

## SURF COAST PLANNING SCHEME

### AMENDMENT C110

#### 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.

#### Land affected by the Amendment

The Amendment affects the townships of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View as shown on the map below.



#### What the amendment does

The Amendment implements the strategic directions of the *Aireys Inlet to Eastern View Structure Plan (2015)* by updating the Municipal Strategic Statement and making zone and overlay changes.

The Amendment -

- Amends Clause 21.12 of the Municipal Strategic Statement to reflect the strategic directions of the *Aireys Inlet to Eastern View Structure Plan (2015)* and to include the structure plan as a reference document.
- Amends Schedule 10 to Clause 43.02 Design and Development Overlay.
- Amends Schedule 11 to Clause 43.02 Design and Development Overlay.
- Amends Schedule 1 to Clause 43.05 Neighbourhood Character Overlay.
- Rezones part of RES1 PS415308 (32A Narani Way, Fairhaven) from General Residential Zone Schedule 1 to Public Conservation and Resource Zone and deletes the Design and Development Overlay Schedule 10 and Neighbourhood Character Overlay Schedule 1 from this land.

- Rezones the following municipal reserves from General Residential Zone Schedule 1 to Public Park and Recreation Zone and deletes the Design and Development Overlay Schedule 10 and Neighbourhood Character Overlay Schedule 1:
  - RES1 PS422029 (10A Werona Road, Fairhaven)
  - RES2 PS422029 (7A Werona Road, Fairhaven)
  - RES1 PS302046 (26 Aireys Street, Aireys Inlet)
- Rezones the following Crown land parcels from Rural Conservation Zone to Public Conservation and Resource Zone and deletes the Design and Development Overlay Schedule 11 (where currently applied):
  - Crown Allotments 22H and 2018, Parish of Angahook (Bald Hills Road, Fairhaven)
  - Part of Crown Allotment 2005, Parish of Boonah (Bambra Road, Wensleydale)
  - Parts of Crown Allotment 2016, Parish of Boonah (Great Ocean Road, Eastern View)
  - Crown Allotment 19E, Parish of Angahook (115 Bambra Road, Aireys Inlet)
  - Crown Allotment 2004 and Part of Crown Allotment 2006, Parish of Angahook (61A Bambra Road, Aireys Inlet)
- Rezones Crown Allotment 19H, Parish of Angahook (130 Bambra Road, Aireys Inlet) from Rural Conservation Zone to Public Park and Recreation Zone and deletes the Design and Development Overlay Schedule 11.

## **Strategic assessment of the Amendment**

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

The amendment is required to implement the strategic land use planning directions of the *Aireys Inlet to Eastern View Structure Plan (2015)* in order to facilitate orderly planning and guide future development in the Aireys Inlet to Eastern View district. The structure plan was developed to ensure the ongoing protection and enhancement of the area's environmental assets, natural beauty and informal coastal village character.

The rezoning of various Crown land parcels and municipal reserves is required to ensure the zoning reflects the public purpose of the land.

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

The amendment is consistent with the objectives of planning in Victoria in Section 4 of the *Planning and Environment Act 1987* by facilitating the orderly planning and development of the area in a manner that respects the character and environmental values of the area and is responsive to current and future community needs and aspirations.

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

The amendment is expected to have positive environmental, social and economic effects and will result in net community benefit by providing strategic direction regarding the protection and enhancement of the coastal village character and vegetated bush environment, opportunities for economic and tourism development, and the provision of community infrastructure that meets current and future needs.

The amendment seeks to consolidate the role of the two commercial centres in Aireys Inlet and promotes sustainable tourism development to support the local economy.

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

The structure plan highlights that the Aireys Inlet to Eastern View district is one of Victoria's highest bushfire risk localities. The structure plan contains strategies to manage the risk.

The amendment is not expected to increase the risk of bushfire to lives and property as the amendment does not increase residential density or provide new residential land in bushfire prone areas. The existing Bushfire Management Overlay applies to various areas along the periphery of the urban area that is close to forested areas.

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

The amendment is consistent with Ministerial Directions 7(5) (Form and Content of Planning Schemes), 11 (Strategic Assessment of Amendments) and 15 (Ministerial Timeframes).

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

Clause 11.02-3 Structure Planning – The amendment introduces the *Aireys Inlet to Eastern View Structure Plan (2015)* as a reference document and implements the relevant strategic directions to guide the orderly development of the townships.

Clause 11.05-5 Coastal settlement – The amendment reinforces the existing settlement boundaries around the townships to prevent urban sprawl, protect coastal values and maintain areas between the settlements for non-urban use.

Clause 12.01 Biodiversity – The amendment seeks to protect and enhance the biodiversity values of the towns and surrounding areas, and limit the impacts of land use and development on the adjoining national park and coastal reserves.

Clause 12.02 Coastal areas – The amendment recognises and enhances the value of the coastal area from Aireys Inlet to Eastern View, supports responsible development and manages growth of the towns.

Clause 13 Environmental risks – The amendment seeks to avoid and minimise the impacts of environmental risks in the area, such as coastal inundation, flooding, bushfire and coastal acid sulfate soils.

Clause 15.01 Urban environment – The amendment implements various controls that aim to ensure development responds to its context in terms of neighbourhood character, natural features and surrounding landscape in order to strengthen the sense of place and cultural identity.

Clause 16.01 Residential development – The amendment encourages housing diversity to meet the needs of the community.

Clause 17.01 Commercial and 17.03 Tourism – The amendment supports the consolidation and incremental growth of the two commercial centres in Aireys Inlet and seeks to facilitate opportunities for tourist-oriented development to support the sustainable growth of the local economy.

Clause 18.02 Movement networks – The amendment supports the improvement of movement networks, in particular opportunities for walking and cycling by enhancing the pathway network throughout and between the towns.

Clause 19 Infrastructure – The amendment encourages the provision of appropriate and accessible community and physical infrastructure that meets the needs of the current and future population.

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

Clause 21.02-2 Activity Centre Planning – The amendment encourages consolidation of the existing commercial centres, new commercial development that respects the existing character, active frontages, shared car parking and improvement to streetscapes and linkages to surrounding areas.

Clause 21.02-4 Neighbourhood Character – The amendment implements this clause by retaining the current settlement boundary and protecting the coastal village character of the townships.

Clause 21.03 Environmental Management – The amendment reinforces policy to protect and enhance the diverse natural assets in the area, including the indigenous vegetation cover, Painkalac Creek, Great Otway National Park and coastal environment. The amendment also endeavours to avoid and minimise the impacts of environmental risks on life and property, including coastal inundation, flooding, bushfire and coastal acid sulfate soils.

Clause 21.04 Tourism – The amendment recognises the importance of tourism to the local economy and encourages tourist developments and activities that promote Aireys Inlet to Eastern View as a year round tourist destination while protecting the natural environment and residential amenity.

Clause 21.06 Rural Landscape – The amendment acknowledges the contribution of the visual landscape qualities of the Great Ocean Road environs to the natural beauty, attractiveness, liveability and residential amenity of the townships and puts in place a framework to provide ongoing protection.

Clause 21.12 Aireys Inlet to Eastern View Strategy – The amendment builds on this clause by updating the objectives and strategies to implement the directions of the *Aireys Inlet to Eastern View Structure Plan (2015)*.

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

The amendment makes proper use of the Victoria Planning Provisions through MSS changes, rezoning and modification of existing overlays.

Rezoning of Crown land parcels and municipal reserves to Public Conservation and Resource Zone and Public Park and Recreation Zone is consistent with the reserve status of the land.

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

The structure plan was prepared with input from relevant authorities, including Country Fire Authority, VicRoads and Corangamite Catchment Management Authority. The Department of Environment, Land, Water and Planning was consulted on the proposed rezoning of Crown land and gave in principle support.

The amendment will be exhibited to all relevant agencies and referral authorities in accordance with the requirements of the Act.

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

The amendment is not expected to have any impact upon the objectives, strategies and decision making principles 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 amendment will not increase the resource and administrative costs of Council.

### **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 Council, 1 Merrijig Drive, Torquay or [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 [TBC].

A submission must be sent to:

Post: Surf Coast Shire, PO Box 350, Torquay VIC 3228 or

Email: [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