

SURF COAST SHIRE PLANNING SCHEME

AMENDMENT C121

EXPLANATORY REPORT

Who is the planning authority?

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

Land affected by the Amendment

The Amendment applies to:

- Land surrounding the Bells Beach Coastal Reserve, zoned Rural Conservation Zone, Low Density Residential Zone and Farming Zone (visible from Bells Boulevard and bounded by Bones, Jarosite, Addiscott and Bells Beach Road) – refer figure 1.
- Land at 155 and 185 Bones Road and part of 615 Addiscott Road and 81 Bones Road, zoned Farming Zone.
- All land covered by the Significant Landscape Overlay Schedule 1 (Lorne hinterland to Jan Juc - mostly covers large parcels of land outside coastal settlements).
- All land covered by the Vegetation Protection Overlay Schedule 1 in coastal areas (Bells Beach, Point Addis and surrounding Anglesea).
- Land at 205 Bones Road, 220, 210, 200 and 180 Jarosite Road, Bells Beach covered by the Vegetation Protection Overlay Schedule 1.
- Land at 887, 745 and 695 Great Ocean Road, Anglesea covered by the Vegetation Protection Overlay Schedule 2.
- Land subject to the Clause 22.04 'Coastal Development Policy' (Lorne hinterland to Bells Beach - covers land outside coastal settlements).



Figure 1: Map of Bells Beach hinterland

What the amendment does

The Amendment modifies planning policy, zone and overlays provisions applying to the Bells Beach hinterland to better recognise the important landscape, environmental and cultural role of Bells Beach.

The Amendment also makes changes to broader policy and controls relating to land impacted by the Coastal Development Policy and the Significant Landscape Overlay Schedule 1 in proximity to the Great Ocean Road.

Specifically, the Amendment makes the following changes:

- Rezones land at 155, 185, part of 81 Bones Road and 615 Addiscott Road from Farming Zone to Rural Conservation Zone – refer attachment 1.
- Amends Clause 21.03 Environmental Management, to include reference to the Significant Landscape Overlay (SLO1) applying to significant vegetation and habitat.
- Amends Clause 21.06 Rural Landscape, to define the Bells Beach hinterland, strengthens reference to the scenic, environmental and cultural values of the Bells Beach hinterland and details the expectations for development in the hinterland area.
- Amends Clause 22.04 Coastal Development Policy, to strengthen reference to the scenic, environmental and cultural values of the Great Ocean Road, coastal environs and Bells Beach hinterland. The policy will focus on land beyond settlement boundaries with high scenic and environmental values and all policy information targeted towards urban development has been removed.
- Amends the Schedule to the Rural Conservation Zone to strengthen the conservation values that apply to the Bells Beach and Point Addis areas.
- Amends Schedule 1 to Clause 42.03 - Significant Landscape Overlay (SLO1), to provide clearer assessment criteria for applications in areas of international and nationally significant scenic and environmental value.
- Deletes Schedule 1 to Clause 42.02 – Vegetation Protection Overlay (VPO1) from part of 205 Bones Road and from 220, 210, 200 and 180 Jarosite Road, Bells Beach – refer attachment 2.
- Applies Schedule 1 to Clause 42.03 - Significant Landscape Overlay (SLO1) to part of 205 Bones Road and 220, 210, 200 and 180 Jarosite Road, Bells Beach - refer attachment 3.
- Deletes Schedule 2 to Clause 42.02 – Vegetation Protection Overlay (VPO2) from 695 and 745 Great Ocean Road, Anglesea and 887 Great Ocean Road, Aireys Inlet - refer attachment 4.
- Applies Schedule 1 to Clause 42.03 - Significant Landscape Overlay (SLO1) to 695 and 745 Great Ocean Road, Anglesea and 887 Great Ocean Road, Aireys Inlet - refer attachment 5.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to implement the findings of the Surf Coast Planning Scheme Review Report 2014 (the Review Report) as it relates to the Bells Beach hinterland. The Review Report highlighted opportunities to improve elements of the Surf Coast Planning Scheme by strengthening reference to Bells Beach in Clause 21.06, Clause 22.04 and in relevant zones and overlays. Council supported preparation of an amendment in 2016 and supported seeking Authorisation from the Minister on 26 April 2017.

The amendment supports the recommendations of the Report of the Bells Beach Task Force October 2015 which highlighted community support for strengthening planning controls in the Bells Beach hinterland.

The Amendment alters Clause 22.04 which covers sensitive landscapes in the Bells beach hinterland and adjoining the nationally significant Great Ocean Road between Anglesea and Lorne, extending to the Shires western boundary. The amendments to this policy remove obsolete controls relating to urban areas (where it no longer applies) strengthening the focus on landscape and environmental values.

The policy attributes a hierarchy to significant coastal landscapes in the Surf Coast Shire. The most sensitive being Bells Beach and its hinterland, which is of international significance followed by the Great Ocean Road, which is of national significance.

The amendment rezones two properties visible from the Bells Beach hinterland that are currently zoned Farming, proposed to be rezoned to Rural Conservation Zone. The Bells Beach hinterland includes all access points to Bells Beach including Bells Boulevard, Bones Road, Jarosite Road and to a lesser degree Addiscott Road. All of these routes lead to the surfing reserve and provide the important bush/rural setting that is experienced on the approach to the international site. The amendment also rezones the rear of two adjacent properties within the hinterland, although not highly visible from Bones Road they both contain a significant coverage of native vegetation and are more suitably zoned for conservation purposes.

The amendment deletes Schedule 1 to Clause 42.02 – Vegetation Protection Overlay (VPO1) from part of 205 Bones Road and from 220, 210, 200 and 180 Jarosite Road. The VPO1 is replaced with a Significant Landscape Overlay Schedule 1 (SLO1) to ensure landscape character is considered for any development on these sites given their high visibility within the hinterland and from the coastal reserve.

The Amendment resolves an anomaly created through Amendment C96 which will delete Schedule 2 to Clause 42.02 – Vegetation Protection Overlay (VPO2) from the Surf Coast Planning Scheme. Amendment C121 will amend the VPO map applying to three highly prominent properties located along the Great Ocean Road between Anglesea and Aireys Inlet. The Significant Landscape Overlay (SLO1) will be applied to these properties in recognition of their visual sensitivity and to replace the VPO2 which will no longer be in the planning scheme. Amendment C96 was considered by Planning Panels Victoria in April 2017 and is expected to be submitted to the Minister for Adoption shortly.

The Amendment introduces a referral to the Secretary to the Department of Environment, Land, Water and Planning for all applications for native vegetation removal on land covered by the SLO1 in recognition of the high biodiversity values in these areas.

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

The Amendment is consistent with the objectives for planning in Victoria under Section 4 of the *Planning and Environment Act 1987* by facilitating the orderly planning and development of coastal areas in a manner that respects the character and environmental values of the area, including Bells Beach, and is responsive to current and future community needs and aspirations.

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

The Amendment provides clearer planning controls to guide use and development that respects the environmental, cultural and landscape values in the Bells Beach hinterland and on land affected by the Significant Landscape Overlay Schedule 1 along the Great Ocean Road. In doing so, the Amendment is expected to have positive environmental, social and economic effects and will result in net community benefit.

Does the Amendment address relevant bushfire risk?

Some parts of the land affected by this amendment are covered by the Bushfire Management Overlay. The Amendment does not change the current Bushfire Management Overlay and is not expected to increase the risk of bushfire to lives and property as the amendment does not promote increased development in rural hinterland areas as identified.

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).

The requirements of Ministerial Direction 11 are satisfied in this explanatory report.

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

The Amendment is consistent with the intent of the State Planning Policy Framework (SPPF) and implements of the following clauses:

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

Clause 12.01 Biodiversity – The amendment protects and enhances the biodiversity values of land abutting the coast through improvements to the SLO1 and Coastal Development Policy in relation to significant vegetation and habitat.

Clause 12.02 Coastal areas – The amendment enhances the recognition of the key rural hinterland areas along the coast and in particular Bells Beach. The Amendment improves controls related to management of development adjacent the Great Ocean Road and the coast.

Clause 12.4 Significant environments and landscapes – The amendment improves reference to Bells Beach and its environs as an international and nationally important landscape feature.

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

The Amendment is consistent with the intent of the Municipal Strategic Framework (MSS) and supports the implementation of the following clauses:

Clause 21.02 Settlement, Built Environment, Heritage and Housing – The amendment reinforces the importance of non-urban breaks between townships along the coast and recognises their landscape values.

Clause 21.03-2 Environmental Assets– The amendment improves policy, zone and overlay controls to ensure that development on and near the coast is compatible with and enhances the environmental, scenic and amenity values of the coastal environment.

Clause 21.06 Rural Landscape – The amendment acknowledges the contribution of the visual landscape qualities of the Great Ocean Road and Bells Beach environs to the natural beauty, attractiveness, liveability and amenity of the of the area and improves the existing frameworks that provide ongoing protection for these areas.

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

The Amendment makes proper use of the Victoria Planning Provisions through proposed updates to the Municipal Strategic Statement and improvements to zones and overlays.

The amendment seeks to use policy to clearly describe important features of the coast particularly Bells Beach. Clause 22.04 Coastal Development Policy requires review as it represents a policy introduced with the New Format Planning Schemes and was originally covering development in coastal towns as well as rural areas along the coast. Through township specific strategic work over time the Coastal Development Policy no longer applies within the coastal settlements. It now only applies to areas of Rural Conservation Zone and a small area of Low Density Residential Zone (in Jan Juc) affected by the Significant Landscape Overlay Schedule 1. The amendment seeks to shift operational elements from the Coastal Development Policy to the Significant Landscape Overlay Schedule 1 whilst deleting obsolete sections of the policy for a more targeted and transparent control.

The policy importantly applies to land covered by the Vegetation Protection Overlay Schedule 1 which although may not be as visually significant as land subject to the SLO1 is often located side by side and also requires sensitive consideration.

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

No formal agency views have contributed to the preparation of the amendment. Agency views will be sought through exhibition.

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.

The amendment does not change existing permit triggers related for land in the Bells Beach hinterland or Significant Landscape Overlay Schedule 1 area.

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 3228.

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.

Submissions

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the amendment must be received by 5pm Monday 19 June 2017.

A submission must be sent to:

Strategic Planning Co-ordinator

Surf Coast Shire Council

1 Merrijig Drive

Torquay 3228

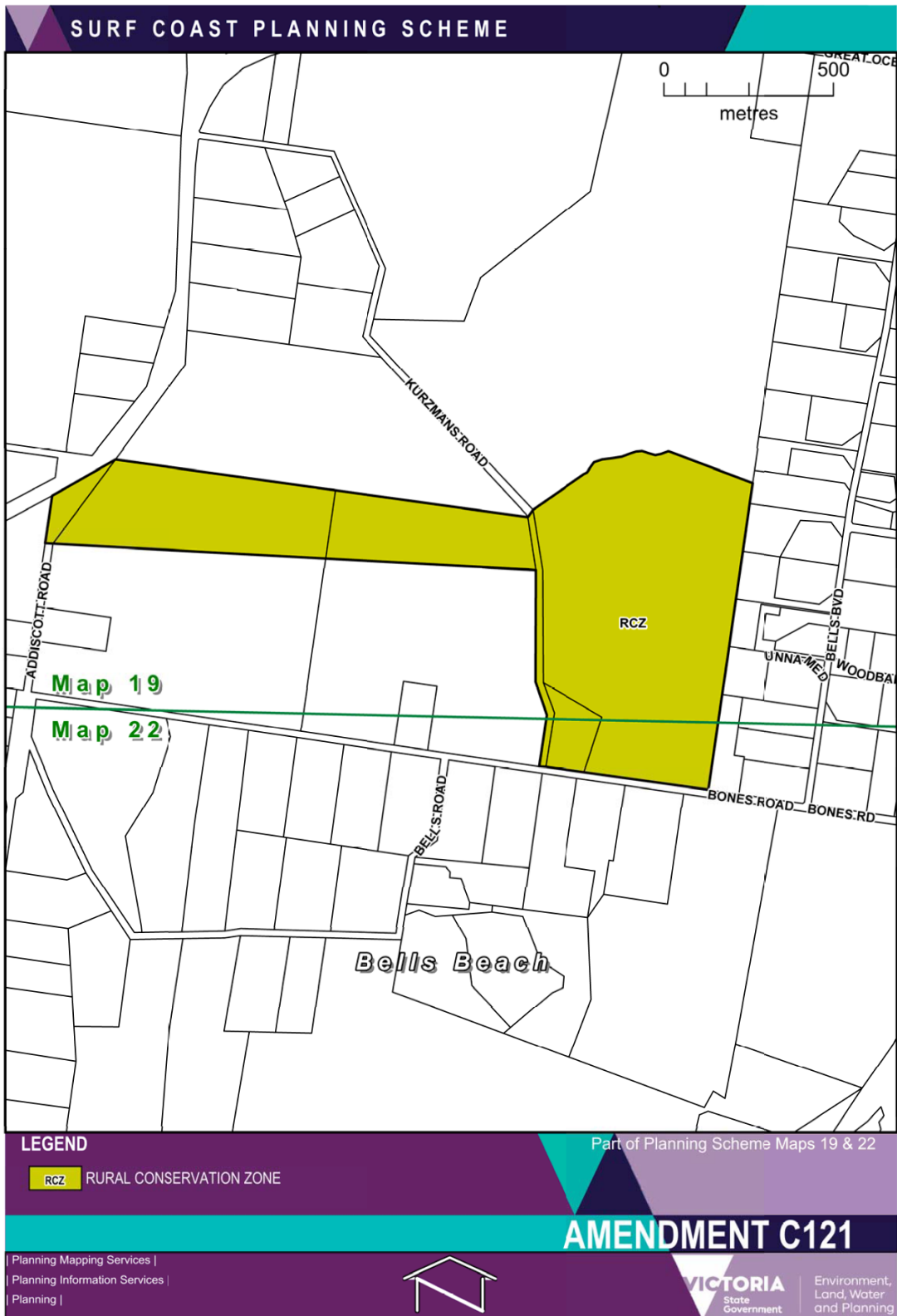
Panel hearing dates

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

- directions hearing: August 2017
- panel hearing: September 2017

ATTACHMENT 1 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|-------------|---|--|
| Bells Beach | 155, 185, part of 81 Bones Road. Part 615 Addiscott Road | Surf Coast C121 Maps 19 and 22 Exhibition |



ATTACHMENT 2 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|-------------|--|---|
| Bells Beach | 205 Bones Road, 220, 210, 200 and 180 Jarosite Road. | Surf Coast C121 Map 22VPO deletion Exhibition |



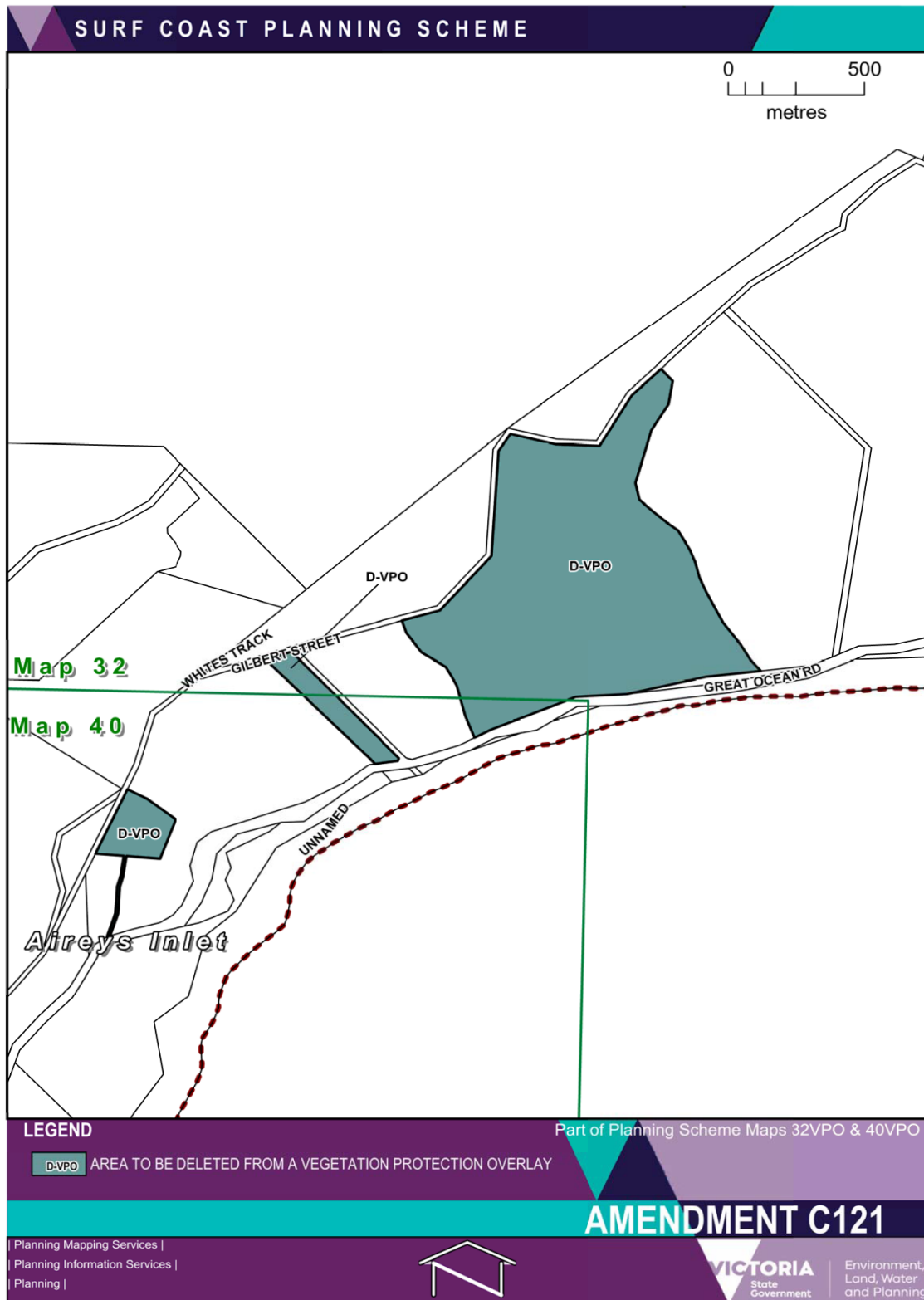
ATTACHMENT 3 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|-------------|--|--------------------------------------|
| Bells Beach | 205 Bones Road, 220, 210, 200 and 180 Jarosite Road. | Surf Coast C121 Map 22SLO Exhibition |



ATTACHMENT 4 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|----------|--|---|
| Anglesea | 887, 745 and 695 Great Ocean Road Anglesea | Surf Coast C121 Map 32VPO and 40VPO deletion Exhibition |



ATTACHMENT 5 - Mapping reference table

| Location | Land /Area Affected | Mapping Reference |
|----------|---|--|
| Anglesea | 887, 745 and 695 Great Ocean Road Anglesea | Surf Coast C121 Map 32 and 40SLO Exhibition |

