

1. Referral Authorities

No.	Authority/Submitter	Summary of submission	Response
1	(S2) - Transport Victoria and Vic Roads	No objection	Submission noted.
2	(S32) - Corangamite Catchment Management Authority	Support	Supports the objectives of the amendment to better recognise the importance of the internationally significant Bells Beach and Great Ocean Road. CCMA supports voluntary on ground conservation, revegetation schemes and rehabilitation of the reserve and surrounds. The CCMA supports efforts to conserve and enhance those works. Support noted.

2. Public Submissions

No.	Submitter	Type of submission	Summary of submission	Response
3	(S1) - Jarosite Road, Bells Beach	Objection	<p><u>Deletion of VPO1 and replacement with SLO1</u></p> <p>Objects to the deletion of the VPO1 from their property and replacement with the SLO1 on the grounds that it will unreasonably and inappropriately limit development at their property. The submission opposes the requirements for a development on their site to be 'visually recessive' within the landscape. It is submitted that requiring development to be predominantly single storey will result in a larger building footprint and therefore greater vegetation loss. The submission seeks support for tennis courts where located within defensible space.</p>	<p><u>Deletion of VPO1 and replacement with SLO1</u></p> <p>The site is currently zoned Rural Conservation Zone (RCZ) and is subject to a Vegetation Protection Overlay Schedule 1 (VPO1). The RCZ triggers a planning permit for a number of uses and developments including a dwelling and requires the consideration of any environmental impacts associated with a proposal. The Schedule to the RCZ identifies the significance of Bells Beach and its hinterland but there are no decision guidelines included within the schedule or the zone specific to these values which can lead to difficult and subjective decision making.</p> <p>The VPO1 triggers a permit for vegetation removal. Private land on the opposite side of Jarosite Road is subject to the Significant Landscape Overlay Schedule 1 (SLO1) which contains specific height, setback and landscape criteria assessment tools in recognition of the landscapes sensitivity.</p> <p>The submitters' property is located on the southern side of Jarosite Road overlooking the coastal reserve (which includes the popular Surf Coast Walk that traverses through crown land from Torquay to Fairhaven). Viewshed analysis mapping was undertaken as background material to</p>

				<p>Amendment C121 and the analysis found that the site is visible from numerous locations within the Bells Beach Surfing and Recreation Reserve and the hinterland. The analysis is derived from computer modelling. The modelling is based on topography and land form but does not acknowledge vegetation coverage. The reason being that vegetation can change in the short term (especially where clearing occurs as part of a development proposal), whereas land form is constant.</p> <p>The SLO1 is appropriate on these sites due to their prominence from the hinterland, reserve and Surf Coast Walk. The application of the SLO1 ensures any development requiring a planning permit undergoes an assessment of the potential impacts it may have on this sensitive environmental and landscape setting.</p> <p>The controls include sufficient flexibility and performance measures to enable each site to be considered on its merits. The controls are not intended to be prescriptive but are intended to be strong enough to ensure this sensitive area continues to be protected in line with community and state government support.</p> <p>The SLO1 (as opposed to the VPO1) considers landscape setting whereas the VPO1 only considers the impact a proposal may have on vegetation. Although important this singular purpose does not reflect the sites important location. The site is currently covered by the RCZ which highlights the importance of the Bell Beach hinterland but does not include performance measures to guide development or vegetation assessments.</p> <p>The SLO1 is a necessary tool to consider impacts on landscape and vegetation protection and submitting that the SLO1 will result in vegetation loss by restricting all development to single storey is not the intention of the control. The SLO1 seeks to find a balance between all of these values and suggests single storey <i>may</i> be appropriate where a development may be prominent. Each site must undergo an individual test at the time of a permit being lodged to ascertain if this is the case or not. The SLO1 has this flexibility.</p> <p>The submission is not supported.</p> <p>Refer submission to panel.</p>
4	(S3) - Strathmore Drive, Jan Juc	Objection	<p><u>Application of Clause 22.04</u> Objects to the amendment on the</p>	<p><u>Application of Clause 22.04</u> Amendment C96 proposes the removal of the VPO1 from this property and</p>

			<p>grounds that Clause 22.04 is to be applied to the property. The submission notes that amendment C96 seeks to remove the VPO1 from the property (and if this occurs Clause 22.04 will not be applied and the submission will no longer be required).</p>	<p>its replacement with an Environmental Significant Overlay Schedule 4 (ESO4) - applied to all significant vegetation within the coastal townships. As highlighted by the submitter if amendment C96 is gazetted by the Minister Amendment C121 will no longer impact on the property and their submission will not be relevant.</p> <p>Amendment C96 was considered by Planning Panels Victoria during a Panel Hearing conducted in April 2017. The panel report received on 2 June 2017 supports the amendment subject to some minor wording changes being made. None of the proposed changes recommended by the Panel impact on the submitter's property. Council will be considering the panel report and recommendations later in 2017.</p> <p>The most likely outcome will be that the submission will be resolved through the adoption of C96 however if the amendment does not proceed Clause 22.04 should have limited impact on this property. The policy through C121 will apply to all land in coastal areas covered by either the RCZ, VPO1 or SLO1. The policy notes that all land visible from the Great Ocean Road, Bells Beach hinterland or containing significant vegetation is important. The site is not visible from Bells Beach or the Great Ocean Road therefore only relevant sections of the policy would apply relating to significant vegetation. This is considered appropriate and is consistent with the ESO4 to be applied to the site via C96.</p> <p>The submission will most likely be resolved prior to Amendment C121 proceeding to a panel.</p> <p>Refer submission to panel if relevant.</p>
5	(S4) - Bells Road, Bells Beach	Objection	<p><u>Current controls are already too onerous</u> Objects to the proposed changes to policy and overlays on the basis that the current controls are already too onerous on landowners. Does not believe there are any 'cultural values' associated with Bells Beach and the hinterland. Queries why there aren't stronger controls along Bells Boulevard as the main approach to the reserve.</p>	<p><u>Current controls are already too onerous</u> The property is located on the south side of Bones Road, within the existing Rural Conservation Zone and is covered by the VPO1 and subject to the Coastal Development Policy. The amendment seeks to provide greater clarity within the controls affecting this property so landowners and decision makers more clearly understand how developments will be assessed and what the controls are seeking to achieve. The site is not subject to the SLO1 as it is not within the identified 'viewshed'. The controls on this site are primarily focused on sensitive environmental development and protection of significant vegetation.</p> <p>Improvements to the controls was supported through the Planning Scheme Review 2014, Bells Beach Task Force and Coastal Management Plan.</p>

				<p>There is strong community and State Government support for providing better protection of the reserve and hinterland.</p> <p>The 'cultural values' associated with Bells Beach and the hinterland are clearly defined in the <i>Bells Beach surfing Recreation Reserve Coastal Management Plan</i>. These values are the indigenous heritage and spiritual Wathaurung connection with the area and in more recent times the surfing culture.</p> <p>Submission is not supported.</p> <p>Refer submission to panel.</p>
6	(S5) - Armstrong Creek	Support	Objects to development around Bells Beach. Supports good management of open spaces and policy.	Support noted
7	(S6)	Support	<p>Supports better protection of Bells Beach and hinterland.</p> <p><u>Changes to State Policy</u> Suggests that Clause 10 'Operation of the State Planning Policy Framework' be amended to clearly state that environmental protection out weights all other considerations.</p> <p><u>Changes to Clause 21.04</u> Suggests stronger wording be added in additional policies that excludes tourist development from the hinterland.</p> <p><u>New strategy for Bells</u> Suggests Bells hinterland have a settlement strategy.</p>	<p>Support noted.</p> <p><u>Changes to State Policy</u> Amendment C121 cannot make changes to the State Planning Policy Framework, only the Minister for Planning can amend this part of the planning scheme. The Planning Scheme already stipulates that fire takes precedent over all other conflicting objectives within the scheme and other objectives must be balanced out.</p> <p><u>Changes to Clause 21.04</u> Amendment C121 does not propose any wording changes to Clause 21.04 'Tourism Strategy'. Wording discouraging tourism development in the Bells hinterland has been included within Clause 21.06 'Rural Landscape Strategy' and specific siting and design guidelines are included within the overlays and Coastal Development Policy applying to the area. Additional wording could also be included within the Tourism strategy to provide consistency across the Local Planning Policy Framework.</p> <p><u>New Strategy for Bells</u> A separate strategy for Bells Beach is not supported as there are more suitable locations within the Municipal Strategic Statement (MSS) to highlight the environmental and landscape values relating to Bells. It is believed that values to be protected referred to in the submission have all been included albeit in a slightly different format within the policy, strategies and overlays applying to the hinterland and being amended</p>

				<p>through C121. All specific locality based strategies within the MSS are township / settlement strategies and presenting the Bells hinterland in this context is not supported.</p> <p>The submission is supported in part and clearer direction for tourism developments in the Bells Beach hinterland should also be consistently reiterated through the 'Tourism Strategy'.</p> <p>Creating a separate Bells Beach hinterland strategy within the MSS is not supported.</p> <p>Support noted.</p> <p>Refer submission to panel.</p>
8	(S7) - Torquay	Support	Supports stronger policy protecting Bells hinterland. Opposes any tourist development in the area and believes such uses should be directed to Torquay.	Submission noted
9	(S8)	Support	Supports protecting the Bells Beach viewshed and local environment. Suggests purchasing land to safe guard it against development.	Submission noted
10	(S9)	Support	Supports stronger controls. Opposes more housing in the hinterland and supports protecting the area.	Submission noted
11	(S10)	Support	Supports stronger controls. Opposes more development.	Submission noted
12	(S11)	Support	<p>Supports stronger wording in policy and overlays proposed through the amendment but believes wording could be more explicit in some areas.</p> <p><u>Changes to State Policy</u> Is concerned with Clause 10 'Operation of the State Planning Policy Framework' that seeks to deliver outcomes that balance contravening objectives within the planning scheme. Believes the environment should take precedent.</p>	<p>Support noted.</p> <p>Refer comments under S6 under <u>Changes to State Policy</u></p> <p>Refer submission to panel</p>
13	(S12)	Support	Supports stronger policy which promotes the preservation of the natural	Support noted.

			environment, biodiversity and landscape values. Opposes development at Bells Beach.	
14	(S13)	Support	Supports stronger protection of the Bells Beach area. Highlights the historic surfing connection, natural and beautiful landscape values. Opposes development that may alter or impact on those values.	Support noted.
15	(S14)	Support	Supports strengthening the policy framework applying to Bells Beach and its hinterland. Highlights the importance of the area attracting tourists (financial gain), spiritual power and untouched bushland. Opposes development in the area that could impact on those values. Supports protection of the environment, visual amenity and lack of development.	Support noted.
16	(S15) - Jarosite Road, Bells Beach	Support	<p>Supports stronger controls in the hinterland area but not believe the amendment is strong enough.</p> <p><u>More prescriptive controls</u> Suggests stronger wording in local policy that clearly restricts all tourist development around Bells.</p> <p><u>Changes to State Policy</u> Suggests Clause 10 of the SPPF be amended to ensure protection of Bells Beach and the environment takes precedent over all other considerations.</p> <p><u>New Strategy for Bells</u> Requests that Bells Beach have its own strategy in the planning scheme similar to a township strategy.</p>	<p>Support noted.</p> <p><u>More prescriptive controls</u> The Victoria Planning Provisions are performance based and prescriptive controls are not permitted. Amendment C121 seeks to provide greater clarity around decision making and Councils vision for the area without being prescriptive. Strong parameters around use and development have been included within the amendment docs.</p> <p>Refer comments under S6 under <u>Changes to State Policy</u></p> <p>Refer comments under S6 under <u>New Strategy for Bells</u></p> <p>Creating a separate Bells Beach hinterland strategy within the MSS is not supported.</p> <p>Support noted.</p> <p>Refer submission to panel.</p>
17	(S16) - Bells Road, Bells Beach	Objection	<u>Amended controls are too restrictive and onerous</u>	<u>Amended controls are too restrictive and onerous</u> The purpose of amendment C121 is to more clearly define the values of

			<p>Objects to the strengthening of the controls in the hinterland as believes the current controls are adequate and adding further restrictions is unfair and onerous for landowners.</p>	<p>the Bells Beach hinterland, better identify where the hinterland is located and ensure the land of the highest landscape value is sufficiently recognised and protected. There is support from many landowners for stronger controls and these landowners wish for the area to stay as is with very little or no change. This sentiment is echoed by visitors and users of the reserve. Alternatively other landowners feel some development is acceptable provided it is designed in a sensitive manner. These landowners feel that they have been custodian of the landscape for many years and generations and feel it unfair that the wider community should dictate what they can do on their land.</p> <p>Both viewpoints are at odds with one another. The consistency seems to be that all parties agree that dramatic change or change that scars the landscape or environment is not acceptable. The amendment seeks to enable development in accordance with the zone and overlay provisions but with clear direction as to what is and isn't acceptable. Completely prohibiting tourist establishments is inconsistent with the planning scheme but clear guidance for decision makers is permissible and is seen to be a compromise for all parties. The controls may be more onerous for landowners but careful consideration of all applications in this area as Councils most valuable tourism asset is warranted.</p> <p>Improvements to the controls were supported through the Planning Scheme Review 2014, Bells Beach Task Force and Coastal Management Plan. There is strong community and State Government support for providing better protection of the reserve and hinterland.</p> <p>Submission is not supported.</p> <p>Refer submission to panel.</p>
18	(S17) - NSW	Support	Supports strengthening the protection of Bells Beach. Is opposed to tourism or commercial development in the area.	Support noted.
19	(S18) - Melbourne	Support	Supports stronger controls around Bells. Objects to commercial development (or urban type development) and any impacts to the natural environment.	Support noted.
20	(S19) – SANE	Support	<u>New Strategy for Bells</u> Supports the intent of the amendment but believes it could be strengthened by	Support noted. Refer comments under S6 under <u>New Strategy for Bells</u>

			<p>including a strategy specific to Bells Beach.</p> <p><u>Additional description within the Rural Landscape Strategy</u> Suggests additional wording be included in Rural Landscape Strategy relating to Aboriginal heritage, geology and links to Point Addis and Otway National Park.</p> <p><u>Terminology – development</u> Submits that the use of the word 'development' should be revisited.</p>	<p>Creating a separate Bells Beach hinterland strategy within the MSS is not supported.</p> <p><u>Additional description within the Rural Landscape Strategy</u> The additional description referred to in the submission are already included under the Environmental Management and Profile and Vision Strategies in the planning scheme. Repeating this information in the Rural Landscape Strategy is not supported.</p> <p><u>Terminology – development</u> 'Development' is a land use term referenced throughout the Planning Scheme. It is important to use consistent and defined language to remove confusion.</p> <p>Refer submission to panel.</p>
21	(S20) - Bones Road, Bellbrae	Objection	<p>Supports the continued protection of the hinterland and landscape values within the Bells Beach viewshed.</p> <p><u>Change of zoning from Farming to Rural Conservation Zone</u> Objects to the land at 185 Bones Road being included within the Bells Beach hinterland through Amendment C121. Does not believe there is any strategic justification to rezone the property from FZ to RCZ. Submits that as the land is not currently zoned RCZ it is not within the hinterland as the Planning Scheme Review highlights that the hinterland is all land covered by the SLO1 and the RCZ.</p> <p><u>Use versus development</u> Submits that controls should be relating to development and not use.</p> <p><u>Coastal Development Policy</u> Believes the Clause 22.04 (Coastal Development Policy) should also not</p>	<p>Support noted.</p> <p><u>Change of zoning from Farming to Rural Conservation Zone at 185 Bones Road</u> 185 Bones Road is situated on the north side of Bones Road and is the first large property to the west of the Torquay / Jan Juc settlement boundary. The site and neighbouring property at 155 Bones Road are the only properties within the Bells Beach hinterland zoned Farming Zone, all other land north and south of Bones Road is zoned Rural Conservation Zone.</p> <p>A thorough analysis of the planning history for the area has revealed that the exclusion of both of these sites from the Rural Conservation Zone has been circumstantial. 185 Bones Road is the parent property of 155 resulting in 155 also being zoned Farming Zone.</p> <p>The Surf Coast Shire has never undertaken a thorough review of the rural zones applied across the municipality. When the new format planning schemes were introduced the previous zoning was directly translated into the best fit zoning available through the new system. A ministerial review of the rural zones in 2004 resulted in a similar exercise.</p> <p>The historic zoning of the property is as follows; <i>Rural General Farming</i> under the <i>Geelong Regional Planning Scheme</i></p>

			<p>apply.</p>	<p><i>1981. Rural Zone</i> under the new format <i>Surf Coast Planning Scheme 2000. Farming Zone</i> through State Government reforms to the rural zones in 2004.</p> <p>The appropriateness of this zoning in this location has never been thoroughly tested. Amendment C121 included a review of the zoning as part of the investigation as how best to ensure Bells Beach and its hinterland is protected and managed.</p> <p>The Farming Zone enables the consideration of an extensive number of uses and associated developments that would be at odds with the broader communities view of activities appropriate in the Bells Beach hinterland.</p> <p>Amendment C121 seeks to better protect access routes to and from the reserve which includes Bones Road as an important part of the hinterland. The site is located a little over 800m from the reserve and although not visible from the Bells Beach carpark any substantial development on the site would be highly visible when travelling to and from the reserve via Bones Road. Patrons of the Rip Curl pro park on both sides of Bones Road during the event and walk to the reserve from this point. The property is in a significant location and forms an important part of the hinterland.</p> <p>The submission states that the site is not within the hinterland because it is not currently zoned Rural Conservation Zone. It is submitted that the most appropriate zoning for the site should be part of a wider study that reviews all rural land Shire wide. Council is in the process of undertaking this work through the 'Hinterland Futures Project'.</p> <p>Submission supported. Remove rezoning map no's 19 and 22 from the amendment and investigate the most suitable zoning for the land through the 'Hinterland Futures Project'. Refer submissions to Panel.</p> <p><u>Change of zoning from Farming to Rural Conservation Zone at 145 Bones Road</u></p> <p>The front of this property is zoned Rural Conservation Zone where it abuts Bones Road but the rear of the property is zoned Farming Zone. The front of the property is significant in that it forms part of the bush character access to the reserve via Bones Road. The front of this property contains a significant coverage of remnant vegetation and the RCZ is appropriate in</p>
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				<p>the location where it is applied.</p> <p>The rear of the site is predominantly cleared and is used for grazing (although there are corridors and patches of remnants in this area). The land at the rear of the property is not visible from Bones Road and rezoning this land is not required to ensure the landscape values of the reserve are protected. The rear of this property could remain within the Farming Zone without impacting on the intent and integrity of the amendment. The Farming Zone is consistent with the current land use being undertaken on site.</p> <p>Submission supported. Remove rezoning map no 19 from the amendment and investigate the most suitable zoning for the land through the 'Hinterland Futures Project'. Refer submissions to Panel.</p> <p><u>Use versus development</u> The submission suggests that it is inappropriate to control use on the property and that the amendment should only focus on development. This view point is not supported. Many submissions have been received from surrounding landowners and the broader community highlighting opposition to any sort of tourist or commercial enterprise. Minor developments associated with a farm or a dwelling do not meet with the same opposition as tourist uses. The types of uses occurring in the hinterland are a matter of great sensitivity and can only be permitted or prohibited through the zone.</p> <p><u>Coastal Development Policy</u> The policy provides development criteria for visually sensitive land located along the Great Ocean Road or within the Bells Beach hinterland. Sensitive design is very important in this location and there is no justification to exclude these sites from the policy.</p> <p>Refer submission to panel.</p>
22	(S21)	Support	Supports protection of the undisturbed, pristine and development free nature of the area.	Support noted.
23	(S22)	Support	Supports stronger regulations to preserve the natural beauty of the area surround Bells Beach. Submits there is economic value in protecting and preserving the	Support noted.

			heritage values.	
24	(S23)	Support	Supports protecting the natural beauty of the Bells Beach hinterland. Opposes tourist accommodation that could impact on views and biodiversity. Suggests the area could be national park similar to Wilson's Promontory.	Support noted.
25	(S24) - Lorne	Objection	<p><u>Impacts of C121 on Lorne hinterland</u> Objects to changes to the SLO1 and deletion of wording relating to housing types and densities from the Coastal Development Policy.</p> <p><u>Tourism opportunities in the Lorne hinterland</u> Supports tourist development in the Lorne hinterland. Supports stronger protection of Bells Beach and its environs.</p>	<p><u>Housing densities and tourism opportunities in the Lorne hinterland</u> Amendment C121 primarily focuses on strengthening the SLO1 and Coastal development policy as it applies to the Bells Beach hinterland. The same controls apply to the Lorne hinterland and large private holdings between Eastern View and Lorne. These controls were applied with the introduction of the new format planning schemes and cover areas recognised for their significant landscape values either abutting or close to the Great Ocean Road or Bells Beach. The amendment does not seek to make substantial policy changes but builds on the current controls providing more clarity for decision makers and applicants as to how planning permits in sensitive areas will be determined. The submission requests the inclusion of a new policy direction outside the scope or intent of the amendment.</p> <p><u>Tourism opportunities in the Lorne hinterland</u> The Lorne township is soon to be reviewed and there will be an opportunity during this process to investigate the submitters suggestions.</p> <p>Submission is not supported.</p> <p>Refer submission to Panel.</p>
26	(S25)	Support	Supports suitable protection of the Bells Beach viewshed and hinterland to prevent development that will over time erode the values of the area. Opposes a precedent being set for tourist development.	Support noted.
27	(S26) - Jan Juc	Support	Objects to further development in high fire danger areas including the hinterland and Bells Beach viewshed.	Support noted.
28	(S27) - Bells Road, Bells Beach	Objection	<u>Viewshed mapping in the SLO1</u> Objects to their property being included within map 1 'Bells Beach viewshed' of the SLO1. The SLO1 doesn't apply to	<u>Viewshed mapping in the SLO1</u> As highlighted in the submission the SLO1 does not apply to the property. The viewshed mapping extends beyond the extent of the overlay but the mapping can be adjusted to only show the land where it applies. The

			<p>the property and it is submitted that the map should not cover land outside the SLO1. It is submitted that due to the vegetation cover and physical separation of their property from the reserve any development at the site would either be not visible with the naked eye or so remote as to have minimal impact.</p> <p><u>Vegetation Protection Overlay (VPO1)</u> Disputes the existing VPO1 on the property on the grounds that the vegetation on their property does not add to the landscape value of Bells Beach.</p> <p><u>Coastal Development Policy and Rural Landscape Policy</u> Opposes the policy changes and submits that they are too restrictive and prescriptive.</p>	<p>inclusion of the land beyond the overlay could lead to confusion when an assessment is being made.</p> <p>Submission supported.</p> <p>Refer submission and amended version of the SLO1 to panel, showing a modified map 1 to the schedule with the mapping reduced to only display land subject to the overlay.</p> <p><u>Vegetation Protection Overlay (VPO1)</u> The submission objects to the existing VPO1 applying to the property on the basis that it is not part of the landscape character. The biodiversity mapping 2014 shows a patch of Grassy Woodland and Bellarine Yellow Gum on this site. The VPO1 is applied in this location for its biodiversity values not for its contribution to the landscape.</p> <p><u>Coastal Development Policy and Rural Landscape Policy</u> The Coastal Development Policy provides development criteria for land within the Bells Beach hinterland that is subject to the Rural Conservation Zone. Sensitive design is very important in this area and there is no justification to exclude the site from the policy.</p> <p>The Rural Landscape Policy highlights that tourist development is not supported within the Bells Beach hinterland. There is no justification to exclude the site from the policy. Submission is not supported.</p> <p>Refer submission to panel.</p>
29	(S28)	Support	<p>Supports the amendment as it seeks to strengthen the controls relating to the viewshed. Believes there should be stronger guidance within the planning scheme as to what areas take precedent.</p> <p><u>Changes to Clause 21.04 – Tourism Strategy</u> Suggests minor wording changes and stronger reference to Bells Beach and its hinterland in the Tourism Strategy.</p> <p><u>Vic Smart</u></p>	<p>Support noted.</p> <p><u>Changes to Clause 21.04 – Tourism Strategy</u> Refer comments under S6 under <u>Changes to Clause 21.04</u></p> <p><u>Vic Smart</u> Vic Smart is not located within the Local Planning Policy Framework and cannot be amended by Council. Applications made under VicSmart will be assessed under the decision guidelines contained in the zones and overlays and due consideration will be given to any impacts a proposal may have on the Bells Beach hinterland.</p>

			Suggests Clause 95 in relation to Vic Smart applications include decision guidelines.	
30	(S29) Bones Road, Bells Beach	Objection	<p><u>Change of zoning from Farming to Rural Conservation Zone at 155 Bones Road</u> Objects to the proposed rezoning of the property from Farming Zone to Rural Conservation Zone on the basis that there is no strategic support for the rezoning. It is submitted that the property is not part of the 'hinterland' as the hinterland only applies to land currently zoned RCZ or subject to the SLO1. The submission requests that the land not be rezoned and be subject to further review instead.</p> <p><u>Use versus development</u> Submits that controls should be relating to development and not use. It is argued that the amendment should relate to landscape values and not consider land use.</p> <p><u>Current controls are adequate</u> It is stated that the current controls are effective and do not need to be strengthened.</p> <p><u>Support</u> The submission supports the ongoing protection of the landscape and viewshed.</p>	<p><u>Change of zoning from Farming to Rural Conservation Zone at 155 Bones Road</u> The property is 2.7ha in area and completely vegetation apart from the land immediately surrounding the existing house. The property was part of 185 Bones Road in the late 1980's and since that time was excised and a new lot was created.</p> <p>Considering the extent of vegetation coverage on this site there is no justification for the property to be zoned Farming Zone. The property is used as a lifestyle property and is not of a sufficient size to farm. Given the sensitive nature of the site (being visible from Bones Road – a key access route to Bells Beach) and its prominent location within the hinterland the site should be rezoned to Rural Conservation Zone.</p> <p>Refer to comments under S20 under <u>Change of zoning from Farming to Rural Conservation Zone at 185 Bones Road</u></p> <p>Refer to comments under S20 under <u>Use versus development</u></p> <p><u>Current controls are adequate</u> There has been community angst that the current controls need strengthening and that uses such as tourism or commercial should not be allowed. The amendment seeks to provide more clarity and guidance around the SLO1, schedule to the RCZ and policy.</p> <p>An application for a larger development or tourism use has not been proposed on the land zoned Farming Zone and containing a VPO1. There is no indication as to how adequate the current controls would be in that scenario. The Farming Zone contains more discretionary uses contrary to the vision for the hinterland.</p> <p>Support noted.</p> <p>Submission is not supported. Refer submission to Panel.</p>
31	(S30) – Bells Road, Bells Beach	Objection	<p><u>Rural Landscape policy opposes tourist development</u> Objects to the strengthening of the controls on the grounds that they are too</p>	<p><u>Rural Landscape policy opposes tourist development</u> The submitter's property has direct frontage to the reserve and much of the site is highly visible from the reserve, Jarosite and Bells Beach Road. The revisions to the 'Rural Landscape Policy' oppose tourist development</p>

			<p>prescriptive. Submits that the amendment does not enable discretion and an integrated decision making process. Objects to the proposed changes at Clause 21.06 'Rural landscape Policy' on the grounds that it could be construed as prohibiting tourist development. It is submitted that the wording may be taken to prohibit all development irrespective of its scale. The submission requests that the amendment be modified to be less restrictive and exclude the subject land completely.</p>	<p>within the Bells Beach viewshed (land covered by the SLO1 which includes the submitters property). Tourist development in this area, irrespective of the scale, is broadly opposed by the greater community on the grounds of precedent. There is angst that an establishment may start off small but over time grow in scale and pave the way for other larger establishments. There is a strong desire to keep the landscape very much as is at present. The revised controls have been written to permit small scale development but it must be 'recessive in the landscape'. Tourist and commercial uses are not encouraged.</p> <p>The subject site is one of the most important sites within the hinterland having direct frontage to Bells Beach Road and Jarosite Road. Removing all planning controls from this site is not supported.</p> <p>Refer submission to Panel.</p>
32	(S31) - Bells Road, Bells Beach	Objection	<p><u>Viewshed mapping in the SLO1</u> Objects to the Viewshed visibility analysis showing their property on the grounds that they are not subject to the SLO1. It is argued that their property is in the 'greater hinterland' and is not visible due to the extensive cover of vegetation. The submission requests that their site be excluded from the viewshed analysis map in the SLO1.</p> <p><u>Vegetation Protection Overlay (VPO1)</u> It is also requested that the current VPO1 be removed from their property on the grounds that it is remote from Bells Beach.</p> <p><u>Coastal Development Policy and Rural Landscape Policy</u> There is objection to the policy changes on the grounds that they are too restrictive.</p>	<p>Refer comments under S27 under <u>Viewshed mapping in the SLO1</u>.</p> <p>Submission supported in relation to removal of the viewshed mapping from this property on the grounds that it is not affected by the SLO1.</p> <p>Refer comments under S27 under <u>Vegetation Protection Overlay (VPO1)</u>.</p> <p>There is minimal vegetation on the submitters property and a small stand of native vegetation towards the front of the site that would require a permit for removal under the VPO1. The overlay covers an extensive area much of which does not contain any vegetation. Amendment C121 does not propose to revise the coverage of the VPO1, this was undertaken but abandoned by Council through Amendment C81. Vegetation mapping has been inserted into policy showing the location of the most significant vegetation within land covered by either the SLO1 or VPO1. The mapping shows very little coverage on this site resulting in a reduced impact for the landowner.</p> <p>As discussed under S27 the VPO1 relates to vegetation protection for its contribution to biodiversity not landscape value therefore its proximity to the reserve is irrelevant.</p> <p>Refer comments under S27 under <u>Coastal Development Policy and Rural Landscape Policy</u></p>

				<p>Submission not supported in relation to the removal of the VPO1 or policy.</p> <p>Refer submission to Panel.</p>
33	(S33) – Deans Marsh Lorne Road, Lorne	Objection	<p><u>Impacts of C121 on Lorne hinterland</u> Objects to the SLO1 and Coastal Development Policy being amended where there are implications to the Lorne hinterland.</p> <p><u>Tourism opportunities in the Lorne hinterland</u> Requests that existing tourist activities in the Lorne hinterland be strategically reviewed.</p>	<p>Refer comments under S24 under <u>Impacts of C121 on Lorne hinterland</u></p> <p>Refer comments under S24 under <u>tourism opportunities in the Lorne hinterland</u></p> <p>Submission is not supported.</p> <p>Refer submission to Panel.</p>
34	(S34) – Great Ocean Road, Bellbrae	Objection	<p><u>Rezoning part of the property to Rural Conservation Zone</u> Objects to the inclusion of their property within the hinterland on the basis that access to their property is from the Great Ocean Road and the main activities (farming and dwelling) are located in this part of their property. Objects to 40 acres of their farm being rezoned from Farming Zone to Rural Conservation Zone. This part of the land is actively farmed, used for grazing and breeding of sheep, cattle and alpacas.</p> <p>The southern part of their property is zoned Rural Conservation Zone (fronting onto Bones Road) and much of the land is subject to a VPO1. It is requested that a cleared paddock within the area currently zoned RCZ be zoned to Farming to reflect their current farming activities in this part of the block. It is submitted that all land to the north of Bones Road is not within the Bells hinterland. Suggests that any rezoning of rural land be undertaken as part of a broader hinterland strategy.</p>	<p><u>Rezoning part of the property to Rural Conservation Zone</u> The front of this property is zoned Rural Conservation Zone where it abuts Bones Road but the rear of the property (containing the house and access from the Great Ocean Road) is zoned Farming Zone. The front of the property is significant in that it forms part of the bush character access to the reserve via Bones Road. This land contains a significant coverage of remnant vegetation. The RCZ is appropriate in the location where it is currently applied.</p> <p>The rear of the site is predominantly cleared and is used for grazing and breeding (although there are corridors and patches of remnants in this area). The land at the rear of the property is not visible from Bones Road and rezoning this land is not required to ensure the landscape values of the reserve are protected. The rear of this property could remain within the Farming Zone without impacting on the intent and integrity of the amendment. The amendment sought to rezone the balance of the land from Farming to Rural Conservation to remove the split zoning across the property. The rezoning was intended as a ‘tidy up’ exercise. In light of the continued agricultural pursuits sought by the land owner and the lack of implications to the Bells hinterland the rezoning should be removed from the amendment.</p> <p>Submission is supported on the grounds that retaining the rear of 615 Great Ocean Road as Farming Zone is consistent with the land use being undertaken on site. The front of the property should remain as Rural Conservation Zone due to the lands visible from Bones Road (a key access route to the reserve) and the significant coverage of remnant</p>

				<p>vegetation.</p> <p>Investigate zoning options for the rear portion of this site through the 'Hinterland Futures' project to be undertaken in 2017/18.</p> <p>Refer proposed changes and submission to a Panel.</p>
35	(S35) – Bells Road, Bells Beach	Objection	<p><u>Amended controls are too restrictive and onerous</u></p> <p>Objects to the policy framework and believes it is too restrictive and unfair to landowners. It is submitted that their property is not visible from Bell Beach due to the coverage of vegetation contrary to the viewshed analysis. Requests that the controls consider costs and undue restrictions being placed on landowners who have been protecting the area for many years.</p>	<p>The submitters property is within the Bells Beach viewshed and is covered by the SLO1. The 1996 Spectrum report which led to the introduction of the SLO1 through the new format planning schemes in 2001 mapped the viewshed based on topography alone. Vegetation coverage was not part of the assessment due to its every changing nature whereas land form is constant. The submitters dwelling is visually recessive within the landscape at present being single storey and well hidden by extensive vegetation on the property. The dwelling would become more prominent if the vegetation on site was cleared. The revised viewshed analysis undertaken as part of C121 found that the western part of the site is the most visible and becomes less visible closer to the reserve due to the land sloping from west to east. The revised viewshed analysis as per its predecessor is based on land form and does not assess vegetation coverage.</p> <p>Refer comments under S16 under <u>amended controls are too restrictive and onerous</u></p>
36	(S36) – Surfrider Foundation, Torquay	Support	<p>Supports stronger controls in the hinterland and opposes tourist development.</p> <p>Suggests the State Planning Policy Framework at Clause 10 be amended giving priority to the environment over all other considerations (and not balancing opposing policy).</p> <p>Suggests stronger wording in the Tourism Strategy discouraging these kinds of developments from the hinterland.</p>	<p>Support noted.</p> <p><u>More prescriptive controls</u></p> <p>The Victoria Planning Provisions are performance based and prescriptive controls are not permitted. Amendment C121 seeks to provide greater clarity around decision making and Councils vision for the area without being prescriptive. Each application will be individually assessed as per site opportunities and constraints and a decision made based on compliance with the controls.</p> <p>Refer comments under S6 under <u>Changes to State Policy</u></p> <p>Refer comments under S6 under <u>New Strategy for Bells</u></p> <p>Creating a separate Bells Beach hinterland strategy within the MSS is not</p>

			<p>Suggests Bells have its own strategy similar to the settlements. Supports minor developments but not habitable buildings or commercial activity.</p> <p>Suggests minor wording changes to the amendment documents that provides further restriction to development.</p>	<p>supported.</p> <p>Support noted.</p> <p>Refer submission to Panel.</p>
37	(S37) – Torquay	Support	<p>Supports protecting the hinterland to Bells making the natural and environmental values the first and top priority. Opposes tourist development and suggests they be located well away and beyond all vistas of the reserve (eg Uluru).</p>	<p>Support noted.</p>
38	(S38) – Jarosite Road, Bells Beach	Objection / support	<p>Supports the intention of the amendment to protect the Bells Beach hinterland.</p> <p><u>Rural Landscape policy opposes tourist development</u></p> <p>Submits that the detail in policy and the SLO1 are too restrictive. Opposes restrictions on tourism and other commercial activities and believes there should be some avenue for consideration. Submits that the experience of Bells Beach extends further to Torquay and the broader area and that it is being ruined by too much development in general.</p>	<p>Support noted.</p> <p>The submitters property is within the Bells Beach viewshed and is subject to the SLO1. The site is completely vegetated apart from the house site.</p> <p>See comments under S30 under <u>Rural Landscape policy opposes tourist development</u></p> <p>Submission not supported.</p> <p>Refer submission to Panel.</p>
39	(S39)	Support	<p>Supports protecting the unspoilt, pristine environment of Bells today and in the future.</p>	<p>Support noted.</p>
40	(S40) – Bones Road, Bellbrae	Support	<p>Supports strengthening the controls in the hinterland to protect the natural landscape, biodiversity values and natural aspect. Supports stronger restriction on development.</p>	<p>Support noted.</p>
41	(41) – Jarosite Road, Bells Beach	Objection / support	<p>Supports the preservation of the Bells Beach area and environment.</p>	<p>Support noted.</p> <p>The submitters property is within the Bells Beach viewshed and is subject</p>

			<p><u>Amended controls are too restrictive</u> Submits that the existing regulations are adequate. The submission expresses that the proposed amendments are unnecessarily restrictive. Requests that the amendment be altered to be more in line with the current controls and not so restrictive.</p>	<p>to the SLO1. The site is completed vegetation apart from the house site.</p> <p>Refer comments under S16 under <u>amended controls are too restrictive and onerous</u></p> <p>Submission not supported.</p> <p>Refer submission to Panel.</p>
42	(S42) – Toolangi	Support	<p>Supports protection of bird habitat (particularly falcons and Powerful Owl) known to nest in the cliffs and Ironbark basin. Opposes more intensive development and disturbance.</p>	<p>Support noted.</p>
43	(S43) – Geelong (late submission)	Support	<p>Opposes over development in the hinterland area</p>	<p>Support noted.</p>