause 11.02-1 (Supply of urban land) by rezoning land within the settlement boundary and providing additional residential land supply in an area where such development is envisaged.

The Amendment supports Clause 11.05-5 (Coastal settlement) by proposing residential development within the north west settlement boundary of Torquay, where Torquay-Jan Juc is identified as having high growth capacity.

The Amendment supports Clause 12.02 (Coastal areas) by providing for development in an existing modified environment, where demand for such development is expected and where its impact can be appropriately managed.

The Amendment supports Clause 15.01-3 (Neighbourhood and subdivision design) and Clause 16.01 (Residential development) by contributing to the further development of a liveable and sustainable community. The proposed subdivision design provides a range of lot sizes, a convenient and safe road network and appropriate pedestrian and cycle paths.

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

Torquay-Jan Juc is identified at Clause 21.01 (Profile and Vision) as an Urban Growth Centre on the Municipal Land Use Framework Plan with a key strategic direction for sustainable land use and development being to concentrate urban growth predominantly in the towns of Torquay-Jan Juc and Winchelsea. This identification is reiterated in Clause 21.02-3 (Settlement patterns), wherein Torquay-Jan Juc is a major urban growth centre of the Shire.

Clause 21.08 (Torquay Jan Juc Strategy) seeks to accommodate and manage the projected growth and demographic change in an environmentally sustainable manner. The Amendment is consistent with achieving strategy that seeks a moderate level of housing growth and change in general residential areas that contribute positively to the preferred neighbourhood and coastal landscape character.

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 residential purposes, at both standard and medium density.

To achieve this outcome, the Amendment proposes to rezone the land from Public Use Zone 1 (PUZ1) to General Residential Zone (GRZ1).

In light of the specific purposes of these proposed VPP tools as noted below, the Amendment makes proper use of the Victoria Planning Provisions to achieve the particular land use and development outcomes that are sought for the land.

General Residential Zone:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

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 the proposed 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 will not have any significant impact on the transport system, as defined by Section 3 of 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 or administrative costs on Surf Coast 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

1 Merrijig Drive

Torquay VIC 3228

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

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

A submission must be sent to: Surf Coast Shire, 1 Merrijig Drive, Torquay VIC 3228

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:
- Panel hearing: