

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 (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 – refer attachment 1.
- All land covered by the Significant Landscape Overlay Schedule 1 (Lorne hinterland to Jan Juc - mostly covers large parcels of land outside coastal settlements).
- Land in and abutting the Bells Beach hinterland covered by the Vegetation Protection Overlay Schedule 1.
- 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.
- 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 internal and nationally significant scenic value.

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 and in relevant zones and overlays. Council supported preparation of the amendment at its meeting on 26 August 2016.

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

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 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 **[insert submissions due date]**.

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: **[insert directions hearing date]**
- panel hearing: **[insert panel hearing date]**]

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 Map 22 Exhibition

