

## **SURF COAST PLANNING SCHEME**

### **AMENDMENT C96**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

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

#### **Land affected by the amendment**

The amendment applies to the townships of Lorne, Aireys Inlet to Moggs Creek, Anglesea and Torquay/Jan Juc.

#### **What the amendment does**

Amendment C96 seeks to protect significant vegetation and habitat within the coastal townships of Lorne, Aireys Inlet – Moggs Creek, Anglesea and Torquay/Jan Juc. It does this by proposing changes to the existing overlay schedules applying to significant vegetation in these townships and their replacement with a new Environmental Significance Overlay Schedule 4 (ESO4). The Amendment is informed by new information contained in the *Biodiversity mapping project, 2014* and adjusts the maps that identify the areas of significance across these townships. The application of the ESO is appropriate to identify environmental assets.

C96 also aligns the Local Planning Policy Framework (LPPF) with the bushfire planning provisions through a series of changes to the Municipal Strategic Statement. C96 introduces the *Weeds of the Surf Coast Shire (2013)* as an incorporated document which supersedes *Environmental Weeds – Invaders of our Surf Coast (Second Edition 2002)*.

#### Specific changes to the Surf Coast Planning Scheme through Amendment C96

##### *Mapping changes*

Amendment C96 amends 21 overlay maps as follows;

- 6 Planning Scheme Maps are amended through the application of the Environmental Significance Overlay Schedule 4.
- 3 Planning Scheme Maps are amended through the deletion of the Environmental Significance Overlay Schedules 3, 4 and 5.
- 3 Planning Scheme Maps are inserted through the application of the Environmental Significance Overlay Schedule 4.
- 1 Planning Scheme Map is amended through the deletion of the Vegetation Protection Overlay Schedules 1 and 3.
- 4 Planning Scheme Maps are amended through the deletion of the Vegetation Protection Overlay Schedules 1 and 2.

- 3 Planning Scheme Maps are amended through the deletion of the Significant Landscape Overlay Schedules 4 and 6.

### *Planning Scheme Ordinance*

The Planning Scheme Ordinance is amended as follows:

- Amends Clause 21.01 'Profile and Vision' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.02 'Settlement, Built Environment, Heritage and Housing' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.03 'Environmental Management' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.04 'Tourism' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.06 'Rural Landscape' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.10 'Lorne Strategy' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.11 'Anglesea Strategy' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.12 'Aireys Inlet to Eastern View Strategy' Local Planning Policy Framework.
- Amends Clause 21.14 'Bellbrae Strategy' in the Local Planning Policy Framework (LPPF).
- Amends Clause 21.15 'Deans Marsh Strategy' in the Local Planning Policy Framework (LPPF).
- Amends Clause 22.01 'Rural Tenement Policy' in the Local Planning Policy Framework (LPPF).
- Amends Clause 22.02 'Streetscape and Landscape Policy' in the Local Planning Policy Framework (LPPF).
- Deletes the existing Clause 42.01s4 Environmental Significance Overlay Schedule 4 (ESO4) and replaces it with a new ESO4.
- Deletes the existing Clause 42.01s3 Environmental Significance Overlay Schedule 3.
- Deletes the existing Clause 42.02s2 Vegetation Protection Overlay Schedule 2 (VPO2).
- Deletes the existing Clause 42.02s3 Vegetation Protection Overlay Schedule 3 (VPO3).
- Amends the existing Clause 43.02s11 Design and Development Overlay Schedule 11 (DDO11).

- Amends the schedule to Clause 52.17 'Native vegetation'.
- Amends the Schedule to Clause 61.03 'Maps comprising part of this scheme'.
- Amends the Schedule to Clause 66.04 'Referral of permit applications under local provisions'.
- Amends the schedule to Clause 81.01 'Incorporated documents'.

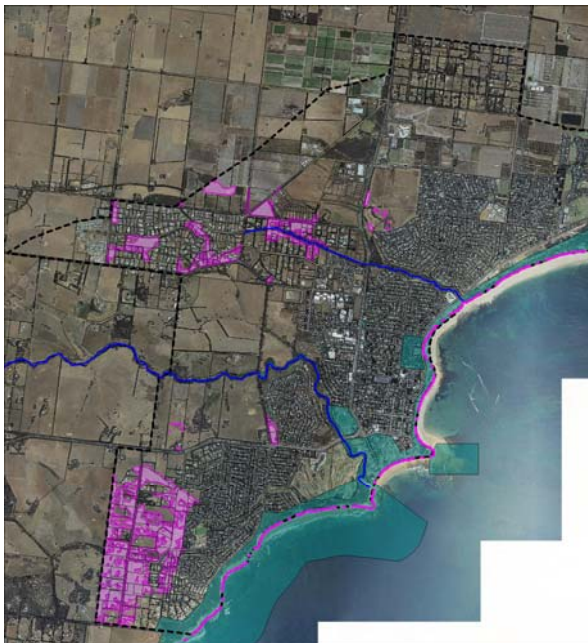
## Strategic assessment of the amendment

### Why is the amendment required?

Amendment C96 implements the *Biodiversity mapping project*, where it relates to the coastal townships. The project was undertaken by the Surf Coast Shire in 2014 prepared in consultation with the Department of Environment, Land, Water and Planning (DELWP) and the Corangamite Catchment Management Authority (CCMA).

Amendment C96 protects significant vegetation and habitat within the coastal townships of Lorne, Aireys Inlet to Moggs Creek, Anglesea, Torquay and Jan Juc.

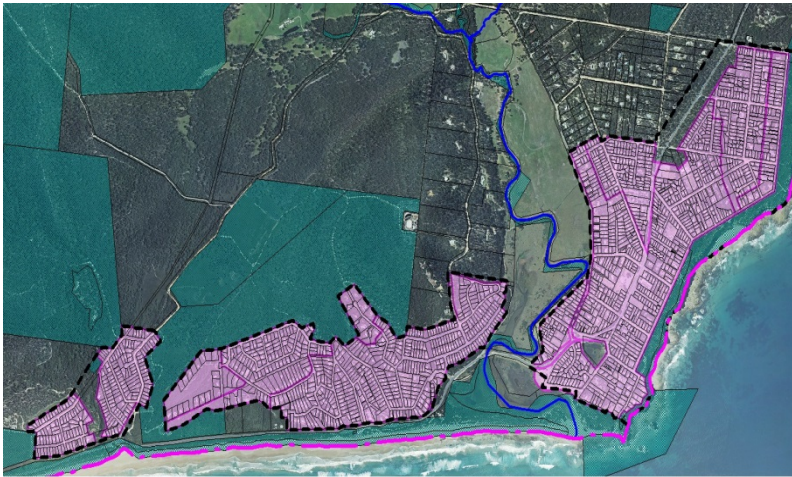
Maps 1 - 4 identify the biodiversity assets to be protected through Amendment C96.







Map 1: Biodiversity assets Torquay/Jan Juc



Map 2: Biodiversity assets Anglesea



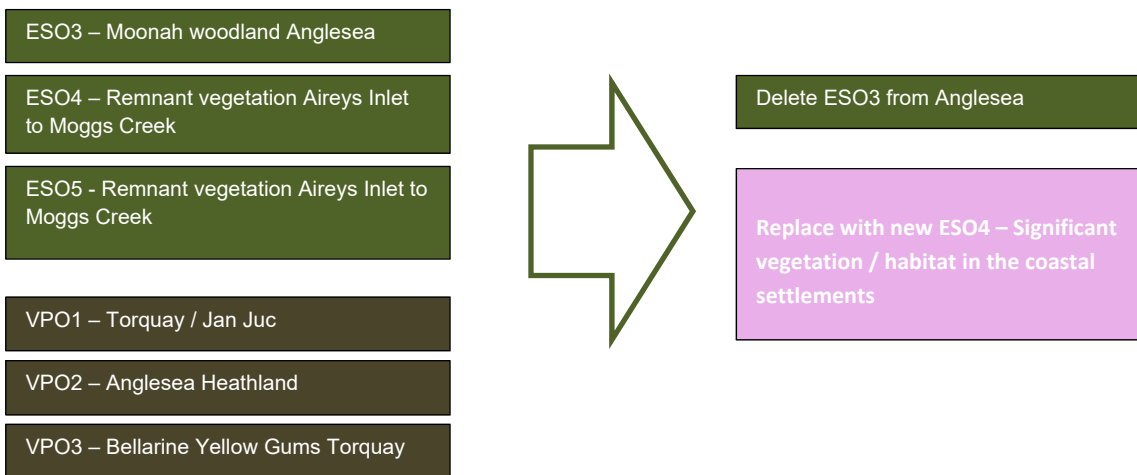
**Map 3: Biodiversity assets Aireys Inlet – Moggs Creek**

-  Biodiversity assets in the townships (2014)
-  Settlement boundary
-  Municipal boundary
-  Great Otways National Park



**Map 4: Biodiversity assets Lorne**

The Biodiversity mapping project, 2014 identified 2471 properties within the townships containing significant vegetation. These assets are currently covered by a number of overlay schedules as illustrated in figure 1 below. Amendment C96 will replace six different schedules with a single schedule and will delete the Environmental Significance Overlay Schedule 3 (ESO3) that is currently applied to stands of Moonah woodlands on residential land. The Significant Landscape Overlay Schedule 3 (SLO3) will continue to protect significant vegetation in Anglesea, which includes Moonah woodlands.



**Figure 1: Streamlining of current overlay schedules in the coastal towns through Amendment C96**

The following table outlines the current overlays applied across the coastal townships that directly trigger a permit for vegetation removal. The Significant Landscape overlays (SLO) will still broadly apply to the towns of Lorne, Anglesea and Jan Juc but will be replaced by an ESO4 on select properties. The existing Vegetation Protection Overlay Schedules (VPO) and Environmental Significance Overlay Schedules (ESO) will all be deleted as outlined in figure 1 above and replaced by an ESO4.

	Torquay/Jan Juc	Anglesea	Lorne	Aireys Moggs	to
<b>SLO (no of properties)</b>	3936	3083	1782		
<b>VPO (no of properties)</b>	135	59			
<b>ESO (no of properties)</b>	31	67		1790	

**Table 1: Properties covered by an overlay schedule in the Coastal towns**

At present the application of overlay schedules to significant vegetation in the coastal townships is based on a combination of historic data and vegetation mapping undertaken as part of numerous neighbourhood character studies. This mapping has been superseded by new mapping produced by the Surf Coast Shire in 2014, prepared in consultation with the Department of Environment, Land, Water and Planning (DELWP).

The *Biodiversity mapping project 2014* also completed a review of the overlays applied to significant vegetation within the four townships and found that due to the timing and implementation of individual neighbourhood character studies a variety of overlays and schedules had historically been applied which in essence sought to achieve the same objective. In order to streamline the planning controls Amendment C96 proposes to delete all schedules applied to significant vegetation across the coastal towns and apply a single schedule in the form of the revised Environmental Significance Overlay 4 (ESO4), the boundary of which has been determined through the biodiversity mapping project. The new schedule builds on the existing schedules but also includes more refined and targeted objectives and decision guidelines utilising data from the mapping project.

The Surf Coast Shire in conjunction with State government engaged ISIS Planning to complete a review of the inconsistencies between the Local Planning Policy Framework, including overlay schedules and the State policy relating to bushfire mitigation measures. This work was completed in 2012 and since that time additional changes have been made to the Victoria Planning Provisions relating to bushfire. Amendment C96 completes this review building on the recommendations made by ISIS Planning and the recent changes to State policy building them into the LPPF and the new ESO4.

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

The amendment implements the objectives of planning in Victoria specifically the objectives;

- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity, and,
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

The protection and enhancement of the biodiversity assets in the Surf Coast Shire is intrinsic to the character and appeal of the municipality and significantly contributes to the economy of the area by attracting residents and visitors alike (both domestic and international).

### **How does the amendment address any environmental effects and any relevant social and economic effects?**

The amendment implements objective 1.1 of the Surf Coast Shire Council Plan 2013-2017 that seeks to;

“Preserve and enhance the natural environment”.

The Council plan reflects the values and aspirations of the Surf Coast Council and the local community that aims to build an environmentally, socially and economically viable municipality.

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

Amendment C96 seeks to better align the Surf Coast Planning Scheme with State policy relating to bushfire management. The amendment implements the review of local policy and overlay schedules undertaken by ISIS planning and amends the LPPF to ensure improved consideration of bushfire risks.

Amendment C96 recognises the relationship between vegetation protection and managing bushfire risk. The proposed Environmental Significance Overlay Schedule 4 includes references to bushfire mitigation measures and the document 'Landscaping your Surf Coast garden for bushfire,' (Surf Coast Shire 2015) which provides a practical guide how to undertake landscaping in a bushfire responsive manner. This document has been developed by the Surf Coast Shire in consultation with the Country Fire Authority (CFA).

The amendment also encourages the removal of weed species that significantly add to the fuel loads in the Surf Coast Shire. The biodiversity mapping project was undertaken at a property scale and all existing dwellings and built structures will not be covered by any overlay schedule.

Clause 52.48-1 (exemptions to create defendable space around buildings used for accommodation) will exempt the need to apply for a planning permit for vegetation removal where the requirements of that clause are met.

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

The amendment inserts a new schedule to the Environmental Significance Overlay to replace six schedules. All changes proposed through Amendment C96 have been prepared in accordance with the Ministerial Direction, 'the form and content of planning schemes'.

The amendment documents have also been prepared in consideration of Ministerial Direction No. 11 'Strategic Assessment of Amendments'. A detailed strategic assessment of Amendment C96 forms part of this report.

The amendment has been exhibited and submissions processed in accordance with Direction No. 15 'the planning scheme amendment process'.

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

The following objectives and strategies within the State Planning Policy Framework (SPPF) are relevant to Amendment C96.

Clause 12 'Environment and Landscape Values', which includes;

- Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.
- Planning should protect sites and features of nature conservation, biodiversity, geological or landscape value.

Clause 12.01 'Biodiversity' requires strategic planning to utilise the following strategies to ensure the protection of biodiversity;

- Avoids and minimises significant impacts, including cumulative impacts, of land use and development on Victoria's biodiversity.

- Assists in the protection and management of sites containing high value biodiversity.
- Assists in the re-establishment of links between isolated habitat remnants that contain high value biodiversity.

The Biodiversity mapping project 2014 identified all of the sites containing high biodiversity value within the Surf Coast and amendment C96 will ensure the significant vegetation found in the coastal settlements are mapped correctly and adequately protected through the Surf Coast Planning Scheme.

Clause 12.01-2 'Native vegetation management' requires the application of a risk based approach to managing native vegetation as set out in *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (DELWP). Amendment C96 applies those principles.

Clause 12.02-1 'Protection of coastal areas' directs the responsible authority to;

- Apply the hierarchy of principles for coastal planning and management as set out in the Victorian Coastal Strategy 2008, which are:  
Principle 1: Provide for the protection of significant environmental and cultural values.

Amendment C96 recognises the contribution that significant native vegetation within the coastal townships makes to Surf Coast's unique coastal environment.

Clause 12.02-2 'Appropriate development of coastal areas' includes the objective;

- To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values.

Clause 12.02-6 'The Great Ocean Road region' requires the management of;

- Development on catchments and coastal areas' and
- Development on the environmental and cultural values of the area.

Amendment C96 removes the existing overlay schedules and adjusts the coverage of and applies a modified schedule to significant vegetation within the coastal towns to ensure the potential impacts of development on biodiversity in coastal areas can be reasonably considered.

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

The following objectives and strategies within the Local Planning Policy Framework (LPPF) are relevant to Amendment C96.

The profile and vision of the Surf Coast Shire at Clause 21.01-1 highlights the significance of the Shire's rich and diverse biodiversity which includes 'significant heathlands, grassy woodlands and bushland areas and habitat for many threatened species'.

At present six overlay schedules apply to the significant vegetation within the coastal townships. Amendment C96 remaps the location of this vegetation and will ensure the significant assets are more accurately mapped and their value recognised.

Clause 21.03 'Environmental Management' identifies the following key issues for biodiversity in the Surf Coast Shire;

- The loss and fragmentation of indigenous vegetation and decline in native vegetation and loss of biodiversity.

- Conflicts between vegetation retention and clearing to reduce the risk from wildfire.

And includes the following strategies to manage those issues;

- Promote environmental buffers adjacent the Great Otway National Park
- Ensure that development on and near the coast is compatible with and enhances the environmental values, visual character and amenity of the coastal environment.
- Improve ecological connectivity across the landscape to link fragmented habitats and strengthen ecosystem resilience to climate change.
- Encourage the protection, maintenance and re-establishment of indigenous vegetation and the removal of environmental weeds.

Clause 21.03-4 outlines that the above strategies will be implemented through the application of the Environmental Significance Overlay and the Vegetation Protection Overlay.

Clause 21.03-4 under the heading 'undertaking further strategic work' recommends;

- Reviewing the application of the Environmental Significance Overlay and Vegetation Protection Overlay upon completion of updated biodiversity mapping and investigation of the Shire's environmental assets.

This strategic work was completed through the Biodiversity Mapping project 2014 and the deletion and application of new schedules will be implemented through Amendment C96.

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

Amendment C96 has been prepared utilising the following VPP Practice Notes;

- Biodiversity and
- Vegetation protection in urban areas.

The VPP Planning Practice Note *Biodiversity* outlines that;

*The native vegetation provisions (Clause 52.17) and decision guidelines (Clause 65) are the minimum 'baseline conservation provisions' for limiting the loss of biodiversity on a Statewide basis. They should not be regarded as adequate and effective in meeting all biodiversity conservation objectives and more specific provisions may need to be applied.*

The practice note goes on to say that;

*The rationale for applying additional planning controls needs to be informed by knowledge of the local biodiversity assets, values and threats. If the protection or enhancement of a biodiversity asset requires the use of an overlay, the appropriate overlays are the ESO and the VPO.*

The VPP Practice Note *Vegetation Protection in Urban Areas* builds on the above by saying that;

*The VPO does not include buildings and works or subdivision requirements. It is, therefore, the appropriate tool for identifying and protecting vegetation where buildings and works or subdivision are not important considerations.*

And says that;



*The ESO has broader applicability than the VPO. The ESO may contain requirements for the construction of buildings and the carrying out of works as well as fence construction. It can also include requirements for subdivision and the removal, destruction or lopping of vegetation.*

Amendment C96 will delete three Environmental Significance Overlay Schedules and three Vegetation Protection Overlay schedules from the coastal towns and will replace these schedules with one Environmental Significance Overlay Schedule 4. This will streamline the Surf Coast Planning Scheme controls applying to significant native vegetation and will remove repetition and achieve consistency.

As highlighted in the VPP practice note the ESO can contain requirements for buildings and works as well as subdivision which are activities that can have the most detrimental impact on native vegetation in an urban environment. In Torquay and Jan Juc a new permit trigger will be introduced for subdivision and buildings and works as a permit is only required for vegetation removal in these areas at present under the VPO1 however the new schedule is only being applied to stands of significant vegetation therefore a permit would have been required for the vegetation removal in these locations. The new schedule will provide a stronger link between the activities being undertaken and the associated vegetation removal, enabling better decision making as a result.

The Environmental Significance Overlay Schedule 3 will be removed from Anglesea and will not be replaced with the ESO4. The Significant Landscape Overlay Schedule 3 applies to these sites and acknowledges the importance of Moonah Woodland (with the NCO3 and DDO19 triggering permits for buildings and works and subdivision). The lots currently covered by the ESO3 are not of sufficient size to be further subdivided and therefore the suite of controls applying at present are adequate with vegetation losses most likely occurring in association with a single dwelling therefore not warranting the application of the ESO4.

The practice note provides the following summary of how a local council can best manage environmental assets in their locale and the most appropriate VPP tools to use;

- The MSS and local policies should provide the strategic basis for the application of vegetation provisions.
- Overlays are the principal tool in the VPP to protect vegetation.
- The VPO specifically protects vegetation.
- The ESO protects vegetation and wider environmental values.
- The SLO may protect vegetation in the broader landscape context.
- The HO may protect trees and gardens of State, regional and local heritage significance.
- Clause 54, 55 and 56 requires vegetation on sites and in the neighbourhood to be considered.
- Local variations must demonstrate special character.
- Section 173 agreements under the Planning and Environment Act may be a suitable tool in some circumstances.
- The DDO is not an appropriate tool to protect vegetation.'

Amendment C96 applies one new overlay schedule in accordance with the aforementioned practice notes (outlined in table 2 below) in the place of three Environmental Significance Overlay Schedules and three Vegetation Protection Overlay Schedules currently applying to sites of biological Significance.

VPP Practice Note 'Biodiversity' – Example asset type	VPP Practice Note – Recommended Overlay	Response
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sites of biological significance	Environmental Significance Overlay	ESO4
subdivision (leading to subsequent loss or degradation of native vegetation)	Environmental Significance Overlay	ESO4
the presence of significant relatively unmodified biodiversity assets	Environmental Significance Overlay	ESO4
large relatively intact natural area where land use under the existing zone provisions may result in the loss of important biodiversity qualities	Environmental Rural Zone	N/A in settlement areas
hollows in mature dead trees dispersed on private land which provide important nesting sites for significant species	Vegetation Protection Overlay	Retention of large dead trees not suitable in an urban setting
scattered living food trees with an exotic understorey that does not conform to the 'native vegetation' definition in planning schemes	Vegetation Protection Overlay	N/A
threatened vegetation classes that are highly fragmented and occur on private land, for example, grasslands	Environmental Significance Overlay	N/A
unknown locations of biodiversity assets or insufficient information on biodiversity assets to prepare an overlay	Local planning policy	N/A
highly modified areas, such as salt works and treatment plants, whose features are relied on by significant migratory and nomadic species	Local planning policy	N/A
threatened species habitat that is highly modified (and therefore does not qualify as 'native vegetation'), but retains structural or other components that allow species to survive	Vegetation Protection Overlay Environmental Significance Overlay	N/A
areas of likely biodiversity significance	Environmental Significance Overlay	N/A
riparian and coastal habitats	Environmental Significance Overlay Local planning policy	Refer Amendment C85

**Table 2: Proposed application of overlay schedules through Amendment C96 and associated amendments (C85)**

Amendment C96 implements the settlement component of the *Biodiversity mapping project* and Amendment C85, being concurrently processed by the Surf Coast Shire implements the protection of significant waterways and wetlands. Both amendments are referenced in table 2 above as part of the overall delivery of biodiversity protection through the Surf Coast Planning Scheme and use of the VPP Practice notes. Significant vegetation located outside of the settlements will be considered through a future amendment pending future strategic work being undertaken.

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

The Department of Environment, Land, Water and Planning (DELWP) prepared biodiversity mapping for the Surf Coast Shire between 2007-2009. The Surf Coast Shire working in conjunction with the DELWP and Corangamite Catchment Management Authority (CCMA) have improved the quality of the mapping to ensure its accuracy at a property scale (previously at a scale of 1:25,000) and removed any minor anomalies. This additional mapping was completed in 2014 and the subsequent Amendment prepared. DELWP and the CCMA have formed part of a project steering group for both processes.

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

N/A

**Resource and administrative costs**

**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

Amendment C96 will not increase the number of properties affected by an overlay that triggers the need for a permit for vegetation removal in the townships of Lorne, Aireys Inlet to Moggs Creek and Anglesea. In these towns an overlay schedule is being removed and replaced by another overlay that functions in a similar way. A small number of properties will be subject to new permit trigger in Torquay and Jan Juc where significant vegetation has been identified however the current VPO1 is being deleted from sites with no vegetation or its coverage is being significantly reduced, ensuring permits are not triggered on sites without significant vegetation. On balance it is considered the amendment will not impact on the resources and administrative costs of 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 Offices, 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 <http://www.dtpli.vic.gov.au/publicinspection>.

*Planning and Environment Act 1987*

**SURF COAST PLANNING SCHEME**

**AMENDMENT C96**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Surf Coast Shire

The Surf Coast Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 21 attached map sheets.

**Overlay Maps**

1. Amend Planning Scheme Map Nos. 15ESO, 19ESO, 20ESO, 33ESO, 39ESO and 40ESO, in the manner shown on the 6 attached maps marked "Surf Coast Planning Scheme, Amendment C96".
2. Amend Planning Scheme Map Nos. 33ESO, 39ESO and 40ESO in the manner shown on 3 attached maps marked Surf Coast Planning Scheme, Amendment C96".
3. Insert new Planning Scheme Map Nos. 22ESO, 32ESO, and 43ESO in the manner shown on the 3 attached maps marked "Surf Coast Planning Scheme, Amendment C96".
4. Amend Planning Scheme Map Nos. 15VPO, 19VPO, 20VPO, 22VPO, 32VPO and 33VPO, in the manner shown on 6 attached maps marked Surf Coast Planning Scheme, Amendment C96".
5. Amend Planning Scheme Map Nos. 19SLO, 33SLO and 43SLO, in the manner shown on 3 attached maps marked Surf Coast Planning Scheme, Amendment C96".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

6. In Local Planning Policy Framework – replace Clause 21.01 with a new Clause 21.01 in the form of the attached document.
7. In Local Planning Policy Framework – replace Clause 21.02 with a new Clause 21.02 in the form of the attached document.
8. In Local Planning Policy Framework – replace Clause 21.03 with a new Clause 21.03 in the form of the attached document.
9. In Local Planning Policy Framework – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document.
10. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.
11. In Local Planning Policy Framework – replace Clause 21.10 with a new Clause 21.10 in the form of the attached document.
12. In Local Planning Policy Framework – replace Clause 21.11 with a new Clause 21.11 in the form of the attached document.
13. In Local Planning Policy Framework – replace Clause 21.12 with a new Clause 21.12 in the form of the attached document.
14. In Local Planning Policy Framework – replace Clause 21.14 with a new Clause 21.14 in the form of the attached document.

15. In Local Planning Policy Framework – replace Clause 21.15 with a new Clause 21.15 in the form of the attached document.
16. In Local Planning Policy Framework – replace Clause 22.01 with a new Clause 22.01 in the form of the attached document.
17. In Local Planning Policy Framework – replace Clause 22.02 with a new Clause 22.02 in the form of the attached document.
18. In Overlays – Clause 42.01, replace Schedule 4 with a new Schedule 4 in the form of the attached document.
19. In Overlays – Clause 43.02, replace Schedule 11 with a new Schedule 11 in the form of the attached document.
20. In Overlays – Clause 42.01, delete Schedule 3.
21. In Overlays – Clause 42.02, delete Schedule 2.
22. In Overlays – Clause 42.02, delete Schedule 3.
23. In Particular Provisions – Clause 52.17, replace the Schedule with a new Schedule in the form of the attached document.
24. In General Provisions – Clause 61.03, replace the schedule with a new Schedule in the form of the attached document.
25. In General Provisions – Clause 66.04, replace the schedule with a new Schedule in the form of the attached document.
26. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

**21.01 PROFILE AND VISION**

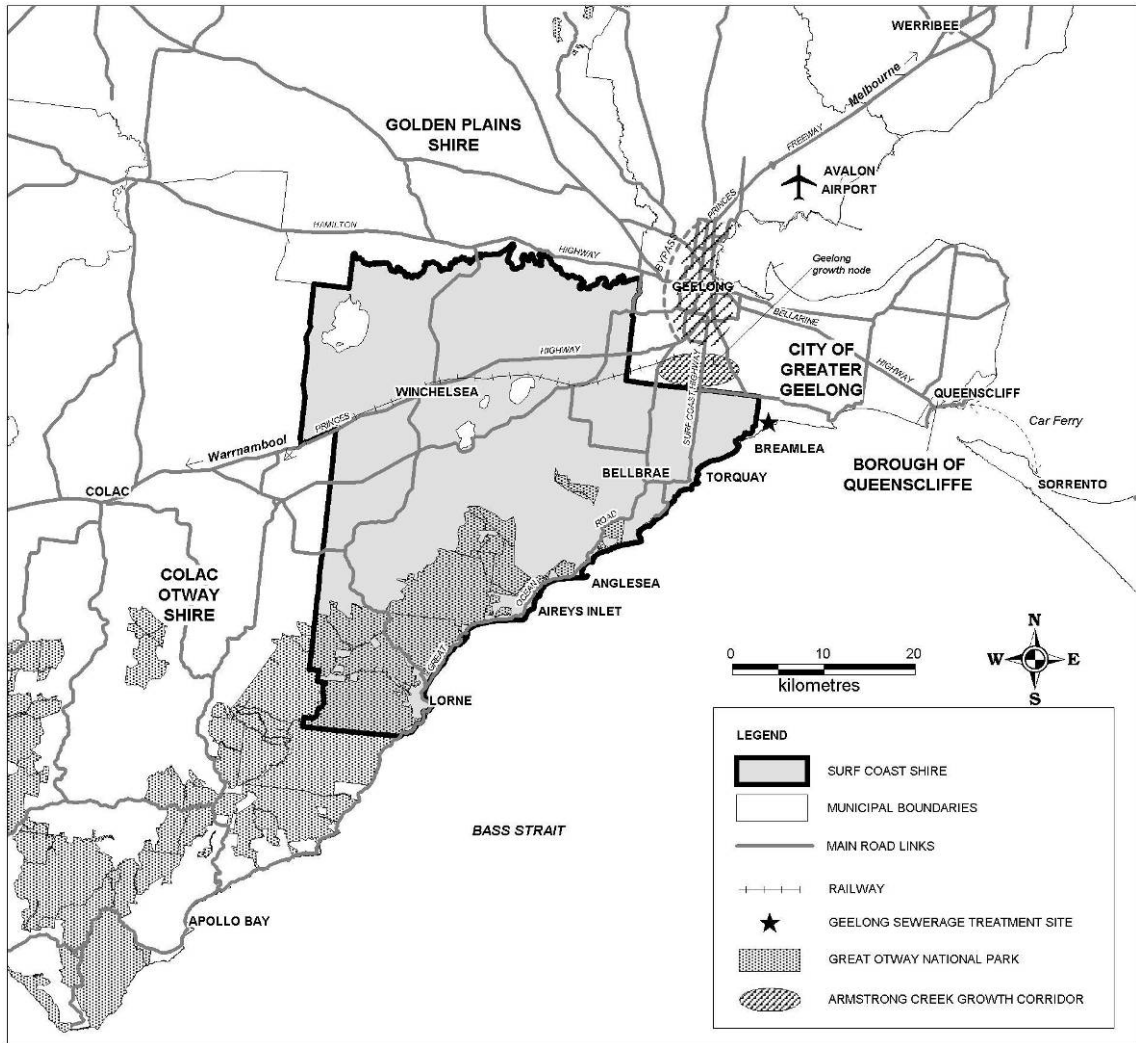
12/02/2015  
**C-102**  
 Proposed C96

**Surf Coast Shire**

12/02/2015  
**C-102**  
 Proposed C96

The Surf Coast Shire is located in the Corangamite Region of south-west Victoria as shown in Map 1 to this Clause. Geographically positioned south-west of Geelong, the Shire has an area of 1,560 square kilometres with some 55 kilometres of coastline defining its south-eastern boundary.

**Map 1 to Clause 21.01 – Regional Context Plan**



The Shire contains rich and diverse environmental, cultural and scenic landscapes including rugged coastlines, native forests, rolling to flat rural plains and many rivers, lakes and wetlands. These landscapes contain significant heathlands, grassy woodlands and bushland areas and habitat for many threatened species, including the Orange Bellied Parrot, Hooded Plover, Rufous Bristlebird, Swamp Antechinus and New Holland Mouse. Features of environmental and cultural heritage significance include the Great Otway National Park, indigenous sites, ~~the RAMSAR listed Lake Murdeduke, the Karaaf saltmarsh (Breamlea),~~ the Marine Park off Point Addis, the Great Ocean Road and the Split Point Lighthouse in Aireys Inlet.

Wetlands and waterways of environmental significance include Lake Murdeduke, listed under the Ramsar Convention and Directory of important wetlands, Lake Modewarre, Lake

Dubin, Barwon River and the Karaaf saltmarsh (Breamlea) which all provide habitat for JAMBA and CAMBA listed species

Traditional occupation of the region was by three aboriginal language groups: the Wathaurong (Wada wurrung) in the north and east extending to Painkalac Creek in Aireys Inlet, the Gadubanud to the south of Painkalac Creek stretching past Lorne, and the Gulidjan west of the Barwon River in Winchelsea.

In the course of time these physical features and cultural influences have created distinctive communities with a diversity of values and expectations. The southern part of the Shire contains nodes of coastal townships dotted along the Great Ocean Road comprising Torquay-Jan Juc, Anglesea, Aireys Inlet, Fairhaven, Moggs Creek and Lorne. Other than Torquay-Jan Juc, these towns are sited on the coastal edge of the Otway Ranges and are surrounded by the Great Otway National Park. Rural lands north of the Otways contain the townships of Winchelsea, Deans Marsh, Moriac and Bellbrae. Torquay-Jan Juc is the main administrative and population centre and is located at the eastern end of the Shire, linked to Geelong by a dual lane highway.

The Surf Coast Shire has considerable and extensive fire history with many of the settlements across the municipality at high risk from bushfire or grassfire. Large numbers of tourists visit these areas during the fire danger period and the Great Ocean Road provides the main access route into and out of the area during a major fire event.

The Surf Coast is a popular tourist and surfing area. Its economy is increasingly reliant on tourism. Employment is dominated by retail, tourism and hospitality, construction, and health and community services. Agriculture, once the dominant sector, is still growing in productive output and makes a significant contribution to the economy, but employs only a small proportion of the Shire's workforce.

The rural areas of the Shire are not only important for agriculture, but are increasingly valued, in terms of the environment and landscape, for their contribution to the amenity and liveability of the Shire and their tourism and recreation value.

## 21.01-2 Key Issues and Influences

11/11/2010  
C49  
Proposed C96

Key issues and influences impacting the Surf Coast Shire include:

- Increasing popularity of the coast and coastal towns as permanent, holiday and tourist destinations.
- Reconciling coastal growth with the fragile natural environment, traditional coastal town character and relaxed surfing culture.
- Changing rural industry and influx of lifestyle farms.
- Protection of significant wetlands, waterways and vegetation, habitats and amenity of the vegetated scenic landscapes ~~versus wild fire risk~~.
- Threat of bushfire on coastal and hinterland towns within close proximity to forested land.
- Rapid rate of growth ~~of coastal towns in Torquay-Jan Juc~~ and delivery of necessary infrastructure.
- High cost of urban land and consequent pressure to develop urban uses in rural areas.
- Increasing accessibility of the Shire to Geelong and Melbourne.

## 21.01-3 Vision

12/02/2015  
C102

The Surf Coast Shire Council Plan 2013-2017 describes the following vision for the Shire:

*“Working towards an engaged, innovative and sustainable community.”*

This vision is supported by five main themes and a number of strategic objectives and outcomes. The themes are:

**Environment:** We pursue innovative and sustainable practices that will preserve and enhance our natural environment for all, by being socially responsible and environmentally aware.

**Governance:** We are committed to delivering a transparent, high performing and sustainable organisation that engages with the community and adopts robust risk management practices.

**Communities:** We actively engage with our diverse and growing communities to establish quality services, healthy and safe environments and long term community partnerships.

**Infrastructure:** We are committed to understanding and meeting our community's needs for accessible, well maintained and safe infrastructure.

**Development and Growth:** We foster healthy and sustainable communities by supporting tourism and rural businesses, and encouraging clean industries and development that respects the Surf Coast's environment and lifestyle.

Surf Coast Shire Council is committed to creating sustainable communities, and by sustainable, meaning:

*The principle of ensuring that our actions today do not limit the range of economic, social and environmental options open to future generations.*

## 21.01-4 Municipal Framework Plan

12/02/2015  
C102

The underlying principle that directs all local policy and strategies of the Surf Coast Planning Scheme is that **the natural environment is the single most important attribute and asset of the Surf Coast Shire**. The natural environment of the Surf Coast provides a lifestyle quality treasured by both the permanent and non-permanent population, and is the basis of a thriving tourist industry and broad agricultural base.

The Municipal Land Use Framework Plan (Map 2 to Clause 21.01) sets out the general pattern for land use and development to respond to the key issues and influences to achieve the strategic vision for the municipality.

The purpose of the framework plan is to provide an overview of land use in the Surf Coast Shire and to identify locations where specific land use outcomes will be supported and promoted.

The key strategic directions for sustainable land use and development as identified in the framework plan are:

### Settlement Built Environment and Heritage

- To manage population and tourist growth and development in an ecologically sustainable manner.
- To protect the rural landscape and significant biodiversity assets from urban intrusion and to provide clear distinction between townships.
- To avoid development intensification in areas at high risk from bushfire.
- To concentrate urban growth ~~predominantly~~ in the towns of Torquay-Jan Juc and Winchelsea.
- To support and strengthen the individual character and role of the coastal and rural towns within the Shire that contributes to the diversity of experiences, and residential, commercial, recreational and employment opportunities.

### Environmental Management

- To protect the fragile coastal and forest environments and scenic landscapes that separates the coastal townships, from urban sprawl and inappropriate development.
- ~~To avoid increasing the population in areas where the risk of wildfire is high.~~
- To avoid development in areas of biodiversity and landscape significance where bushfire mitigation measures will compromise those assets~~find a balance in the management of native vegetation to secure environmental and landscape values while reduction the risk of wildfire.~~

### Tourism

- To promote natural resource based tourism, at a scale and form that respects its setting, the surrounding land uses and the locale.



- To promote Lorne as a primary tourist destination on the Great Ocean Road while protecting and enhancing its highly vegetated coastal urban character, residential amenity and forest hinterland.

**Agriculture**

- To protect and enhance the rural areas of the Shire for their diverse agricultural, environmental and landscape values and opportunities.

**Landscape**

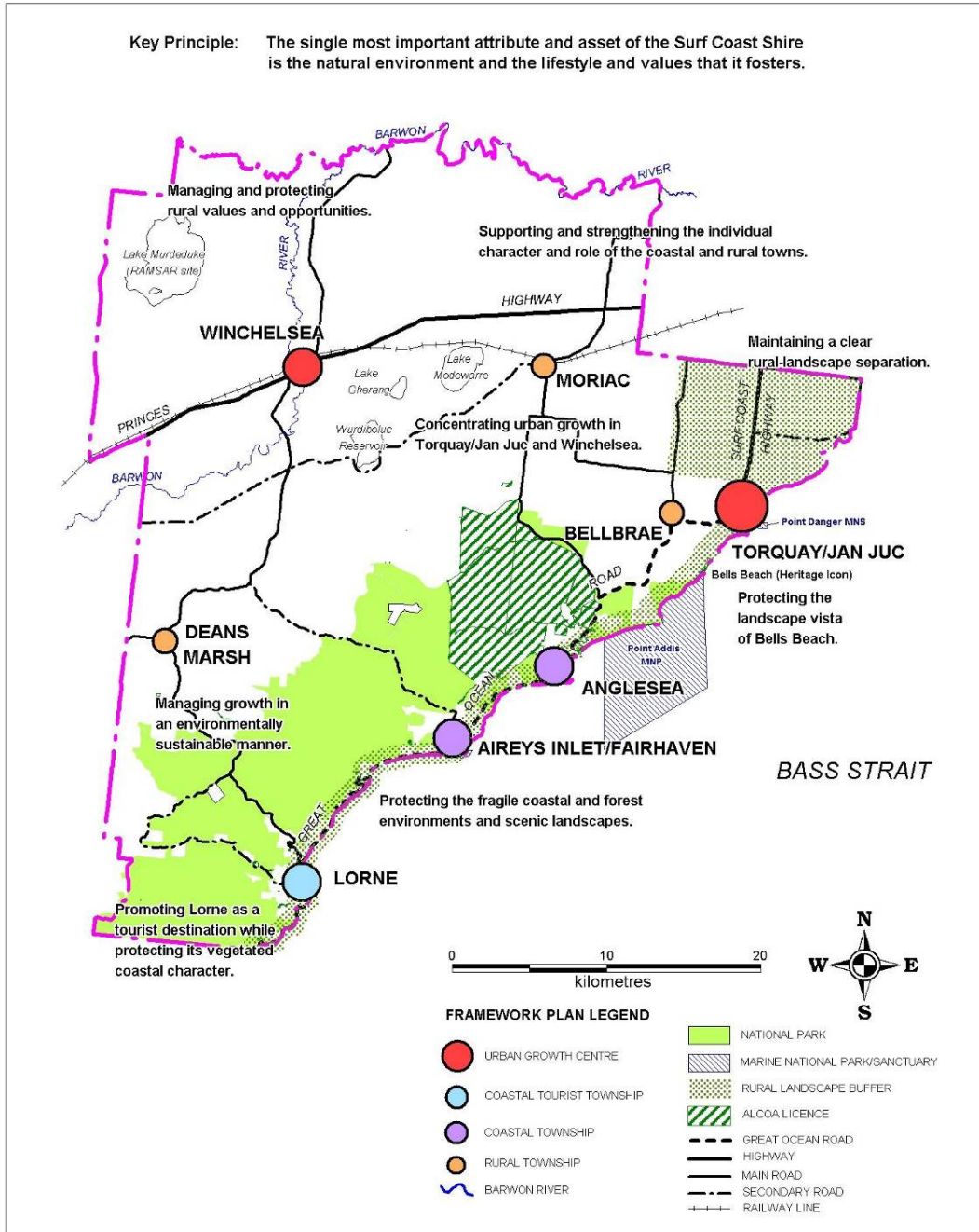
- To maintain a clear rural-landscape separation between Torquay-Jan Juc and the Armstrong Creek southern growth corridor of Geelong.
- To protect the undeveloped, natural landscape vista of the Bells Beach Surfing Recreation Reserve.
- To recognise that rural landscape vistas are highly valued for their contribution to the amenity and liveability of rural areas.

**Rural Residential Living**

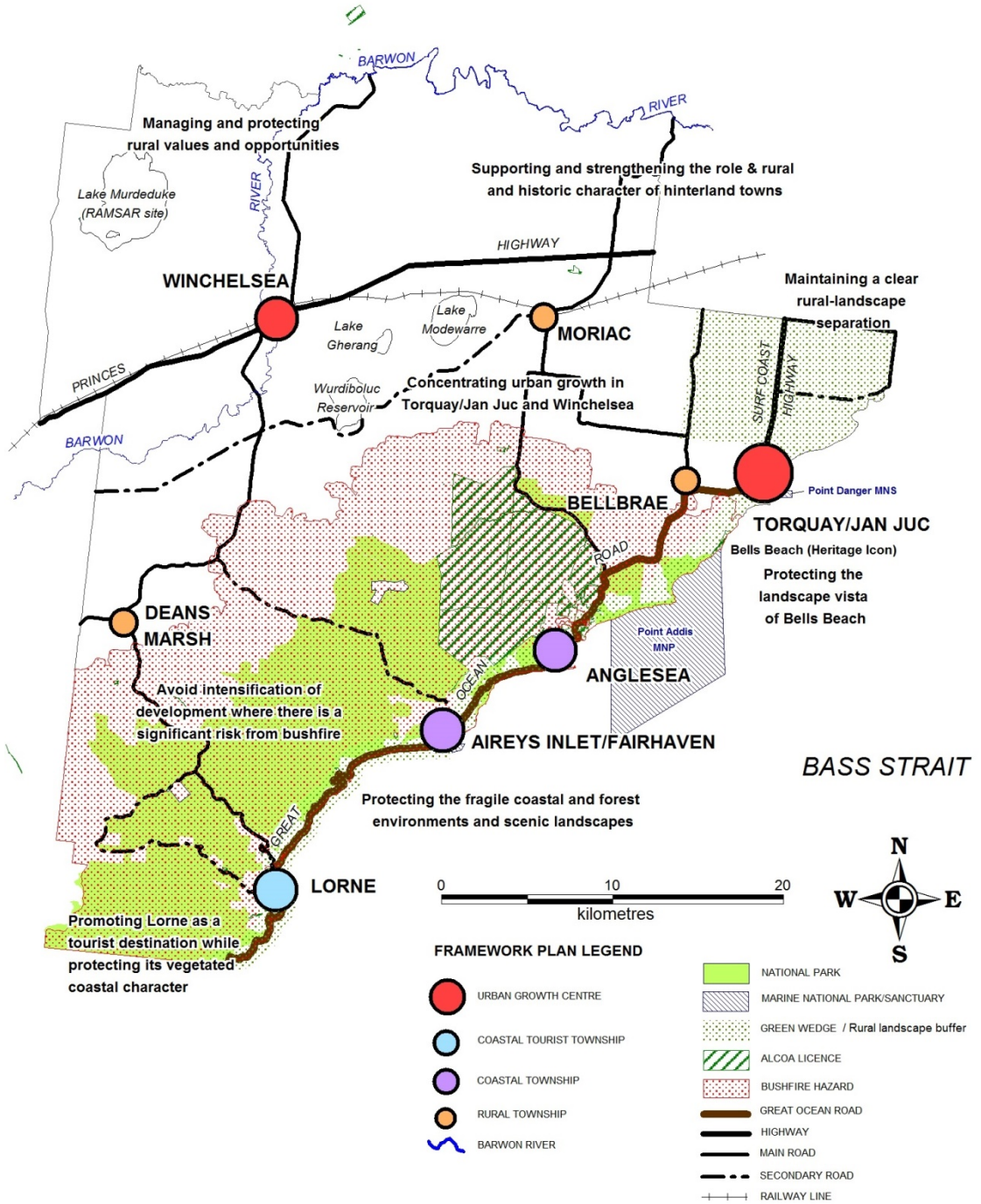
- To limit the provision of rural residential / rural living lots outside settlement boundaries to prevent adverse impacts on agricultural, environmental and landscape values.

**Map 2 to Clause 21.01 – Municipal Land Use Framework Plan**

**Key Principle:** The single most important attribute and asset of the Surf Coast Shire is the natural environment and the lifestyle and values that it fosters.



**Key Principle:** The single most important attribute and asset of the Surf Coast Shire is the natural environment and the lifestyle and values that it fosters



**21.01-5**

**Reference Documents**

11/11/2010  
C49

It should be noted that a number of strategic documents have informed the preparation of this Planning Scheme. All relevant material has been included in the Scheme and decision makers should use these documents for background research only. Material in these documents that potentially provides guidance on decision making, but is not specifically referenced in the Scheme, should not be given any weight.

## 21.02 SETTLEMENT, BUILT ENVIRONMENT, HERITAGE AND HOUSING

18/08/2016  
C463  
Proposed C96

This Clause provides local content to support Clause 11 (Settlement), Clause 12.02 (Coastal Areas), [Clause 13 \(Environmental Risks\)](#), [Clause 14 \(Natural Resource Management\)](#), Clause 15 (Built Environment and Heritage), Clause 16 (Housing), [Clause 17 \(Economic Development\)](#) and Clause 19 (Infrastructure) of the State Planning Policy Framework.

### 21.02-1 Key Issues and Influences

20/03/2014  
C66  
Proposed C96

- Relatively strong population growth within the coastal towns is expected to continue for the foreseeable future due to sustained interest in the region's natural environment.
- Torquay-Jan Juc is the only coastal town in the Shire with capacity to accommodate substantial growth. Winchelsea also has the capacity and infrastructure to accommodate growth.
- Growth of the coastal towns from Anglesea through to Lorne is limited by physical, [environmental and bushfire](#) constraints, including the Great Otway National Park and the desire to retain the natural scenic coastal landscape settings between these urban settlements.
- [The Surf Coast Shire is within one of the most vulnerable bushfire prone regions in the world and forested land presents a bushfire threat to the hinterland towns of Deans Marsh and Bellbrae and the coastal towns of Anglesea through to Lorne, including the western edge of Jan Juc.](#)
- Development pressure and insensitive suburban style development are threatening the character of the coastal towns valued by residents and visitors alike.
- Insensitive and inappropriate development often results from a poor understanding of local character, stemming from an inadequate analysis of the context in which a property is located.
- Substantial swelling of the coastal population is experienced over the summer season from tourists and absentee holiday home owners. Peak overnight populations are estimated to almost triple during this time, with significant changes in household structures and demands for services and facilities.
- A significant proportion of dwellings in the coastal towns are not permanently occupied, serving as holiday homes.
- The settlements are highly car dependent communities with limited public transport services throughout the Shire and within townships.
- Outdoor entertainment and recreation opportunities are an important aspect of both the desirability and liveability of the Surf Coast region.
- Increasing pressure for the establishment of large format retail premises (e.g. supermarkets, discount department stores, bulky goods retail outlets) within and outside designated activity centres.
- There are limited and poorly designed pedestrian and cycle paths throughout and between the settlements.
- Peak summer car parking demands within coastal townships are much greater than in the winter months.
- Loss of heritage places within coastal townships due to urban growth and development, particularly redevelopment at higher densities.
- Redevelopment that is not sympathetic to the character and values of heritage places.

### 21.02-2 Activity Centre Planning

20/03/2014  
C66

#### Objective

To support a strong hierarchy of multi-functional, attractive, accessible activity centres across the municipality that can deliver the best possible facilities to residents and visitors and that maintains a vibrant and sustainable local economy.

### **Strategies**

- Ensure activity centres are designed and scaled to embrace the local character of the township or neighbourhood in which they are located.
- Facilitate a diversity of uses and activities within activity centres to support local employment opportunities which will make towns more self-contained and thus reduce motor vehicle dependency.
- Encourage the provision of a horizontal and vertical mix of uses within activity centres, including active uses at ground floor level and offices and apartments at upper floors, where appropriate.
- Provide a flexible built form, complementary to the local character, that can evolve over time to meet current and future requirements.
- Facilitate diverse residential opportunities including medium density housing, affordable housing and housing for the aged close to activity centres in appropriate locations.
- Where appropriate, facilitate the establishment of neighbourhood activity centres in new growth areas, providing a range of retail, commercial and community facilities to service local residents.
- Ensure the built form of large format retail premises are integrated into the surrounding area by being ‘sleeved’ by smaller retail units (e.g. shops, cafes) that are consistent with the prevailing rhythm and scale of the street and have active frontages.
- Limit the visual impact of large at-grade car parks from main roads by placing them to the side or rear of buildings and breaking up large areas of parking with landscaping and shade trees.
- Ensure landscaping, including the provision of shade trees, is integrated with the design of car parking areas, open space and streets.
- Require the provision of car parking spaces in all centres to meet the projected usual demand, not peak (seasonal) demand.
- Optimise the efficient use of land through maximising opportunities for basement and roof top parking, on-street parking and the sharing of car parking areas between uses within a centre.
- Ensure activity centres are easily accessible by pedestrians, cyclists and public transport from surrounding residential areas.
- Facilitate a high level of pedestrian permeability and amenity within activity centres.
- Provide bicycle storage facilities in easily identifiable locations.
- Ensure that advertising signage is consistent with the surrounding urban context in terms of scale, format, materials, colours and illumination and is designed to minimise visual clutter through integrating into the overall building form of the development.

### **Objective 2**

To encourage a variety of entertainment and recreational opportunities across the municipality which are compatible with the social, economic and cultural characteristics of the local community.

### **Strategy**

- Ensure electronic gaming machines are located so as not to be detrimental to the social, economic and cultural wellbeing of the community.

**21.02-3 Settlement Patterns**10/10/2013  
C78**Objective**

To ensure that urban development minimises the impact on the environment and the impact from environmental risks are minimised, makes efficient use of land, infrastructure and resources, and is concentrated in accessible locations.

**Strategies**

- Designate Torquay-Jan Juc and Winchelsea as the major urban growth centres for the Shire.
- Maintain clear non-urban breaks between townships, particularly Geelong and Torquay and the coastal settlements.

**21.02-4 Neighbourhood Character**22/03/2012  
C72**Objective**

To protect the individual coastal township character values of low urban density, recessive built form, vegetated coastal landscapes and ecological values of the natural environment from inappropriate urban development.

**Strategies**

- Ensure residential development densities are compatible to the protection of the indigenous vegetation and the historic neighbourhood character of the Surf Coast settlements.
- Encourage a coastal style of urban form within all coastal towns and coastal localities in all developments.
- Recognise the key role vegetation plays in defining township character and in softening urban development.

**21.02-5 Heritage**22/03/2012  
C72**Objective**

To conserve the cultural heritage of the Shire to enhance the community's appreciation of the history and development of this region.

**Strategy**

- Promote the preparation of conservation management plans for key or complex heritage places prior to seeking planning and building approvals and the commencement of works.

**21.02-6 Open Space and Infrastructure**22/03/2012  
C72  
Proposed C96**Objective 1**

To ensure that open space is landscaped and developed in a manner that is consistent with the character of the local area and incorporates bushfire mitigation measures where relevant.

**Strategy**

- Give priority to the use of indigenous planting in the landscaping of open space and complement this with public artwork where appropriate that is reflective of the locality.

- Avoid landscaping in a connected, continuous form where open space networks are linked to or within close proximity to a bushfire hazard.

## Objective 2

To build on the existing transportation system in a manner that reduces car dependence, encourages walking and cycling for local trips, integrates pathways with public transport and public open space and manages the summer tourist / holiday peaks.

### Strategies

- Encourage the delivery and coordination of public transport to best meet the needs of the community both locally and regionally.
- Ensure the provision of open space in all new subdivisions has particular regard to identifying specific community needs.

## Objective 3

To facilitate the timely provision of a range of community and recreation facilities to meet the needs of local residents, and to promote community health and cohesion.

### Strategy

- Make provision for the distribution of social infrastructure within community hubs across townships to meet local needs and ensure accessibility for all.

## 21.02-7

18/08/2016  
C403  
Proposed C96

## Implementation

The strategies will be implemented by:

### Using policy and the exercise of discretion

- Requiring neighbourhood character of the coastal towns of Torquay-Jan Juc through to Lorne to be considered in all development application within these settlements.
- Using the Streetscape and Landscaping Policy, Clause 22.02 to advance the preferred neighbourhood and streetscape character of urban areas.
- Requiring new development and external alterations of existing buildings to be consistent with the Statement of Significance of the relevant heritage place as listed in the Surf Coast Shire Heritage Study Stage 2B – Statements of Significance, July 2009 incorporated document.
- Requiring new works (external painting, internal alterations and changes to the mature garden setting) at 1135 Barrabool Road, Barrabool to take into consideration the ‘Barrabool Uniting (formerly Presbyterian) Church and Manse: Heritage Assessment, 2014’ reference document.
- Requiring operation and management plans for the ongoing servicing and maintenance of relevant infrastructure, including drainage systems, open space, landscaping and road reserves.
- Requiring a range of lot sizes in greenfield subdivision to encourage housing diversity and to avoid future applications for battleaxe subdivision.
- Strongly discouraging the establishment of large format retail premises outside designated activity centres.
- Using the Gaming Policy (Clause 22.08) to ensure that the use or installation of electronic gaming machines does not have a negative impact on the culture or character of a township or exacerbate problem gambling.

### Applying zones and overlays

- Applying Design and Development Overlays to Torquay and Jan Juc to ensure development contributes to the preferred neighbourhood character.

- Applying a Neighbourhood Character Overlay to Lorne, Anglesea, Aireys Inlet and Fairhaven to protect the coastal character of these towns.
- Applying a Design and Development Overlay to Moggs Creek and Eastern View to protect the coastal character of these towns.
- Applying a Significant Landscape Overlay to protect the low density vegetation character of ~~coastal towns~~ Anglesea and Lorne.
- Applying a Significant Landscape Overlay to protect the vegetation landscape of central Torquay and Jan Juc.
- Applying a Significant Landscape Overlay to protect the Barwon River landscape in Winchelsea.
- ~~Applying a Vegetation Protection Overlay to protect significant indigenous vegetation in Anglesea.~~
- Applying an Environmental Significance Overlay to protect significant vegetation and habitat in the coastal towns of Torquay/Jan Juc, Anglesea, Aireys Inlet, Fairhaven, Moggs Creek and Lorne).
- Applying a Heritage Overlay to protect heritage places of significance.

#### Undertaking further strategic work

- Monitoring the supply and demand of residential and industrial land to ensure that adequate land availability is maintained.
- Regularly reviewing the Torquay-Jan Juc and Winchelsea Structure Plans to ensure the appropriate planning for, and capacity to, accommodate urban growth in these townships.

#### Other actions

- Developing sustainable urban coastal design and subdivision guidelines to inform the implementation of policy and for use as educational material.
- Completing the assessment of the level of heritage significance of nominated heritage sites, and undertaking a further scoping study to determine any additional places of potential significance.
- Planning for the provision of cycle storage facilities at public transport nodes to encourage multi-purpose trips.
- Planning for the provision of safe, informal car parking overflow areas to meet short term peak parking demands over the summer tourist period.

## 21.02-8 Reference documents

18/08/2016  
C493  
Proposed C96

- *Torquay/Jan Juc Retail Strategy (2011)*
- *Surf Coast Shire - Gaming Policy Framework (2008)*
- *Surf Coast Shire Rural Strategy (2007)*
- *Barrabool Uniting (formerly Presbyterian) Church & Manse: Heritage Assessment (2014)*
- *Surf Coast Shire Biodiversity Mapping Project (SCS, DELWP, CCMA, 2014)*
- *Neighbourhood Character Studies and Structure Plans (Lorne, Aireys Inlet to Eastern View, Anglesea and Torquay/Jan Juc)*
- *Surf Coast Open Space Strategy (2004)*
- *Surf Coast Housing Strategy (2006)*
- *Regional Bushfire Planning Assessment, Barwon South-West Region (DPCD 2012)*
- *Indigenous Planting Guide, (2003)*



## 21.03 ENVIRONMENTAL MANAGEMENT

12/02/2015

~~C402~~  
~~Proposed C96 &~~  
~~Proposed C85~~

This Clause provides local content to support Clause 12.01 (~~Biodiversity~~) (Environmental and Landscape Values), ~~and~~ Clause 13 (Environmental risks), Clause 14 (Natural Resource Management) and Clause 14.02-1 (Catchment Planning and Management) of the State Planning Policy Framework.

### 21.03-1 Key Issues and Influences

11/11/2010

~~C49~~  
~~Proposed C96 &~~  
~~Proposed C85~~

- The loss and degradation of biodiversity and ecosystem processes and function.
- The loss and fragmentation of indigenous vegetation including threatened ecological communities and fauna and flora habitat and decline in native vegetation and loss of biodiversity.
- Continued decline in populations of rare and threatened species including those endemic to the Otways and Surf Coast Shire.
- Increase in agro forestry and sustainable farming practices resulting in significant enhancements being made to patches of remnant vegetation through increasing patch size, improving connectivity, reducing soil erosion and weed management, particularly in the Deans Marsh, Bambra and Pennyroyal areas. Land and water degradation, including dune and cliff erosion, dryland salinity, soil depletion and waterlogging.
- Social and recreational use of the coast threatening the inherent values of the coastal and marine environment.
- Declining linear bio-links, such as in road reserves, railway lines, streams and drainage lines, which connect pockets of remnant vegetation, larger reserves and waterbodies that help maintain diversity and connect isolated habitats.
- Threats to the health of waterways and wetlands, estuaries and marine ecosystems.
- Flood management in urban and rural areas.
- Impacts of salinity hot spots on biodiversity, water quality, agricultural production, buildings and infrastructure.
- Impact of development on naturally occurring saline areas, such as lakes, estuaries, coastal wetlands and saltmarshes, through changes to hydrological processes.
- ~~Wild~~Bushfire risks in both urban and rural areas due to dense vegetation cover, difficult access for emergency vehicles, steep topography and exposure of development at the ~~rural~~bush/urban interface.
- Coastal towns all face the potential for a landscape scale bushfire including bushfire penetration into the townships.
- High tourist visitation ~~numbers~~to areas at risk from bushfire particularly during the bushfire risk season.
- ~~Conflict between vegetation retention and clearing to reduce the risk from wildfire.~~
- Increasing losses of native vegetation in response to bushfire mitigation measures.
- Impact of climate change on ~~wild~~bushfire risk and sea level rise and coastal biodiversity.
- Pest plant and animal invasion impacts on biodiversity of coastal reserves and bushland areas, landscape values and the productivity of agricultural land.

### 21.03-2 Environmental Assets

11/11/2010

~~C49~~  
~~Proposed C96 &~~  
~~Proposed C85~~

#### Objective

To protect and enhance the Shire's diverse natural resources in an ecologically sustainable manner for present and future generations.

## Strategies

- Retain and enhance adequate and appropriately vegetated riparian and wetland buffer zones and retention of natural drainage and waterway corridors with vegetation buffer zones to prevent nutrients and sediments entering waterways, lakes, wetlands and estuaries, and to slow the rate of runoff.
- Promote environmental buffers adjacent the Great Otway National Park.
- Avoid extending settlements or intensifying development in locations identified as containing biodiversity assets, except where assets won't be fragmented or otherwise compromised and can be protected and incorporated into a proposed open space network.
- Ensure that development on and near the coast is compatible with and enhances the environmental values, visual character and amenity of the coastal environment.
- Identify and protect buffers for coastal vegetation communities likely to be impacted by the coastal impacts of climate change, to allow for landward migration of vegetation communities (eg. Saltmarshes)
- ~~Support a limited range of sustainable and socially equitable, coastal dependent, recreational and tourism activities that complement and promote the coast's natural and cultural values.~~
- Improve ecological connectivity across the landscape to link fragmented habitats and strengthen ecosystem resilience to climate change.
- Encourage the ongoing protection, maintenance-enhancement and re-establishment of indigenous vegetation ~~and the removal of environmental weeds.~~
- ~~Avoid controls that inhibit~~Encourage the effective management of pest plants and animals including the exempting the removal of environmental weeds identified in 'Weeds of the Surf Coast Shire' 2013 'Environmental Weeds Invaders of our Surf Coast (2<sup>nd</sup> Edition 2002) from planning permit requirements.
- Encourage the reuse and retention of stormwater in urban environments to reduce the impact on downstream hydrology

### 21.03-3

## Environmental Risks

11/11/2010  
C49  
Proposed C96 &  
Proposed C85

### Objective

To manage the risks of environmental hazards, including wildbush fire, salinity and flooding, to avoid adverse consequences on the natural and man-made environment.

### Strategies

- Discourage buildings, works, land use and subdivision that would be detrimental to the maintenance of the natural systems of land affected by flooding and inundation.
- Direct planning for new urban growth areas away from saline land.
- Minimise development on land within or adjacent to naturally saline waterways including wetlands to prevent their degradation.
- Discourage land use and development that has potential to aggravate or initiate salinity has regard to the salinity risk and takes the appropriate measures to mitigate any adverse impacts.
- Avoid re-zoning and development of land for urban purposes where there is a high risk of flooding
- ~~Avoid re-zoning and development of land for urban purposes where there is a high risk of wildfire.~~
- ~~Adopt the principles of integrated fire management planning to achieve a balanced outcome between protection of human assets and biodiversity.~~

- Support a limited range of sustainable and socially equitable, coastal dependent, recreational and tourism activities in appropriate locations that complement and promote the coast's natural and cultural values.
- Direct new urban growth areas and subdivision away from the bushfire hazard.
- Avoid development intensification in areas at risk from bushfire including close to or abutting the national park/urban settlement interface.
- Ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level and bushfire protection measures can be readily implemented.
- Ensure that uses and developments (including special events) appropriately consider fire protection, safety and management measures ~~are adopted~~ to minimise risk to life and property at special events or developments where large numbers of people congregate.

#### 21.03-4 Implementation

12/02/2015  
C402  
Proposed C96 &  
Proposed C85

These strategies will be implemented by:

##### Using policy and the exercise of discretion

- Effective settlement planning that directs urban growth and infill development to areas where environmental risks are lowest and where new urban development will have minimal impacts on environmental assets.
- Requiring an assessment of the risk to existing residents, property and community infrastructure from bushfire and that it will not increase as a result of future land use and development, where appropriate.
- Requiring the integration and connection of areas of natural value and habitat, including creeks and areas of remnant vegetation, within the open space network, where appropriate.
- Using the Surf Coast Shire's '*Indigenous Planting Guide*' to encourage use of indigenous plant species in landscape plans.
- ~~Requiring the preparation of an Environmental Management Plan by a suitably qualified professional as part of any application for a major development or rezoning within close proximity to environmentally sensitive areas. An Environmental Management Plan should include, as appropriate:~~
  - ~~A description and map of all environmental assets located on and adjacent to the subject land, including habitat opportunities (or limitations).~~
  - ~~An analysis of the direct and indirect impacts of the proposed use and development on local flora and fauna.~~
  - ~~Measures required for the protection and on going management of environmental assets, including opportunities for enhancement of assets and an assessment of how the proposal will meet the objectives of the *Permitted clearing of native vegetation - Biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013).~~
  - ~~Measures required to minimise the risk of wildfire, and the implications of such measures on environmental assets.~~
  - ~~Provision of one or more bio-links through the land, with a strategy for connecting to bio-links off the land, to provide for native flora and fauna links.~~
  - ~~A street tree planting program, including a list of species, number of plants and locations of proposed planting.~~
  - ~~Measures to discourage the planting of environmental weeds on any part of the land.~~
  - ~~Measures to reuse surplus soil resulting from subdivision construction works for landscaping within new estates.~~

- ~~Water sensitive urban design features and best practice stormwater management initiatives.~~
- Requiring all proposals to meet Clause 14.02-1 (Catchment Planning and Management) requirements of retaining natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterways to maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface runoff from adjacent land uses.
- Requiring land management plans that demonstrate best farm and environmental management practices with development and subdivision applications in rural zones.
- Requiring the submission of a salinity impact report for any land uses and developments that can significantly change surface water and groundwater hydrological flow patterns within those areas shown on Map 1 to this Clause – ‘Areas of Potential Salinity Impacts’, with measures to mitigate the expansion of existing areas effected by salinity or the generation of new areas effected by salinity.
- Requiring non habitable buildings in flood prone areas to be aligned so that their longitudinal axis is parallel to the predicted direction of the flood flow.
- In flood prone areas, for dwelling extensions greater than 20m<sup>2</sup> and below the nominal flood protection level, requiring the owner to:
  - Enter into an agreement with Council under Section 173 of the *Planning and Environment Act 1987*, stating that the floor level is below the nominal flood protection level and the owner takes full responsibility for any damage caused by flooding. This agreement must be registered on title: and
  - Use water resistant materials that are designed for flood proofing and any possible flow velocity impacts.

#### Applying zones and overlays

- Applying an Environmental Significance Overlay to protect significant wetlands, waterways and remnant vegetation and habitat in the hinterland and within the coastal township~~the coastal settlements of Anglesea and Aireys Inlet to Eastern View to protect the significant ecological classes that exist in these towns.~~
- Applying a Vegetation Protection Overlay to protect significant native vegetation.
- Applying an Environmental Significance Overlay to Special Water Supply Catchment Areas to protect and maintain water quality and yields in catchments.
- Applying a Floodway Overlay or Land Subject to Inundation Overlay to land identified by the Corangamite Catchment Management Authority as being flood prone.
- Applying a Salinity Management Overlay to areas of salinity and saline wetlands or primary salinity assets.
- Applying an Environmental Significance Overlay to saline wetlands, primary salinity assets with environmental values.
- Applying a Bushfire Management Overlay to areas where the bushfire hazard requires specified bushfire protection measures for subdivision and buildings and works~~bushfire is a significant risk.~~

#### Undertaking further strategic work

- ~~Investigating the preferred buffer width for protection of rivers and streams in the Surf Coast Shire having regard to their environmental values and drainage functions.~~
- ~~Investigating the appropriate protection of the environmental values of the Anglesea River, Moggs Creek, Erskine River, St George River and Cumberland River estuaries.~~
- ~~Reviewing in partnership with the Corangamite CMA the application of the Flood Overlay and Land Subject to Inundation Overlay based on new digital elevation data.~~

- ~~Reviewing the application of the Environmental Significance Overlay and Vegetation Protection Overlay upon completion of updated biodiversity mapping and investigation of the Shire's environmental assets.~~
- Review the current application of the Farming Zone, Rural Conservation Zone and Rural Living Zones to ensure land containing significant biodiversity assets is suitably zoned.

#### Other actions

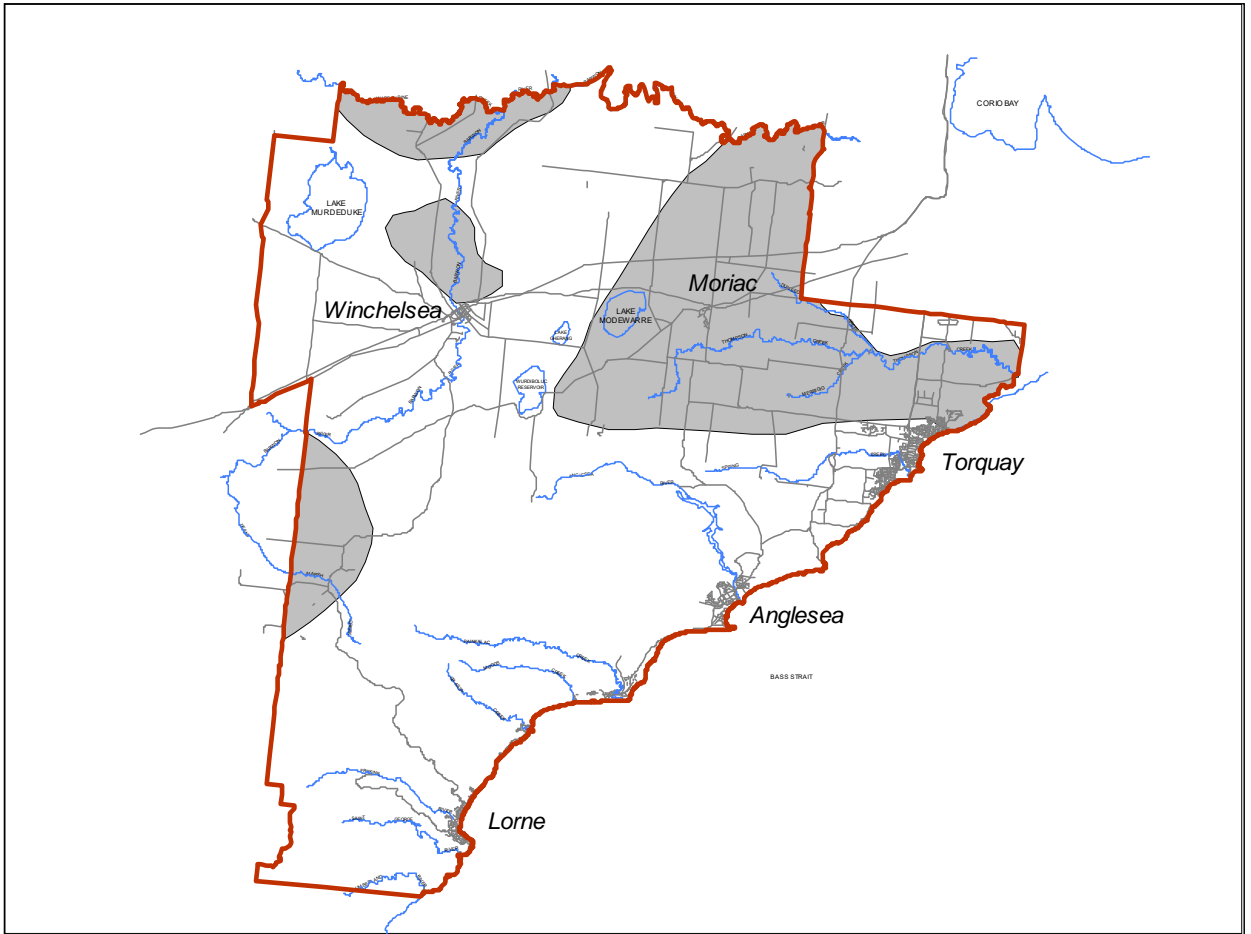
- Working with the Country Fire Authority and the Department of Environment, Land, Water and Planning to continually improve the effectiveness of the Bushfire Management Overlay.
- Working with the ~~Corangamite CMA and~~ Department of Environment, and Primary Industries Land, Water and Planning to investigate the implementation of the Erosion Management Overlay and appropriate overlays to address coastal acid sulphate soils.
- Working with the CCMA and DELWP to plan for future sea level rise and the implications it may have on coastal settlements, and vegetation communities.
- Continuing investigation of opportunities for the reuse of water, both in the public and private realm, in conjunction with relevant State and Regional Authorities.
- Investigate methods to implement the Victorian Waterway management Strategy (DEPI 2014).

#### 21.03-5 Reference Documents

11/11/2010  
G49  
Proposed C96 &  
Proposed C85

- *Salinity Management Overlay Project Report, EnPlan-DBA with Dahlhaus Environmental Geology and Chris Harty Planning and Environmental Management, Corangamite CMA (2006)*
- *Surf Coast Shire – Salinity Management Overlay Salinity Occurrences and Mapping Background Report No 4: Dahlhaus Environmental Geology Pty Ltd (2006)*
- *Surf Coast Shire Indigenous Planting Guide (2003)*
- ~~*Environmental Weeds – Invaders of our Surf Coast (2nd Edition, 2002)*~~ *Weeds of the Surf Coast Shire (2013)*
- *Remnant Roadside Vegetation of the Surf Coast Shire (1997)*
- ~~*Rural Environment Study – Report on Environmental Resources (1996)*~~ *Biodiversity Mapping Project, SCS, DEPI & CCMA (2014)*
- *Regional Bushfire Planning Assessment, Barwon South-West Region (DPCD 2012)*
- *Victoria's Waterway Management Strategy (DEPI 2014)*

**Map 1 to Clause 21.03: Areas of potential salinity impacts**



## 21.04 TOURISM

11/11/2010  
C49  
Proposed C96

This Clause provides local content to support Clause 17.03 (Tourism) of the State Planning Policy Framework.

### 21.04-1 Key Issues and Influences

11/11/2010  
C49  
Proposed C96

- The tourism industry is underpinned by the coastal location, environmental values and scenic qualities of the Surf Coast.
- Tourism benefits the community by injecting money into the local economy, providing jobs, improving facilities, creating opportunities for business and stimulating improved transport services.
- The focus of tourism is broadening as tourist developments seek to capitalise on the environmental and landscape values of the rural hinterland for nature and farm based tourism, while providing opportunities for the diversification of struggling rural enterprises.
- The Great Otway National Park presents opportunities for the development of nature and adventure based activities, focussed around a diversity of passive and active recreational options for visitors.
- The benefits of tourism needs to be balanced against the potential negative impacts, including:
  - impacts on local communities through loss of amenity, overtaxing of services, pressure on infrastructure (water supply, wastewater treatment, waste disposal, roads, car parking) and environmental damage;
  - pressure for higher density and larger scale urban tourist development, which can compromise the low scale and vegetated character of the coastal townships; and
  - pressure for tourism development in rural and environmentally sensitive locations along the coast and in the rural hinterland, which has potential to compromise the natural environment, landscape values and agricultural activities.
  - Pressure for tourism development in areas of very high and extreme bushfire risk.
- Uneven concentration of tourist visitations that rely on peak holiday periods, day trips and the coast.
- Hospitality and tourism providers struggle to fill job vacancies and house employees, especially during peak periods.
- Increasing traffic volumes on the Great Ocean Road (especially during the bushfire season) is resulting in congestion, traffic hazards and emergency response difficulties.
- Caravan parks provide a major component of affordable visitor accommodation in the Shire, however privately owned caravan parks are facing uncertain futures due to financial and development pressures.

### 21.04-2 Tourist development

11/11/2010  
C49  
Proposed C96

#### Objective

To enhance and expand the tourism industry, whilst protecting the environmental, landscape and cultural values of the Shire and the lifestyle of its residents.

#### Strategies

- Locate high profile, high volume tourism development in appropriate urban areas where their impacts and infrastructure requirements can best be accommodated.
- Limit non-agricultural based tourism development to the Lorne coastal hinterland and other selected rural areas. Such developments to be small scale, nature and adventure

based tourist activities and accommodation that are compatible with natural processes and have regard to minimising exposure and risk to bushfire.

- Encourage agriculture based tourism development in the rural hinterland to assist in diversification of the rural economy. Such development to be small scale and in character with the immediate rural/agricultural environment
- Ensure new tourism development uses high quality, low intensity, unobtrusive, site responsive buildings and works based on ecologically sustainable design principles.
- Encourage use and development that will increase visitor length of stay and increase visitor numbers in the off-peak period.
- Facilitate the provision of appropriate infrastructure to support the tourism industry.
- Encourage the development of a diverse range of quality tourist accommodation and facilities to meet changing visitor needs.
- Consider provision of caravan parks in appropriately located areas to provide for affordable visitor accommodation.

### 21.04-3 Implementation

11/11/2010  
G49  
Proposed C96

The strategies will be implemented by:

#### Using policy and the exercise of discretion

- When deciding on applications for tourist developments in a non-urban zone, consider,:
  - Tourism development in the farming areas of the Shire should generally be of a small scale that does not compromise the agricultural use of the land.
  - Tourism development should be of a nature, designed and sited to avoid conflict with existing rural uses, preserve the rural landscapes and environmental values, avoid loss of high quality agricultural land, and be within proximity of existing townships.
  - Tourism development should enhance the environmental condition of the land through protection and re-establishment of native vegetation and control of pest plants and animals, erosion, salinity, stormwater and nutrient runoff. This should be demonstrated through the development and implementation of a management plan.
- Discourage tourism development from locating in:
  - prime farming areas, particularly in areas with an open rural landscape,
  - areas at risk from bushfire unless the risk to life, property and infrastructure can be reduced to an acceptable level.
- Discourage the intensification of tourism development where:
  - significant losses to biodiversity assets cannot be avoided,
  - risks from bushfire cannot be managed.

#### Applying zones and overlays

- Applying a Special Use Zone to land within urban townships specifically suitable for more intensive tourism development.
- Applying a Design and Development Overlay to enhance the design and built form of tourist precincts.
- Applying an Environmental Significance Overlay, a Vegetation Protection Overlay and a Significant Landscape Overlay to identify significant biodiversity assets.
- Applying a Bushfire Management Overlay to areas at risk from bushfire.

#### Undertaking further strategic work

- Investigating the development of sustainable design guidelines for tourist developments in rural areas.

#### Other actions



- Investigating with DPCD options for broadening the scope for limited tourism opportunities in the Rural Conservation Zone that support environmental outcomes on the land.

**21.04-4 Reference Documents**

11/11/2010  
C49  
Proposed C96

- *Biodiversity Mapping Project, SCS, DEPI & CCMA (2014)*
- *Regional Bushfire Planning Assessment: Barwon South – West Region, DPCD (2012).*
- *Surf Coast Shire Rural Strategy (2007)*

**21.06 RURAL LANDSCAPE**

12/09/2013  
 C68(Part 1)  
 Proposed C96

This Clause provides local content to support Clause 12 (Environmental and landscape values) of the State Planning Policy Framework.

**21.06-1 Key Issues and Influences**

12/09/2013  
 C68(Part 1)

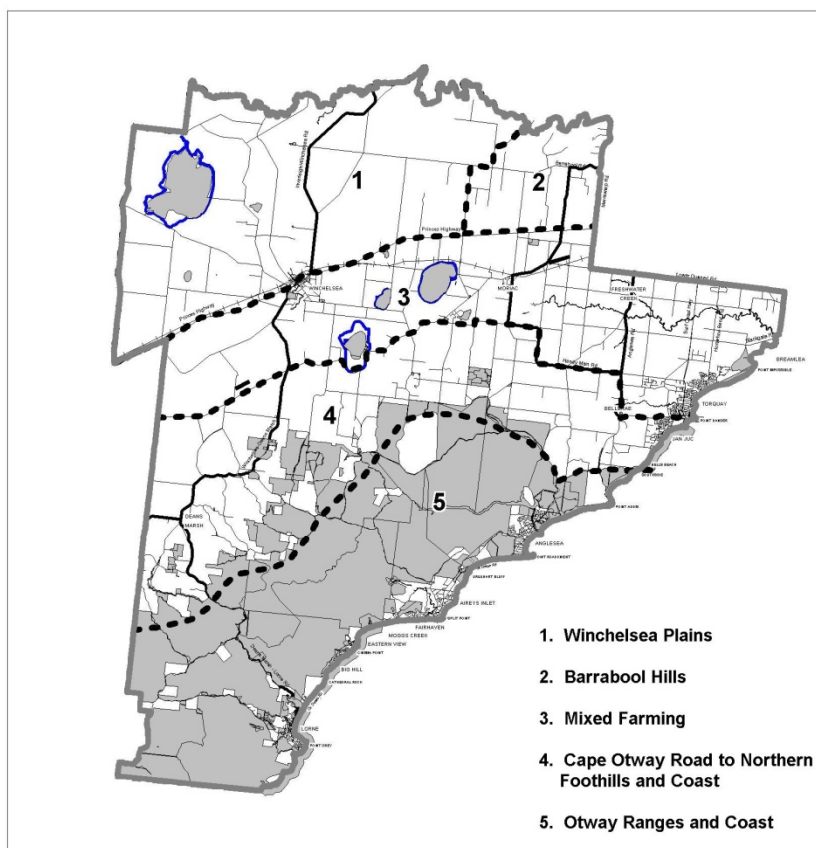
- Landscape character is the interplay of geology, topography, vegetation, water bodies and other natural features, combined with the effects of land use and built development, which makes one landscape different from another.
- The physical landscapes of the Surf Coast Shire make an important contribution to the amenity of the Surf Coast, enhancing the lifestyle of residents and adding value to the tourism economy.
- As the cost of coastal land continues to rise development pressure in rural areas increases and is often associated with tourism activity, hobby farming or infrastructure development.
- Ensuring that new land use and development is complementary to the highly valued rural landscapes is important for economic and social reasons.
- Understanding the values of the different rural landscapes is necessary to appropriately manage future use and development.

**21.06-2 Rural Landscape Precincts**

12/09/2013  
 C68(Part 1)

The rural areas of the Shire have been categorised into five landscape precincts based primarily on landscape features, but also taking into account land use, agricultural quality, tenement/allotment patterns and environmental values (refer to Map 1 to Clause 21.06).

**Map 1 to Clause 21.06 – Landscape Units**



- Winchelsea Plains – characterised by generally flat topography, with the Barwon River valley bisecting the flat plains. The RAMSAR listed Lake Murdeduke is the dominant feature to the west, with international significance for wading birds, while to the east the landscape becomes more undulating gently rising to the volcanic cone of Mt Pollock. The current settlement pattern allotment and tenement sizes, and the agricultural capability of the precinct are conducive to agriculture, and this is reflected in the continuing use of the land for broadacre farming and the growing intensive animal husbandry industry of pig and poultry production. Rural living development is very limited in this precinct.

Farm houses and outbuildings are scattered throughout the pastoral landscape and long distance views to the low horizon are available throughout the precinct. The majority of the original native vegetation has been removed, and what remains (particularly of the native grasses) has high environmental value. Similarly, the remaining wetlands and riparian vegetation have high ecological value for the habitat they provide to native wildlife and migratory birds.

- Barrabool Hills – a distinctive upland ridge that slopes steeply down to the Barwon River on the northern side and more gently southward to the Princes Highway. This scenic corner of the municipality features Mount Moriac, the highest relief in the Shire north of the Princes Highway. The Hills, comprising this precinct and west to Mt Pollock (in the Western Plains precinct) is classified by the National Trust of Australia as significant at a regional level for its aesthetic qualities, geological and geomorphological properties and association with indigenous peoples. Aboriginal Affairs Victoria has listed numerous sites in the Barrabool Hills. It is also recorded as having historical importance at a local level, with twelve sites covered by the Heritage Overlay. The Hills offer extensive views of the surrounding pastoral landscape and have been depicted in many well known paintings of early Victorian landscapes.

The current allotment and tenement sizes are conducive to agriculture and much land is still used for broadacre farming. The topography, agricultural capability and its strategic location near the major market of Geelong provide opportunities for more intensive horticultural production, subject to the availability of water. The settlement pattern of the area is relatively sparse with smaller lots concentrated in pockets along a few roads.

- Mixed Farming – takes in a band of predominantly undulating, cleared pastoral land bisected by the Barwon River in the west and Thompsons Creek in the east, ending in low, environmentally significant, open swamp behind coastal dunes at Breamlea. The eastern saltmarsh area has a strong sense of isolation and openness. In the west the allotment and tenement sizes are conducive to agriculture, particularly broadacre farming. In the east the potential exists for sustaining an irrigated agricultural industry should recycled water become available.

The settlement pattern is scattered and varies in density. The precinct includes the rural settlement of Freshwater Creek and the rural residential hamlets of Lower Duneed and Connewarre in the east. The township of Moriac is centrally located in the precinct and land to the west is sparsely settled.

- Cape Otway Road to the Northern Foothills and Coast – visually attractive undulating landscape of open farm land, framed by dense bushland. It extends from the steepening valleys and foothills of the northern slopes of the Otway Ranges in the west, through the lifestyle bush blocks of Wensleydale and Gherang to the semi-pastoral hills of Bells Beach in the east. The gently rolling hills, with some incised creeks and gullies, and pockets of remnant vegetation contribute to a sheltered, enclosed landscape. Buildings tend to be located away from roads, often in valleys or among trees. Bells Beach is listed on the Victorian Heritage Register for its cultural and aesthetic heritage values.

While the main land use in the precinct is farming, it occurs predominantly for lifestyle purposes. Dairying, particularly concentrated around Deans Marsh, has declined and timber, grass seed production, vines and olive groves are emerging. There are a number of rural tourism businesses primarily around Deans Marsh and Bellbrae. The landscape and environmental values of this precinct are the primary reasons for its attractiveness for tourist and lifestyle use and development.

- Otway Ranges and Coast – comprises substantial tracts of dense forest in hilly terrain edged with exposed areas of low coastal heath. This precinct is dominated by the Great Otway National Park. The Great Ocean Road hugs the coastline offering dramatic coastal views and is an important domestic and international visitor tourist destination. The townships, settlements and nearby hinterland of the Great Ocean Road are also popular tourist destinations. By its nature the precinct is also one of the most fire prone areas within the State of Victoria.

The settlements of Anglesea to Eastern View sit within fragile heathlands and open dry woodlands meaning that any development between townships is highly visible along the coast. In contrast the Lorne hinterland is characterised by dense, tall forest where there may be potential for some small scale tourist accommodation but will be limited by bushfire risk, environmental values and physical site constraints.

### **21.06-3 Landscape Outcomes**

12/09/2013  
C68(Part 1)

#### **Objective 1**

To protect and enhance the landscape values of the rural precincts as described in Clause 21.06-2 above.

#### **Strategies**

- Encourage the siting and design of new buildings to complement existing farm structures, avoid locating on hilltops and ridges and to nestle into the landscape where possible.
- Promote indigenous revegetation around buildings and structures, wetlands and along waterways to assist blending new development with the surrounding landscape.
- Ensure new buildings are sited and designed in the Barrabool Hills to foster the historic rural landscape qualities of the area.
- Ensure tourism facilities are limited in their intensity and scale to avoid adverse visual impact on the natural environment and rural landscape and to retain the marketing characteristics of low key, eco-based tourist values.
- Strongly discourage development on the coastal side of the Great Ocean Road, and in particular, avoid any development within the viewshed of the Bells Beach Surfing Recreation Reserve.

#### **Objective 2**

To protect and maintain open and uncluttered rural landscapes, including vistas from main road corridors.

#### **Strategies**

- Encourage new development, including intensive animal industries and dwellings, to adopt a clustered development pattern rather than being dispersed throughout the landscape.
- Discourage the subdivision of land below the minimum lot sizes specified in the schedules to the rural zones.

#### **Objective 3**

To protect the rural landscape from urban intrusion and to provide clear distinction between townships.

## Strategies

- Discourage any proposal to use, rezone or subdivide land for rural residential or urban residential development.
- Discourage uses not associated with an agricultural activity in any rural area outside the Rural Activity Zone.
- Maintain clear, non urban breaks between Geelong and Torquay and between the coastal settlements.
- Oppose further subdivision around Bells Beach and Point Addis.

## Objective 4

To recognise the importance of maintaining the visual landscape qualities of the Great Ocean Road environs both for residents and visitors to the coast.

## Strategies

- Protect the visual prominence of the Great Ocean Road and significant public viewing points along the Otway Coast and Ranges.
- Support the concept of a buy-back scheme for private land with significant environmental value along the Great Ocean Road and in prime tourist locations along the coast.
- Oppose intensification of development and subdivision of large freehold coastal properties between Aireys Inlet and the Shire boundary, due to their high visual exposure, steep slopes and limited access.
- Oppose subdivision and intensive tourist development in the Mt Sabine area.

### 21.06-4

## Implementation

12/09/2013  
C68(Part 4)  
Proposed C96

The strategies will be implemented by:

### Using policy and the exercise of discretion

- Require a minimum 20 metre wide native vegetation landscape buffer as a condition of any planning permit for timber production along any Category 1 or Category 2 road or any other tourist road.
- In considering any application for a non-agricultural land use and/or development apply the following development principles:
  - Buildings should be of modest scale and nestle into the landscape;
  - Buildings should be subservient to the landscape so as not to detract from its visual qualities;
  - Proposals should include net gain environmental outcomes; and
  - Development should be self-sufficient in the provision of infrastructure and associated costs.

### Applying zones and overlays

- Applying a Significant Landscape Overlay, [an Environmental Significance Overlay and a Design and Development Overlay](#) to areas with high scenic landscape value to protect the visual amenity of these landscapes, including the Great Ocean Road corridor.
- Applying permit triggers in the schedules to the rural zones for buildings within road setback areas to minimise the visual impact of development along main and tourist access roads.
- Applying the permit trigger in the schedules to the rural zones for timber production.

### Undertaking further strategic work

- Investigating the preparation of siting and design guidelines for buildings and farm structures within the rural precincts and determining the level of status to give to such guidelines.
- Investigating the need for further protection of the landscape qualities of the Barrabool Hills as requested by the National Trust of Australia (Vic).
- Investigating ways to encourage shelter belt planting.

**21.06-5 Reference Documents**

12/09/2013  
C68(Part 1)

*Surf Coast Shire Rural Strategy (2007)*

*Surf Coast Landscape Assessment Study North of the Princes Highway (2007)*

*The Great Ocean Road Region Landscape Assessment Study (2003)*

**21.10****LORNE STRATEGY**

12/02/2015

C402

Proposed C96**21.10-1**

11/11/2010

C49

Proposed C96**Overview**

Lorne is located on the Great Ocean Road approximately 140 kilometres south-west of Melbourne. Nestled in a beautiful, heavily treed, amphitheatre encircling Louttit Bay, the spectacular natural beauty of Lorne and its environs make it a popular and attractive place to visit and live. Much of the residential areas, both within the town and on the periphery, have been assessed as being subject to extreme bushfire risk. The town and hinterland contains remnant vegetation of State and National significance.

**Key Issues and Influences**

- Notwithstanding intensive development activity, Lorne is characterised by an aging population, declining household size and a decreasing proportion of permanently occupied housing.
- Conserving, enhancing and reinstating the preferred character of a tall canopy treed setting with recessive buildings throughout Lorne, including areas that are substantially cleared of vegetation.
- The town's character centres on its indigenous vegetation cover and the dominance of the vegetation over the built form. The tall gum trees (including Southern Blue-gum, Brooker's Gum, Manna Gum, Messmate and Mountain Grey Gum) provide a backdrop to the town, canopy cover within the town and a border to the water's edge around Louttit Bay.
- Growth is constrained by the Great Otway National Park, highly significant remnant vegetation and extreme bushfire risk providing barriers to the expansion of the town.
- Other important neighbourhood character elements include low profile buildings with a sense of space between properties, views of surrounding landscape features and historic buildings scattered within the town.
- Balancing development demands with achieving the preferred township character. In particular, the continual conflict between maintaining the tall tree canopy versus the desire for views and greater building site coverage.
- ~~The competing demands of maintaining the vegetation cover and minimising the risk of wildfire.~~
- The cultural landscape heritage and individually significant heritage buildings in the vicinity of Smith Street and Mountjoy Parade south of the town centre.
- Larger parcels of private land surrounding the settlement serve as a buffer between the town and the Great Otway National Park.
- The economy is strongly focused on tourism, and benefits from its association with the Great Ocean Road.
- ~~The importance of Lorne's hinterland to the town's tourism industry and as an attractive environment for accommodation, ecotourism activities and other low scale tourism operations.~~
- ~~Managing the demand for residential and tourist development on the periphery of Lorne on land with significant conservation value, extremely high wildfire risk, proximity to the Great Otway National Park and limited access to infrastructure.~~
- Managing development within the settlement boundary on lots that have a direct interface with (or are within close proximity to) the bushfire hazard generated by the Great Otway National Park.
- There is an ongoing risk of a landscape scale bushfire penetrating and spreading throughout the town having severe impacts on the community and the towns infrastructure
- The Lorne hinterland contains a number of small scale tourist establishments in a highly valued and attractive environment, some of which are located on steep terrain.

have hazardous access and all have a direct interface with the bushfire hazard generated by the Great Otway National Park.

- Industrial land is limited in Lorne, and its role is generally to accommodate business activities that directly service the local community.
- Declining affordability and diversity of housing.
- Maintaining the year round viability of the commercial and industrial areas.
- The streetscape amenity of the commercial areas, including the quality of built form.
- Maintaining the informal character of the town whilst providing adequate infrastructure, such as drainage, street lighting and footpaths.
- Heavy reliance on public car parking due to a lack of parking spaces on private land, particularly peak parking in the commercial area which coincides with high levels of foreshore activity.
- The intrusiveness of constructed parking areas on the visual and environmental sensitivity of the foreshore.

## 21.10-2 Settlement, Built Environment and Heritage

11/11/2010  
C49  
Proposed C96

### Objective 1

To support sustainable urban development in Lorne in a manner that enhances the distinctive, vegetated, low density coastal character of the town whilst addressing risks associated with bushfire.

#### Strategies

- Recognise that Lorne has limited growth opportunities due to physical limitations and the desire to protect and enhance the preferred neighbourhood character.
- Contain urban development within a defined settlement boundary as shown on Map 1 to Clause 21.10 – Lorne Framework Map.
- Maintain and enhance the vegetated landscape and encourage its dominance over the built environment.
- Avoid development intensification within close proximity to the Great Otway National Park bushfire hazard or in other areas assessed as being of high bushfire risk.
- Encourage new development that displays a coastal style of architecture, using design, materials, features and colours that contribute to the identity of Lorne, maintains a low rise building form, blends with the surrounding landscape and provides openness between properties.
- Seek to achieve a reasonable sharing of views of scenic landscape features from private land.
- Encourage the development of higher density housing and tourist accommodation within Tourist Accommodation Precincts along Smith Street and at the eastern end of Point Grey.
- Encourage dwelling diversity and smaller dwellings/lots within comfortable walking distance of Lorne’s commercial area.
- Apply minimum subdivision lot sizes based on proximity to services or environmental and bushfire constraints.
- Encourage provision of accommodation for key workers during peak periods.
- Restructure inappropriate old subdivisions that threaten the low density character of the township.
- Encourage walkability through providing, and requiring land in subdivisions to be set aside for, new footpaths.
- Encourage good pedestrian access between residential, community, commercial and recreational spaces, promoting community connectedness.



## Objective 2

To preserve historic places and landscapes which contribute to the character and history of Lorne.

### Strategies

- Protect historic places, including buildings, gardens, landscapes and setting.
- Recognise the importance of views between the ocean and Mountjoy Parade as a significant contributor to the character of the town.
- Conserve and enhance the Mountjoy Parade heritage precinct.

## 21.10-3

11/11/2010

~~C49~~

Proposed C96

## Environment

### Objective 1

To protect and enhance the indigenous vegetation cover in Lorne, with particular emphasis on remnant vegetation, including patches supporting threatened species, and the tall tree canopy.

### Strategy

- Ensure buildings are sited, designed and constructed to minimise the extent of required defensible space to reduce the impact on existing remnant vegetation.
- Manage the vegetation within defensible space in a manner that respects the vegetated character of Lorne whilst meeting the requirements for bushfire protection.
- ~~Require new development to include measures that enhance the valued indigenous vegetation cover.~~

### Objective 2

To protect and enhance the biodiversity and habitat values of the township environs.

### Strategies

- Contain urban development within the existing settlement boundary of the town as shown on Map 1 to Clause 21.10 – Lorne Framework Plan.
- Avoid intensifying development on sites containing significant biodiversity assets.
- Protect threatened species and their habitat by:
  - Encouraging improved management practices and avoiding removal.
  - ~~Protect native vegetation from being removed or destroyed.~~
  - Encouraging the planting of locally indigenous vegetation species to compensate for the removal of, or to complement, existing native vegetation in a way that does not increase the bushfire risk.
  - Encouraging the removal ~~and management~~ of environmental weeds and exotic plant species (excluding trees with heritage value).

## 21.10-4

11/11/2010

~~C49~~

Proposed C96

## Economic Activity

### Objective 1

To provide for an appropriate range of commercial and community services and facilities in the commercial core of the town catering for the needs of both the permanent and visitor population.

### Strategy

- Concentrate retail development and activity in the core retail precinct.

## Objective 2

To promote Lorne and its hinterland as a year round tourist destination whilst protecting its natural environment and scenic values.

### Strategies

- Encourage a diversity of tourism, recreation, leisure and accommodation activities at the periphery of the core retail precinct.
- Encourage the establishment of sustainable tourism activities in the hinterland where risks to persons and property from bushfire will not be increased and where environmental assets identified through the 'Biodiversity Mapping Project' 2014 will not be significantly impacted.

21.10-5

## Infrastructure

11/11/2010  
C49

### Objective 1

To ensure new infrastructure is compatible with the preferred neighbourhood character for Lorne.

### Strategy

- Encourage new roads and footpaths to be designed and constructed to achieve an informal appearance, with an emphasis on retaining vegetation within road verges and alternatives to concrete kerb and channel drainage.

### Objective 2

To achieve an appropriate balance between the provision of car parking spaces and maintaining environmental and amenity values.

### Strategies

- Ensure that sufficient on-site car parking is provided to meet the needs of residents and employees.
- Encourage customer car parking to be available to the public at all times, whether on public or private land.

21.10-6

## Implementation

12/02/2015  
C492  
Proposed C96

These strategies will be implemented by:

### Using policy and the exercise of discretion

- Requiring new development to consider the location of any significant vegetation on the site as part of a site analysis, with due consideration being given to the location of vulnerable parts of the building and the creation of defensible space. ~~to demonstrate that a treed setting that maintains/enhances the coastal character is reinforced or re-established.~~
- Using the Streetscape and Landscaping Policy, Clause 22.02 to encourage the use of indigenous plant species in landscaping and to achieve appropriate landscape outcomes.
- Using the Mountjoy Parade Heritage Precinct policy, Clause 22.03 to protect the heritage precinct between Mountjoy Parade and Smith Street.
- Requiring landscape bonds to secure the protection of retained vegetation, the completion of landscaping and subsequent maintenance.
- Requiring provision for on-site residential and staff parking for new developments while varying the requirement for off-site customer parking within the Central Retail Core.
- Avoiding the intensification of development in areas identified as containing significant biodiversity assets and/or being at extreme risk from bushfire.

**Applying zones and overlays**

- Applying the Rural Conservation Zone to private land outside the settlement boundary.
- Applying a Significant Landscape Overlay to the residential and rural hinterland areas of Lorne to protect the vegetated landscape character of the town.
- Applying a Design and Development Overlay to the residential areas of the town to control density and fencing to protect the coastal urban character.
- Applying a Design and Development Overlay to the Lorne commercial and tourist accommodation to improve the image and appearance of the precincts.
- Applying a Design and Development Overlay to the Lorne business park to enhance the visual character and image of the industrial area.
- Applying a Neighbourhood Character Overlay to the residential areas of the town to protect the coastal urban character.
- Applying a Restructure Overlay to small narrow lots in Alpha Terrace, Holliday Road, Howard Street and Minapre Street to control subdivision and development in accordance with the Lorne Restructure Plan 2006 (Revised July 2007).
- Apply an Environmental Significance Overlay to significant biodiversity assets.
- Applying the Bushfire Management Overlay to areas at extreme risk from bushfire.

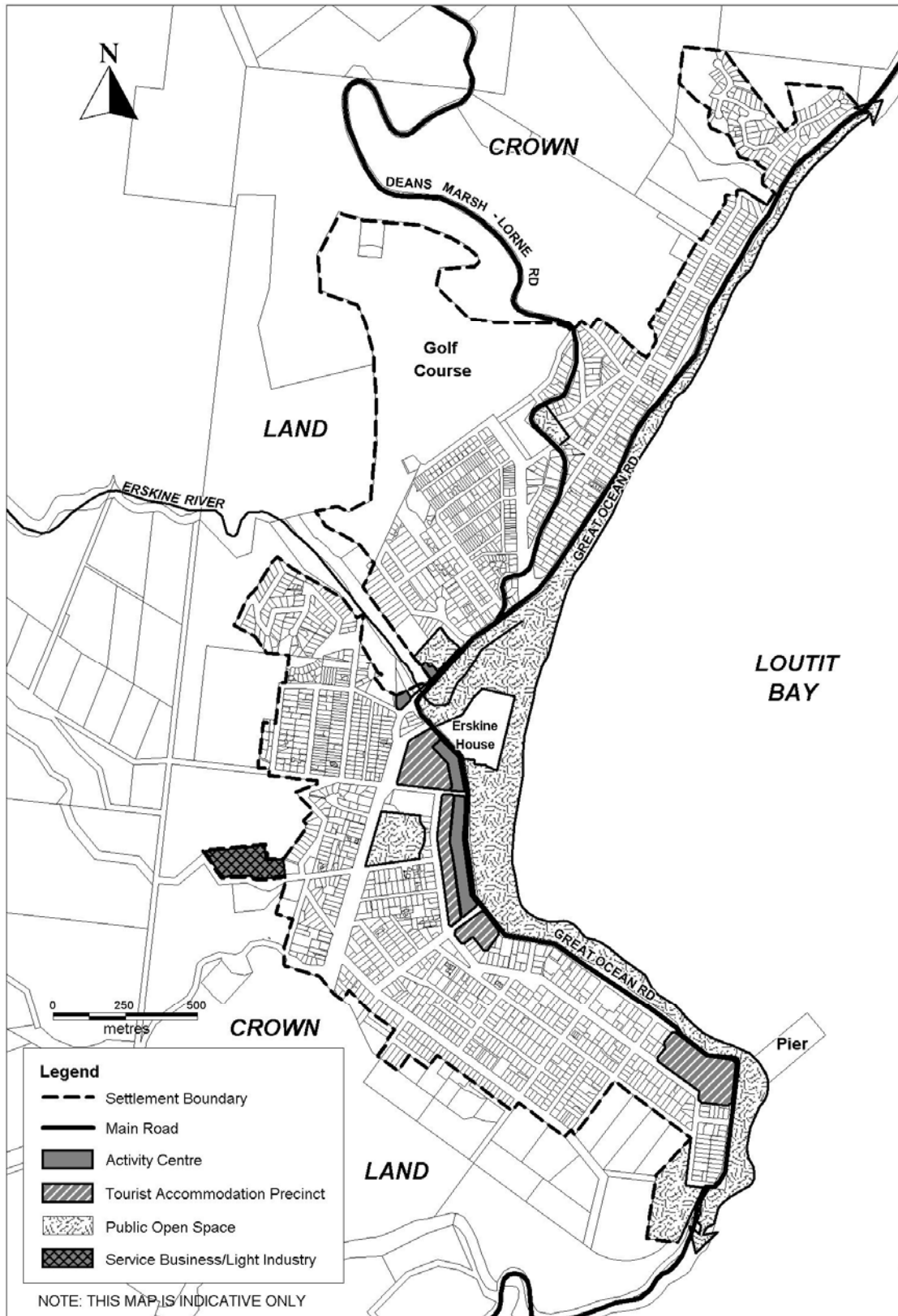
**Undertaking further strategic work**

- Investigating the potential, if any, for low density residential development or sustainable tourist accommodation on sites identified on Map 2 of Clause 21.10 – Investigation Areas. Any investigation should consider bushfire risks, access and the need to protect significant biodiversity assets on the site~~determine the appropriate zone for the site and any need to adjust the settlement boundary.~~
- Investigate appropriate zone/overlay responses for low density residential development in the investigation areas that are contiguous with the urban edge of Lorne.
- Reviewing as necessary the supply and demand for commercial floor space in and around the core retail precinct in Mountjoy Parade to assess any need for further commercial development.
- Reviewing the commercial and tourist development urban design guidelines and associated controls.
- Reviewing as appropriate the supply and demand of public and private car parking associated with the commercial core and recreational facilities of Lorne, including the foreshore.
- Reviewing as appropriate the supply and demand for industrial floor space in the Erskine Falls Road Industrial Estate to assess any need for further industrial land in Lorne in the context of regional and local trends.

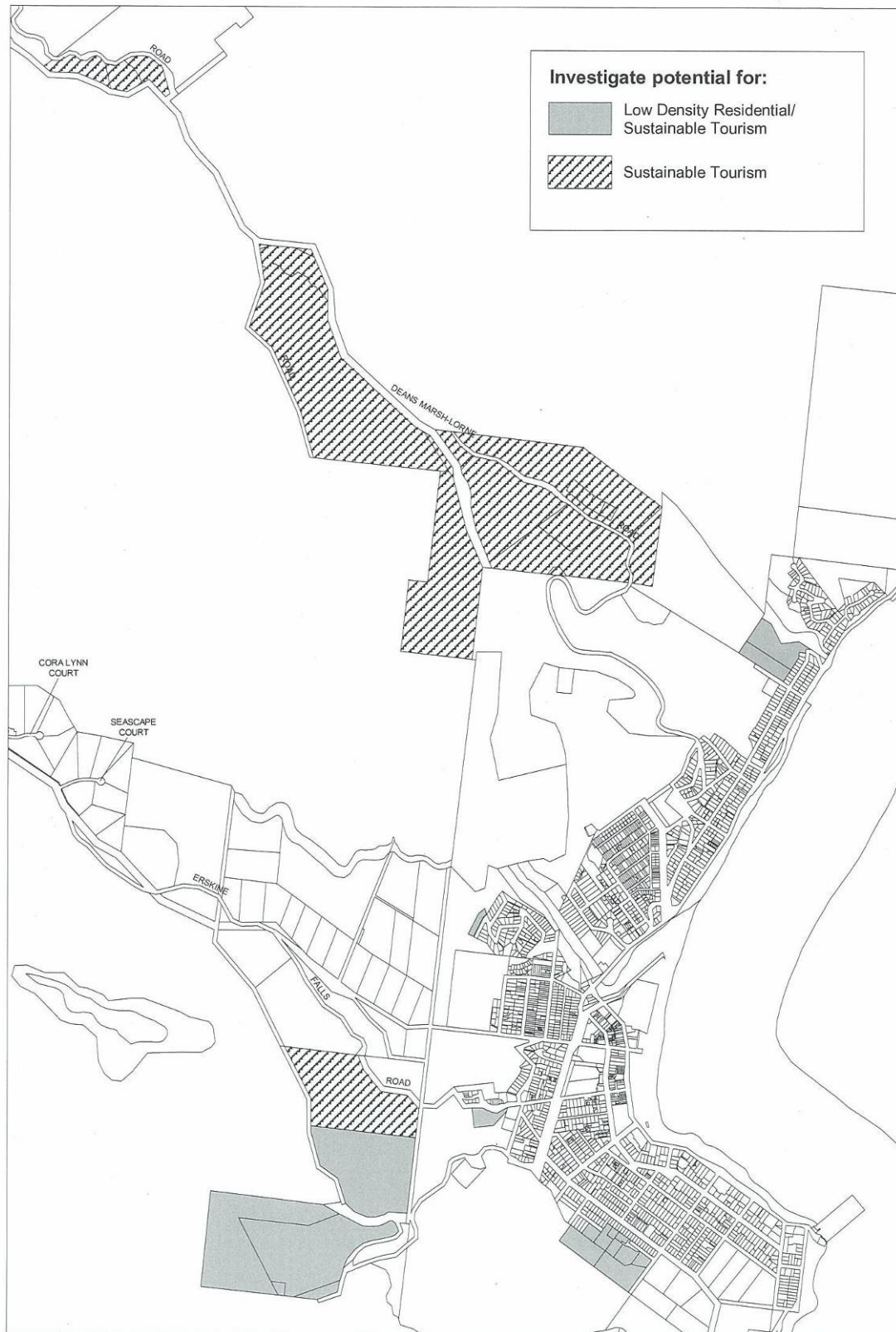
**21.09-7**11/11/2010  
C49  
Proposed C96**Reference Documents**

*Surf Coast Housing Policy Project (Planisphere 2006)*  
*Lorne Neighbourhood Character Study (Surf Coast Shire 2006)*  
*Lorne Strategy Plan Review (Revised 2004)*  
*Regional Bushfire Planning Assessment, Barwon South-West Region (DPCD 2012)*  
*Biodiversity Mapping Project, (SCS, DEPI & CCMA, 2014)*  
*Landscaping Your Surf Coast Garden For Bushfire (2015)*

Map 1 to Clause 21.10: Lorne Framework Map



**Map 2 to Clause 21.10: Investigation Areas**



## 21.11 ANGLESEA STRATEGY

19/05/2016  
C97  
Proposed C96

### 21.11-1 Overview

13/03/2014  
C79  
Proposed C96

Anglesea is a small coastal town on the Great Ocean Road between Torquay and Aireys Inlet. It has a low percentage of permanent residents and is a popular holiday destination for families. The town is bordered by environmentally significant Crown land on three sides and by the coastline to the south. It is one of Victoria's 52 high bushfire risk towns. Much of the town, particularly along the northern and western edges, have been assessed as being subject to extreme bushfire risk. The surrounding Crown land includes the Anglesea Heath which is registered on the National Estate and is of State and National significance.

#### Key Issues and Influences

- Marginal projected population increase due to limited opportunities for new residential development, and changing household composition with forecast growth in retirees and lone person households.
- Declining affordability and limited dwelling diversity, particularly smaller dwellings near the town centre and designated tourist nodes, to cater for an ageing population and the growth in single person households.
- Growth is constrained, with the ocean, environmentally significant vegetation, the coal mine and the high bushfire risk providing barriers to expansion of the town.
- Large parts of Anglesea and the surrounding significant natural landscape are visible from the Great Ocean Road and public viewing points.
- Recognising the importance of significant native vegetation to Anglesea's character and the following key neighbourhood character attributes:
  - The dominance of the indigenous vegetation over the built environment.
  - Low profile buildings contained within the tree canopy, with small footprints and screened by vegetation.
  - A sense of openness between properties due to the absence of solid fencing, the use of post and wire fences or no fences at all.
  - The use of vegetation to achieve a sense of privacy.
  - Gravel roads, and roads with an informal appearance, complemented by vegetation in the roadside.
- The loss of neighbourhood character as a result of re-subdivision, infill development, replacement of older housing stock by larger and bulkier houses, demand for views and requirements to maintain defensible space for bushfire protection.
- There is an ongoing risk of a landscape scale bushfire penetrating and spreading throughout the town having severe impacts on the community and the towns infrastructure.
- Protecting neighbourhood character from inappropriate development of narrow allotments in Point Roadknight.
- Anglesea provides local convenience and tourist-related retailing to a limited permanent population, visitors staying in the locality and people travelling through the town to other destinations along the Great Ocean Road.
- Tourism is a vital component of the local economy and Anglesea is well placed to capitalise on the growing popularity of nature and adventure based tourism due to its natural setting and camp facilities, which affords opportunities to lengthen the tourism visitation period.
- The mining of brown coal on land to the north and west of Anglesea, with gravel and sand deposits also mined commercially on the site.

- Visual impacts from the redevelopment of sites at Four Kings and Diggers Parade, which are visible from the Great Ocean Road and Anglesea River environs.
- Amenity issues from the appearance and operation of the Anglesea Industrial Estate, and constraints to its expansion due to surrounding residential and environmentally significant land.
- The foreshore and riverbank reserves are the primary areas for public open space. These may be affected in the longer term by the impacts of climate change, resulting in potential loss of open space and the need to identify new areas.
- Salinity, inundation and potential coastal acid sulfate soils (CASS) affected areas associated with the Anglesea River estuary, and the potential for increased risks in the face of predicted climate change impacts, including sea level rise, storm surge, coastal inundation and riverine flooding.
- ~~Managing development within the settlement boundary on lots that have a direct interface with (or are within close proximity to) the bushfire hazard generated by the Great Otway National Park. Managing the high bushfire risk while protecting neighbourhood character.~~
- Traffic congestion on the Great Ocean Road, creating barriers to local access and pedestrian movement, and lack of car parking during peak holiday periods.

## 21.11-2

13/03/2014  
C79

## Settlement, Built Environment and Housing

### Objective 1

To preserve and enhance the distinctive low-density, non-suburban coastal character of Anglesea and retain the sense of houses dispersed in a bush setting.

#### Strategies

- Recognise that Anglesea has limited growth opportunities due to environmental constraints and the desire to protect and enhance the preferred neighbourhood character.
- Apply minimum subdivision lot sizes and maximum development densities that, together with limits to building footprint and hard surface area, ensure adequate area is maintained for vegetation around buildings and for the maintenance of defensible space for bushfire protection.
- Limit the total floor area of buildings relative to the size of an allotment to avoid excessive building bulk and houses that are dominant in the streetscape.
- Encourage building design that reflects a coastal style of architecture, using forms, materials, features and colours that respect and contribute positively to the coastal landscape character of Anglesea.
- Retain a sense of openness between properties by discouraging solid fences and encouraging the use of vegetation to achieve privacy.
- Retain the informal appearance of access driveways and roadsides when constructing roads and footpaths.
- Constrain the development potential of narrow lots in pockets of Point Roadknight.

### Objective 2

To provide for a broader range of accommodation and housing options in appropriate areas to meet the needs of households and to support a diverse community.

#### Strategies

- Encourage a greater diversity of housing types and sizes, in particular the construction of compact well-designed dwellings on smaller lots, within walking distance of the activity centres and community precinct.
- Support high quality mixed-use medium density development at Four Kings and Diggers Parade that contributes positively to the character of Anglesea.

- Encourage appropriate infill development and redevelopment of strategic sites of lower bushfire risk within the town boundaries sympathetic to the scale and character of Anglesea.
- Support and facilitate proposals for affordable housing in appropriate locations and in keeping with the character of Anglesea.
- Retain caravan parks and school camps as an important provider of low cost visitor and temporary accommodation in Anglesea.

### 21.11-3 Environment and Landscape Values

13/03/2014  
C79  
Proposed C96

#### Objective 1

To protect and enhance the unique environmental, cultural and landscape values of Anglesea and adjoining land.

##### Strategies

- Contain urban development within the existing settlement boundary of the town as shown on Map 1 to Clause 21.11 – Anglesea Framework Map.
- Retain and enhance the existing native vegetation cover, with emphasis on indigenous species and Coastal Moonah Woodland vegetation in particular, where this does not unduly increase bushfire risk.
- Recognise the environmental sensitivity of private residential land abutting the Anglesea Heathlands in O’Donohue Road and Harvey Street.
- Encourage a reasonable sharing of views of scenic landscape features from private land.
- Discourage subdivision and development of land that has potential to adversely impact on the environmental values of abutting or adjacent public land.
- Ensure that the use and development of land surrounding the Anglesea River does not result in adverse impacts on the environmental and scenic values of the estuary, and that the risks of coastal hazards are given due consideration.

#### Objective 2

To manage the impact of bushfire protection measures on Anglesea’s native vegetation cover and neighbourhood character.

##### Strategies

- Direct development away from vegetated areas to minimise bushfire risk and clearance of vegetation.
- Ensure buildings are sited, designed and constructed to minimise the extent of required defensible space to reduce the impact on existing vegetation.
- Manage the vegetation within the defensible space in a manner that respects the vegetated character of Anglesea whilst meeting the minimum requirements for bushfire protection.

21.11-4  
13/03/2014  
C79  
Proposed C96

### Economic Activity

#### Objective 1

To provide for an appropriate range of retail, commercial and tourist-related services and facilities in the commercial centres of Anglesea to cater for the needs of both the permanent and visitor population.

##### Strategies

- Reinforce the primacy of the Anglesea shopping centre as the commercial focal point and discourage the location of non-tourist related retail uses outside the centre.



- Facilitate the incremental growth of the Anglesea shopping centre to the north-east and north-west up to Walker Street, commensurate with the demand for retail floor space.
- Encourage a mix of tourist-related uses, including cafes and restaurants, accommodation and tourist retailing, within the tourist development precincts at Four Kings and Diggers Parade.

### Objective 2

To promote commercial and tourist development that is of a design, scale and built form that reflects Anglesea's coastal village character and respects the amenity of adjacent residential areas.

#### Strategies

- Improve the visual appearance of the commercial centres through appropriate building design and articulation, active frontages and high quality landscaping.
- Ensure that development in the main shopping centre is attractively designed and presents a streetscape image that is consistent with its village character.
- Ensure that development on prominent sites at Four Kings and Diggers Parade contributes positively to the character of Anglesea and respects the heritage value of adjoining traditional beach houses on the Great Ocean Road.
- Improve the pedestrian and public environment within the commercial centres and connections to and from surrounding areas.

### Objective 3

To consolidate the Anglesea Industrial Estate with light industrial uses compatible with adjoining residential development, enhance the visual appearance of the estate and limit environmental impacts.

#### Strategies

- Contain future industrial development within the existing estate and limit environmental impacts on adjoining Crown land.
- Maintain a landscaped buffer between the industrial estate and adjoining residential land.
- Discourage land uses from establishing in the industrial estate which have potential for amenity conflicts with adjoining residential areas.

### Objective 4

To promote a variety of sustainable tourist facilities and activities in and around Anglesea that provides social and economic benefits, having regard to bushfire, respecting the environmental, cultural, landscape and community values of the locality.

#### Strategies

- Promote activities that increase visitation and visitor length of stay to reduce seasonality, with a particular emphasis on nature and adventure based tourism and events.
- Encourage the establishment of a broader range of well-designed and sited tourist accommodation options, including low scale eco-tourism operations and ancillary uses.

## 21.11-5 Community and Physical Infrastructure

13/03/2014  
C79

### Objective 1

To provide for an appropriate range of community and recreation services and facilities that meet the needs of the current and future population and promotes inclusion and participation.

### Strategies

- Reinforce the McMillan Street Community Precinct as Anglesea's primary community hub.
- Encourage the provision of aged care services and accommodation in appropriate locations.
- Encourage the improvement of public or community transport services, both within Anglesea and to other centres including Torquay and Geelong.
- Improve pedestrian and cycle access and connections between residential, community, commercial and recreational precincts.

### Objective 2

To encourage infrastructure that is compatible with the neighbourhood character and environmental values of Anglesea.

### Strategies

- Ensure that new roads and footpaths are designed to achieve an informal appearance, with an emphasis on retaining vegetation within road verges and alternatives to concrete kerb and channel drainage.
- Achieve an appropriate balance between the provision of car parking spaces and maintaining environmental and amenity values.
- Maintain informal car parking overflow areas to meet short term peak parking demands over the summer and Easter holiday periods.

## 21.11-6

12/02/2015  
C402  
Proposed C96

### Implementation

The strategies will be implemented by:

#### Using policy and the exercise of discretion

- Using the Streetscape and Landscaping Policy, Clause 22.02 to encourage the use of indigenous plant species in landscaping and to achieve appropriate landscape outcomes.
- Requiring any development or works within CASS risk areas (generally below the 5m AHD contour) that may cause the disturbance of CASS to have been assessed against the *CASS Best Practice Guidelines* (DSE, 2010) to determine hazard from CASS. If a CASS hazard is identified a CASS Management Plan (or other suitable plan) consistent with the Best Practice Guidelines should be developed.
- Avoiding the intensification of development in areas identified as containing significant biodiversity assets and/or being at extreme risk from bushfire.

#### Applying zones and overlays

- Applying the Rural Conservation Zone to private land outside the settlement boundary.
- Applying a Special Use Zone and the Environmental Significance Overlay Vegetation Protection Overlay to protect the ecological and scenic values of the Anglesea Heathland.
- Applying a Significant Landscape Overlay to the residential areas of the town to protect native vegetation, including scattered stands of remnant Moonah.
- Applying the Design and Development Overlay to the Anglesea town centre and industrial estate to achieve desired urban design outcomes.
- Applying a Restructure Overlay to narrow lots in Point Roadknight to minimise impacts on neighbourhood character.
- Applying the Bushfire Management Overlay to areas at extreme risk from bushfire.

#### Undertaking further strategic work

- Preparing an Urban Design Framework or Structure Plan for the Anglesea Shopping Centre to guide the form and location of future growth, the interface and (pedestrian)

connectivity with surrounding areas, access and parking, public open space and amenities.

- Preparing urban design guidelines and a streetscape plan for the Great Ocean Road ‘boulevard’ between Noble Street and Four Kings.
- Investigating the preparation of a parking management plan for the commercial centres.
- Investigating the options for future use of the water basin site at 69B Harvey Street.
- At the appropriate time investigating the potential, if any, for residential development of land north of Betleigh Street, subject to a detailed assessment of bushfire risk and associated environmental impacts.
- Reviewing the minimum lot size/density provisions in the central areas of Anglesea to encourage housing diversity.
- Undertaking further research to develop a thorough understanding of the housing market in Anglesea, including the demand for smaller housing types (in particular from retirees and empty nesters wishing to downsize) and affordable housing, and options/tools/incentives for delivery.
- Conducting an assessment of remaining potential heritage places in Anglesea as part of the next stage of the Surf Coast Shire Heritage Study.
- Investigating the options for protecting the environmental qualities of the Anglesea River estuary.
- Investigating opportunities for relocation of the Anglesea Industrial Estate arising from the future closure of the Anglesea landfill site.
- Investigating the feasibility of providing an Abbeyfield model aged care facility at the McMillan Street Community Precinct.

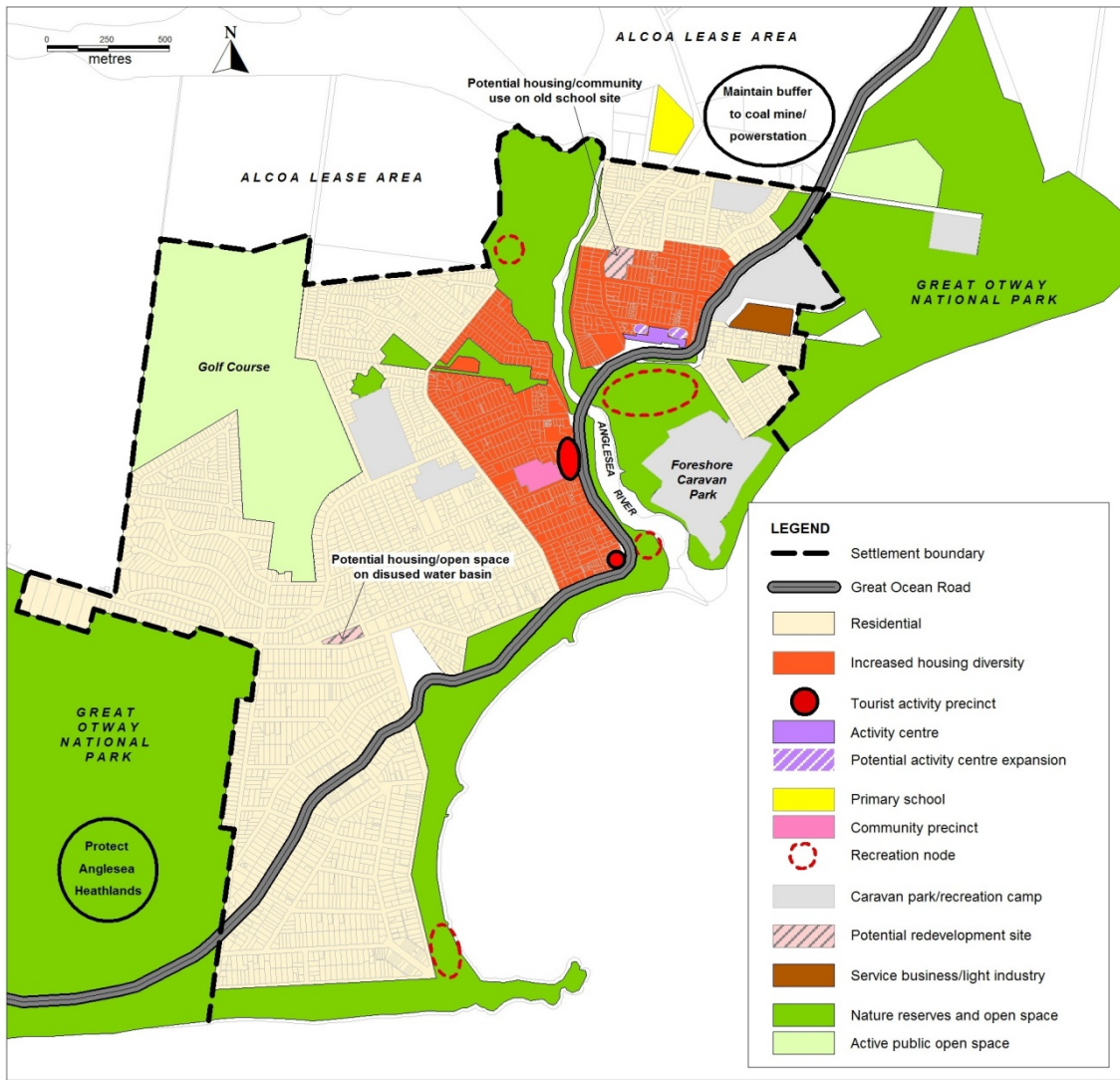
#### 21.11-7

#### Reference Documents

19/05/2016  
C97  
Proposed C96

- *Anglesea Great Ocean Road Study (2016)*
- *Anglesea Structure Plan (2012)*
- *Anglesea Neighbourhood Character Study (2003)*
- Anglesea Streetscape Project (1996)
- *Regional Bushfire Planning Assessment, Barwon South-West Region (DPCD 2012)*
- *Surf Coast Shire Biodiversity Mapping Project, (SCS, DELWP, CCMA 2014)*
- *Landscaping Your Surf Coast Garden For Bushfire (2015)*

Map 1 to Clause 21.11: Anglesea Framework Map



**21.12**

13/10/2016

C440

Proposed C96

**AIREYS INLET TO EASTERN VIEW STRATEGY****21.12-1**

13/10/2016

C440

Proposed C96

**Overview**

The settlements of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View are situated along the Great Ocean Road between the townships of Anglesea and Lorne. Though the permanent population of these towns is relatively small compared to other coastal towns, the area is very popular as a holiday and retirement destination. The settlements are contained by dense bushland and spectacular coastline, abutting the Great Otway National Park. Much of the townships, particularly along the northern edges, have been assessed as being subject to extreme bushfire risk. The area is one of the highest bushfire risk localities in Victoria.

**Key Issues and Influences**

- The settlements, coastal reserves and surrounding hinterland support a vast range of threatened flora and fauna, including the Powerful Owl, Grey Goshawk, Rufous Bristlebird, Swamp Antechinus, Hooded Plover, Anglesea Grevillea and Southern Spider-orchid.
- The indigenous vegetation is of Local to High State conservation significance, and includes the endangered Merrans Sun Orchid and the Coastal Moonah Woodland community.
- The open valley landscape of the Painkalac Creek, separating the timbered hillsides of Aireys Inlet and Fairhaven, has high environmental, geomorphological, scenic and cultural values and contains flora and fauna of high State ecological significance.
- Confining urban development within the existing settlement boundaries due to the significant conservation value of adjoining land, extreme bushfire risk and difficulties in providing infrastructure; and in the case of Moggs Creek and Eastern View also by a lack of reticulated services.
- Despite physical characteristics varying across the settlements, the towns have a distinctive low density, generally vegetated coastal character. Valued neighbourhood characteristics, include:
  - indigenous tree canopy dominated by Ironbark, Messmate, Manna Gum, Moonah and Drooping Sheoak species
  - indigenous remnant understorey
  - generous spacing between buildings
  - low building scale
  - availability of views
  - informal fencing of property boundaries
  - informal road network.
- Limited housing diversity, particularly smaller dwellings within walking distance of commercial and community facilities suitable for older persons wishing to downsize.
- The Split Point Lighthouse as a tourist icon of local and heritage value and the importance of its sole dominant visual presence on the foreshore bluff.
- The visual prominence of development on the western side of the Great Ocean Road from Fairhaven to Eastern View due to the steep topography, low vegetation height and the siting of some houses on ridgelines, particularly along the escarpment abutting the Great Ocean Road.
- Managing development within the settlement boundary and avoiding further development intensification on lots that have a direct interface with (or are within close proximity to) the bushfire hazard generated by the Great Otway National Park. Managing the extreme bushfire risk of this coastal area while protecting neighbourhood character, vegetation cover and landscape values.

- There is an ongoing risk of a landscape scale bushfire penetrating and spreading throughout the town having severe impacts on the community and the towns infrastructure
- Balancing the preservation of the ambience of the night sky from street lighting and other illumination against road design, safety needs and enjoyment of facilities.
- The local economy is strongly focused on tourism, and benefits from the association with the Great Ocean Road, surfing/beaches and Great Otway National Park.
- Retail and commercial development is largely contained within the ‘Top Shops’ and ‘Bottom Shops’ centres on the Great Ocean Road in Aireys Inlet, with limited scope to extend the Top Shops centre. Several other established businesses are located on residential zoned land along the Great Ocean Road between the two centres, which provide a valuable service to both visitors and residents.
- Car parking supply is likely to become an issue as the centres incrementally develop due to a lack of parking opportunities on the Great Ocean Road.
- Negative impacts on the character of the towns from inappropriate development of the commercial centres, particularly adjacent to the Painkalac Creek.
- Minimal opportunity for industrial uses due to amenity and environmental conflicts.
- Limited services for the aged and the importance of land at 2 Fraser Drive, Aireys Inlet providing opportunities for housing for older persons.
- Salinity, flooding and coastal acid sulfate soils affected areas associated with the Painkalac Creek and estuary.

## 21.12-2 Settlement, Built Environment and Heritage

13/10/2016  
C449  
Proposed C96

### Objective 1

To protect and enhance the small-scale, coastal bushland amenity of the townships and their low density non-suburban character.

### Strategies

- Confine residential development within the defined settlement boundaries as depicted on Map 1 to Clause 21.12 – Aireys Inlet to Eastern View Framework Map, and retain the larger vegetated allotments outside the township areas as buffers to the surrounding forest and National Park.
- Recognise that the townships have limited growth opportunities due to bushfire risk, environmental and physical limitations and the desire to protect and enhance the preferred neighbourhood character.
- Maintain and enhance the vegetated landscape and encourage its dominance over the built environment in a manner that does not increase the risk of bushfire.
- Apply adequate subdivision lot sizes with sufficient space for the maintenance of defensible space for bushfire protection.
- Encourage new development that displays a coastal style of architecture, maintains a low rise building height and blends with the surrounding landscape.
- Limit the size and footprint of dwellings and hard surfaces so buildings can be screened by vegetation, with bushfire responsive landscaping undertaken set back from buildings to provide fire safety and so that and a sense of space around buildings is maintained.
- Discourage the establishment of private recreational structures which decrease areas available for the retention or planting of vegetation, such as tennis courts and swimming pools.
- Encourage a reasonable sharing of views of significant landscape features from private land.
- Ensure new development provides good pedestrian connectivity both within the development and to the surrounding areas, including the beaches, forest and local commercial centres.

- Ensure that future roadworks and pathways (either gravel or sealed surfaces of a suitable colour, material and texture) retain the informal character and appearance established in the Aireys Inlet to Eastern View Neighbourhood Character Study, 2004.
- Encourage the undergrounding of powerlines.

### Objective 2

To protect the heritage significance and visual prominence of the Split Point Lighthouse and associated buildings.

### Strategy

- Limit the scale and intensity of buildings around the Split Point Lighthouse to ensure development does not intrude on views to the lighthouse or compete with its visual presence.

## 21.12-3 Environment and Landscape

13/10/2016  
C149  
Proposed C96

### Objective 1

To protect and enhance State and Nationally significant biodiversity and habitat and areas of the indigenous vegetation cover and biodiversity and areas of high environmental and landscape significance within the townships and surrounding land and the vistas of natural landscape features viewed from public places.

### Strategies

- Discourage the removal of native vegetation, require the planting of locally indigenous vegetation species to compensate for the removal of native vegetation (without increasing bushfire risk) and encourage the removal ~~and management~~ of environmental weeds.
- Discourage land use and development, including tourist development and accommodation, that is likely to have an adverse impact on the environmental and scenic values of the settlements, surrounding hinterland and the abutting Great Otway National Park.
- Restrict subdivision and development of private land outside the settlement boundaries to protect the vegetated landscape setting and maintain buffers to the Great Otway National Park.
- Avoid development on the ridgelines and hillsides that is visually prominent when viewed from the Great Ocean Road at Fairhaven, Moggs Creek and Eastern View.
- Protect the scenic open landscape character and environmental values of the Painkalac Creek valley by restricting development and earthworks and avoiding vegetation removal close to the creek and wetlands.
- Ensure buildings are sited, designed and constructed to minimise the extent of required defensible space, to reduce the impact on existing remnant vegetation.
- Manage the vegetation within the defensible space area in a manner that respects the vegetated character of the town whilst meeting the requirements for bushfire protection.

### Objective 2

To preserve the ambience of the night sky from artificial illumination.

### Strategy

- Discourage street lights, save for the discrete lighting of intersections for safety purposes, and other artificial illumination that present a suburban character and impact on the night skies.

## 21.12-4 Economic Activity

13/10/2016  
C110

### Objective 1

To promote economic development and tourism opportunities that are compatible with the towns' low key coastal village character and natural environment.

**Strategies**

- Restrict new retail development to the existing commercial centres at the Top and Bottom Shops to create viable and attractive activity centres that provide for an appropriate range of retail and commercial services for both residents and visitors.
- Support established commercial uses along the Great Ocean Road between the two centres.
- Recognise the potential of the Aireys Pub site to provide additional tourist-oriented uses.
- Promote opportunities for appropriately scaled and located tourist accommodation and activities, in particular nature and adventure based tourism.

**Objective 2**

To encourage commercial development that is of a design, scale and built form that is consistent with the coastal, non-suburban character of Aireys Inlet and respects the amenity of adjacent residential areas.

**Strategy**

- Improve the visual appearance of the commercial centres through appropriate building design and articulation, setbacks and landscaping.

**Objective 3**

To improve the pedestrian and public environment including connections to the commercial centres.

**Strategies**

- Ensure that adequate area is set aside for outdoor dining, shade trees and pedestrian and bicycle access at the shop front edge.
- Ensure permeability is maintained to surrounding residential areas.
- Provide adequate car parking that takes into consideration the commercial components of the whole centre and provides for daily, not peak demand.
- Ensure surface car parking does not detract from the public realm and focus car parking away from the active street edge.

**Objective 4**

To promote development at the 'Bottom Shops' commercial area that positively responds to Painkalac Creek and its environs.

**Strategies**

- Protect the environmental qualities of the Painkalac Creek reserve.
- Ensure that new development is well articulated and provides an active frontage to the Great Ocean Road, and where possible, a functional interface to Painkalac Creek.
- Ensure a high quality landscape outcome that responds to the surrounding natural and built form environment for all development.
- Design internal car parks to prevent light spillage into the adjoining neighbourhood and the Painkalac Creek environs.
- Ensure that opportunities are provided for pedestrian permeability from the Great Ocean Road through to Painkalac Creek.

**21.12-5**

13/10/2016

C440

Proposed C96

**Implementation**

The strategies will be implemented by:

**Using policy and the exercise of discretion**

- Restricting development in the Painkalac Creek valley to a single dwelling on each of lots 1, 2 and 3 on PS431010.
- Requiring submission of an environmental management plan for development of land within the Painkalac Creek valley to address any impact on the Painkalac Creek



environs such as erosion, sediment discharge and stormwater runoff and any effects related to climate change and coastal acid sulfate soils.

- Avoiding the intensification of development in areas identified as containing significant biodiversity assets and/or being at extreme risk from bushfire.

#### Applying zones and overlays

- Applying the Rural Conservation Zone to private land outside the settlement boundaries to land with high scenic, landscape and ecological values.
- Applying the Environmental Significance Overlay to areas of ecological importance to protect habitat values and significant vegetation.
- Applying the Neighbourhood Character Overlay to the urban residential areas to protect neighbourhood character.
- Applying the Design and Development Overlay to residential areas and the Paincalac Valley to protect the landscape character and low density setting and to the commercial areas to promote good urban design.
- Applying the Bushfire Management Overlay to areas at risk from bushfire.

#### Undertaking further strategic work

- Facilitating the redevelopment of 2 Fraser Drive, Aireys Inlet for housing suitable for older persons.
- Reviewing as appropriate the supply and demand of public and private car parking associated with the commercial centres and if demand is great enough or car parking adversely affects local amenity, prepare and implement a parking management plan.

#### 21.12-6

#### Reference Documents

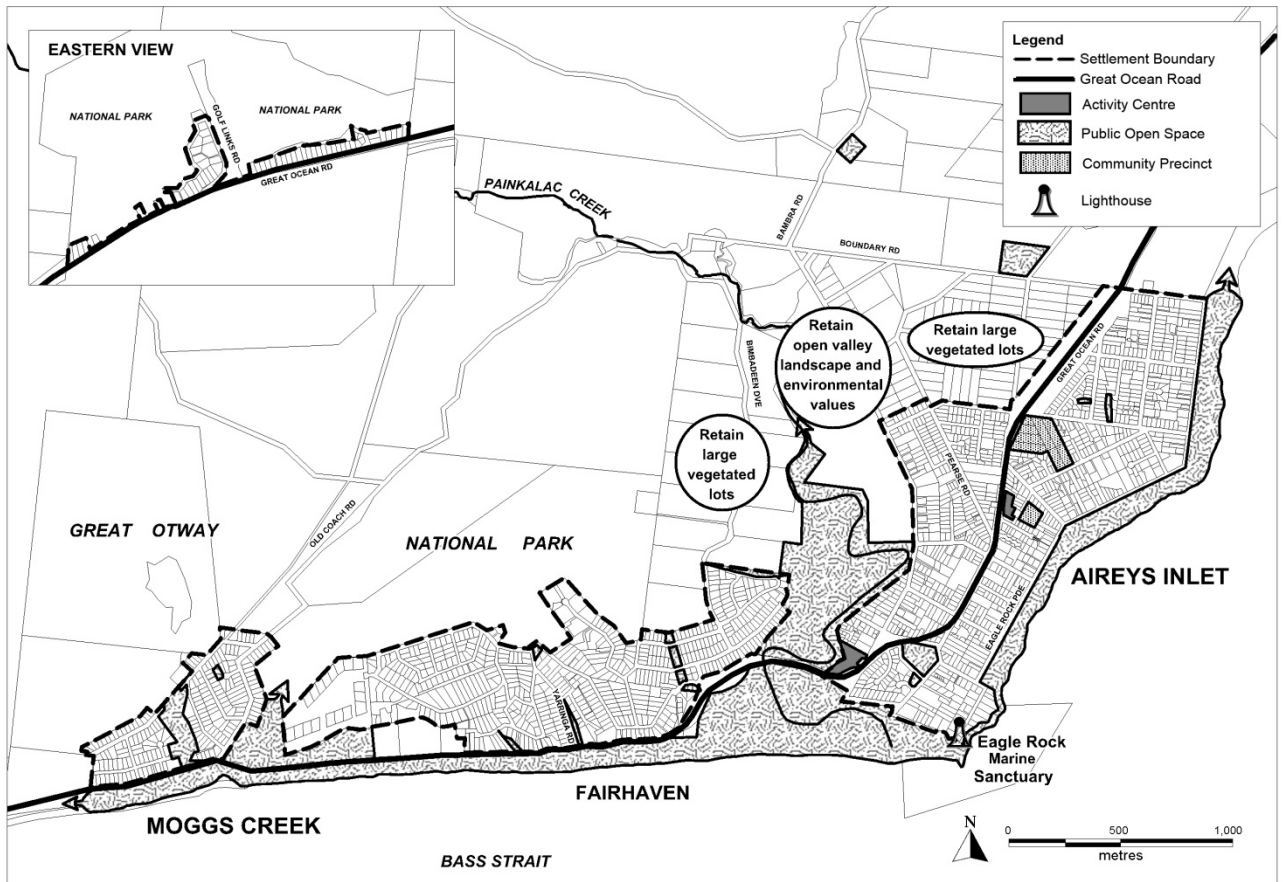
13/10/2016  
C440  
Proposed C96

- *Aireys Inlet to Eastern View Neighbourhood Character Study and Vegetation Assessment (2004)*

#### ~~*Aireys Inlet to Eastern View Indigenous Species Guide*~~

- *Indigenous Planting Guide – Urban Coastal, (Surf Coast Shire, 2003)*
- *Regional Bushfire Planning Assessment, Barwon South-West Region (DPCD 2012)*
- *Biodiversity Mapping Project, (SCS, DEPI & CCMA, 2014)*
- *Landscaping Your Surf Coast Garden For Bushfire (2015)*
- *Aireys Inlet to Eastern View Structure Plan (2015)*

Map 1 to Clause 21.12: Aireys Inlet to Eastern View Framework Map



## 21.14 BELLBRAE STRATEGY

### 21.14-1 Overview

11/11/2010  
C74  
Proposed C96

Bellbrae is a small rural township and is situated approximately seven kilometres west of Torquay's town centre, north of the Anglesea Road and Great Ocean Road intersection. Historically the settlement provided limited services for the town and hinterland but basic services and employment are now sought in either Torquay or Geelong. Bellbrae has been assessed as being subject to high bushfire risk.

The Primary School attracts pupils from the hinterland and adjoining towns and provides a hub for the town itself.

Grazing, grain and lifestyle farming is undertaken in the local hinterland and the larger lots immediately abutting the settlement provide for a mixture of rural living and small farm businesses. The town and hinterland support significant environmental and landscape values that are highly valued by the local community.

### 21.14-2 Key influences and issues

11/11/2010  
C74  
Proposed C96

The key influences and issues facing Bellbrae are:

#### Environment

- High landscape and environmental values.
- Highly valued bush/rural/historical character.
- Threat of wildbushfire to persons and property.
- There is limited access to services via alternative modes of transport other than by private vehicle.
- There are a number of existing and potential sites of heritage significance in the township.

#### Settlement and Housing

- The town can only facilitate limited growth.
- Threat of Torquay expanding into the hinterland to the east of Bellbrae and changing the rural outlook and character of the town.

#### Economic Development

- Proximity of Bellbrae to the regional service centres of Torquay and Geelong.
- High land prices make full time farming within the hinterland difficult but attractive to part time or lifestyle farmers.
- Proximity of the Geelong Ring Road which provides easy access between Melbourne and Bellbrae and beyond to the nationally significant Great Ocean Road.

#### Infrastructure

- Lack of key infrastructure such as sealed roads within the local street network, town water, stormwater infrastructure and reticulated sewerage.
- Potential widening of the Anglesea Road to a four lane highway.
- Traffic congestion in School Road at school drop off and pick up times.

### 21.14-3 Strategic vision

11/11/2010  
C74  
Proposed C96

The vision for Bellbrae for the next 15 years is to:

- Provide for limited growth within a defined settlement boundary.

- Preserve and enhance the town's rural/historic/bush character.
- Enhance the role of School Road as a village main street, linking existing community services and encouraging some low scale commercial / tourist activity.
- Enhance the sense of community.
- Retain the meaningful green/rural breaks between Bellbrae and the surrounding settlements.
- Enhance the biodiversity assets of the area whilst not increasing the risks to life and property in a ~~wildbush~~ fire event.
- Enhance tourism and local economic opportunities.

#### 21.14-4 Strategic framework plan

11/11/2010  
C74

The Bellbrae Strategic Framework Plan (Figure 1) sets out the general pattern of land use and development envisaged for the town, identifying the key influences and issues facing Bellbrae.

The purpose of the Framework Plan is to provide an overview of land use in and around Bellbrae and to identify locations where specific land use outcomes will be supported and promoted to achieve the strategic vision.

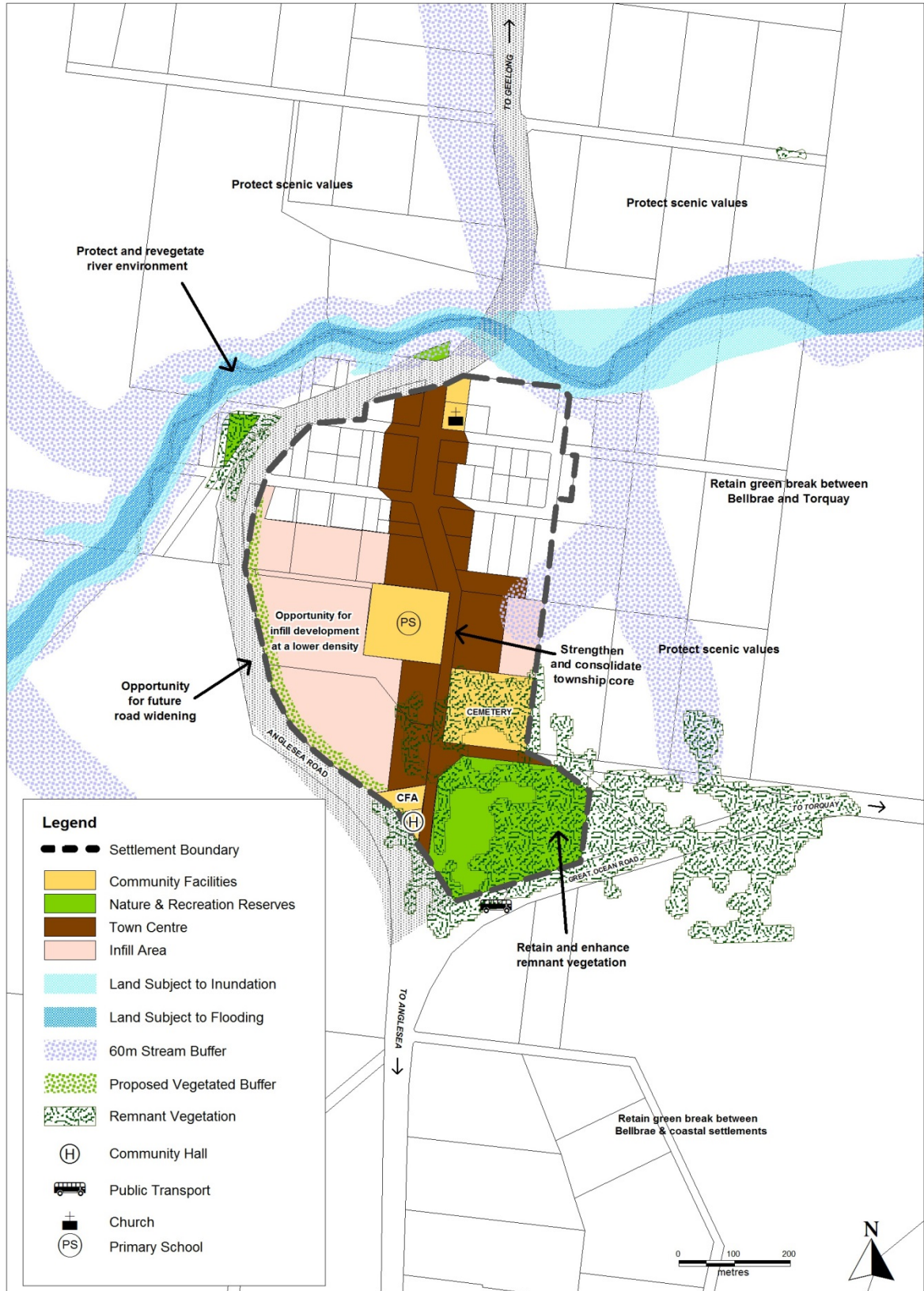
The information within the Bellbrae Strategic Framework Plan includes:

- Key services and community facilities within the town.
- Areas identified as having high landscape values.
- Areas identified as having environmental significance including the Spring Creek.
- Delineation of the settlement boundary and future infill area.
- Major transport and tourist routes.
- Town centre enhancement area.
- Constraints to development in the form of natural features such as native vegetation and drainage buffers.
- Areas identified for green breaks between the adjoining settlements.

#### Reference documents

- Bellbrae Structure Plan, Surf Coast Shire (2010)

Figure 1: Bellbrae Strategic Framework Plan



**21.14-5**

11/11/2010

C74

Proposed C96**Environment****Objectives**

- To protect and enhance identified remnant vegetation and biodiversity assets.
- To protect and enhance the Spring Creek environment.
- To protect the rural vista from the Anglesea Road, north of the township, to reinforce School Road as the towns centre.
- To retain the rural setting around the town.
- To avoid infill development in areas of high fire risk where the risk to life and property cannot be reduced to an acceptable level.
- To enhance walkability within the town and improve cycling and walking linkages between the town and the surrounding settlements.
- To recognise and protect identified sites of heritage significance within the town and immediate hinterland.

**Strategies**

- Recognise the nature reserves within the township through the application of appropriate zoning.
- Apply appropriate overlays to all environmental assets and promote retention of native vegetation as the first step in biodiversity enhancement.
- Encourage vegetation enhancement and corridors in locations that will not increase risks to persons or property from ~~wildbush~~ fire.
- Require the planting of suitable street trees in the future residential area.
- Require best practice stormwater retardation and treatment within an overlay schedule to be applied to all future residential development.
- Apply appropriate overlays to significant landscapes to the north of the town and encourage sensitive development in this location.
- Contain the township within a defined settlement area and discourage the incremental loss of large land holdings to low density development.
- Focus infill and future development within walking distance of public transport, community services and existing infrastructure including footpaths.

**Implementation****Application of zones and overlays**

- Application of the Public Park and Recreation Zone and Public Conservation Zone to the recreation and nature reserves in Bellbrae.
- Application of the Vegetation Protection Overlay (VPO1) to all vegetation identified in the ~~DSE Biodiversity Mapping Review mapping (2007)-Surf Coast Shire Biodiversity mapping project (2014)~~ as being of biodiversity or habitat significance.
- Application of the Design and Development Overlay Schedule 24 (DDO24) to the infill area and the town centre, shown on the Bellbrae Framework Plan located at Figure 1.
- Application of the Significant Landscape Overlay Schedule 7 (SLO7) to significant landscapes north of the township, shown on the Bellbrae Framework Plan located at Figure 1.

**Reference documents**

- [Surf Coast Shire Biodiversity Mapping Review, DSE \(2007\)](#)
- [Biodiversity Mapping Project, SCS, DEPI & CCMA \(2014\)](#)
- [Regional Bushfire Planning Assessment, Barwon South-West Region \(DPCD 2012\)](#)
- Spring Creek Catchment Plan, CCMA (2003)

- Places of Cultural Significance Study, SCS (1998)
- Landscape and Urban form Hansen partnerships (2008)
- Great Ocean Road Region Landscape Assessment Study, DSE (2003)

#### **Further Strategic work**

- Complete the assessment of the sites of potential heritage significance identified in Bellbrae.

### **21.14-6**

11/11/2010  
C74

#### **Settlement and housing**

##### **Objectives**

- To enhance the town's historic/rural/bush character.
- To provide for limited residential growth at a scale that protects the rural character and is capable of retaining and treating all wastewater on site.
- To facilitate sustainable development within a defined settlement boundary.
- To encourage the retention of meaningful green breaks between the township and adjoining settlements.

##### **Strategies**

- Contain the township within a defined settlement area, as outlined within the Bellbrae Framework Plan, Figure 1.
- Focus development along and adjacent to School Road and link up existing community services and infrastructure through the application of appropriate zoning.
- Encourage commercial and residential development on School Road that enhances the town's character but enhances its role as a village main street.
- Apply a minimum subdivision lot size to all land within the settlement boundary that responds to the rural character.
- Apply a minimum subdivision lot size to the 'town centre' that responds to the rural character but encourages activity along School Road.
- Require a 15m vegetated buffer between the future residential area and the Anglesea Road.
- Include basic design parameters within an overlay schedule to be applied to School Road that promotes activity and will enhance the character.

##### **Implementation**

##### **Application of zones and overlays**

- Application of the Township Zone to the 'future residential' and 'extension of the town centre' areas identified in the Bellbrae Framework Plan, Figure 1.
- Application of the Design and Development Overlay Schedule 24 (DDO24) to all land within the settlement boundary identified on the Bellbrae Framework Plan, Figure 1.

### **21.14-7**

11/11/2010  
C74

#### **Economic development**

##### **Objectives**

- To protect agricultural land for future generations.
- To protect the high landscape and environmental values that are intrinsic to the prosperity of the town and hinterland.
- To facilitate opportunities for small scale commercial development.
- To facilitate tourist accommodation and enterprises in appropriate locations and at a scale that adds to the scenic values and appeal of the area.

##### **Strategies**

- Encourage farming practices and lifestyle farming in the hinterland area.

- Apply appropriate zoning to the town centre to enable consideration of a variety of commercial, tourism and business uses in one central location.

#### **Application of zones and overlays**

- Retention of the Farming Zone beyond the settlement boundary.
- Application of the Township Zone to all land within the settlement boundary identified in the Bellbrae Framework Plan, Figure 1.
- Application of the Design and Development Overlay Schedule 24 (DDO24) to the town centre, shown on the Bellbrae Framework Plan, Figure 1.

#### **Reference documents**

- Rural Strategy Review, Surf Coast Shire (2007)

### **21.14-8**

11/11/2010  
C74

#### **Infrastructure**

##### **Objectives**

- To minimise the impacts of the future road widening of the Anglesea Road on the Bellbrae township.
- To maximise existing infrastructure.
- To provide new infrastructure within the designated 'future residential area' identified in the Bellbrae Framework Plan, Figure 1 that is sustainable, supports self-sufficiency and respects the rural/bush character.
- To enhance the streetscape and on street car parking opportunities on School Road.
- To facilitate infill development on lots capable of retaining all wastewater on site.
- To promote walking and cycling as a mode of transport.

##### **Strategy**

- Ensure that any plans for road improvements or highway related developments give consideration to maintaining the bushland character of the township and rural hinterland.
- To apply appropriate zoning and overlays to the Anglesea Road to enable Vic Roads to widen the road to a four lane highway if required in the future.
- Focus infill development on the eastern side of the Anglesea Road to enable direct access to community services, public transport, the sealed road and footpath network.
- Require a 15m vegetated buffer between the future residential area and the Anglesea Road.
- Require future subdivision design for the proposed infill area (future residential and extension of town centre) identified at Figure 1, to meet the requirements of the Bellbrae Stormwater Masterplan, 2013.
- Require a street network within the future residential area that respects the rural character.
- Direct part of the monetary open space contribution from the future residential area into street tree planting in School Road.
- Require all new commercial development abutting School Road to provide on street car parking with vegetated outstands within the parking lane.
- Provide a standard footpath and street tree planting within a modified street reservation that provides angled on street car parking opposite the Primary School.
- Apply a minimum subdivision lot size to the future residential and extension of the town centre areas that is capable of retaining all wastewater on site.

#### **Application of zones and overlays**

- Retention of the Road Zone on all land that is owned by Vic Roads.
- Application of the Public Acquisition Overlay to all land required for the future widening of the Anglesea Road.



- Application of the Design and Development Overlay Schedule 24 (DDO24) to the 'future residential', town centre and 'extension of the town centre' areas identified on the Bellbrae Framework Plan, Figure 1.

**Reference documents**

- A Review of Domestic Wastewater Management in Bellbrae, Geocode, 2010
- Bellbrae Stormwater Master Plan (2013)

## 21.15 DEANS MARSH STRATEGY

30/05/2014

C88

Proposed C96

### 21.15-1 OVERVIEW

19/01/2012

C67

Proposed C96

Deans Marsh is a small hinterland settlement located midway (24 kilometres) between Lorne and Winchelsea on the northern foothills of the Otway Ranges. The township is situated within a picturesque open rural landscape. Once a thriving rural service centre for the surrounding agricultural community the town now provides limited services to a much smaller community. Its history is strongly reflected in numerous buildings and sites both within the town and in the surrounding rural hinterland adding to its attraction as a tourist stop.

The town has been assessed as being subject to high bushfire risk It is envisaged that the township of Deans Marsh will continue to facilitate limited growth and has an opportunity to develop further tourism related activities.

#### Key issues

- The town is geographically well placed to take advantage of tourism opportunities that have arisen from the Deans Marsh- Lorne Road being promoted as an alternate route to access the Great Ocean Road.
- The town includes a number of old and inappropriate subdivisions that are unable to retain waste water on site.
- Residential growth of the township is limited due to the lack of basic services such as reticulated water and sewerage systems and lack of public transport.
- Development within the town and its surrounding rural land may impact upon the scenic values of the township entries.
- The town is at risk from bushfire.

### 21.15-2 Settlement and Environment

30/05/2014

C88

Proposed C96

#### Objective 1

To provide for the sustainable use of available land for residential development, the effective disposal of wastewater on-site and the consolidation of services within the settlement boundary.

#### Strategies

- Facilitate sustainable residential development and the effective disposal of waste water on site by encouraging new lots to be at least 0.4 ha. Applications for smaller lots should be supported by a comprehensive Land Capability Assessment.
- Realign the settlement boundary to include all existing residential lots and lots containing public utilities abutting the town.
- Facilitate a diversity of housing sizes on residential land to encourage the provision of affordable housing.
- Contain urban development within the existing settlement boundary of the town as shown on Map 1 to Clause 21.15 – deans Marsh Framework Plan, retaining the Deans Marsh Lorne Road as a major fire break between the township and the Great Otway National Park.

#### Objective 2

To protect and enhance the scenic and environmental assets of the Deans Marsh township.

### Strategies

- Encourage development that respects the rural heritage character of the township.
- Restructure and consolidate township lots that are incapable of treating and containing household effluent.

### Objective 3

To support the growth and development of a sustainable community.

### Strategies

- Encourage the development of B&Bs, country cottages and other forms of tourist accommodation within the township, to cater for visitors seeking a retreat from urban areas.
- Concentrate community facilities at the Deans Marsh Memorial Reserve and commercial services along the Winchelsea- Deans Marsh Road.
- Encourage car parking for the commercial properties with any off-street car parking being sited to the rear of properties.

#### 21.15-3

30/05/2014  
C88

### Implementation

These strategies will be implemented by:

#### Using policy and the exercise of discretion

- Where an application for development is required, ensuring development is oriented to have active frontages to public streets and natural landscape features.
- Require cash in-lieu open space contribution arising from in-fill subdivision be directed towards continuing development of the Deans Marsh Memorial Reserve and the construction of paths outlined in Council's pathway strategy.

#### Applying zones and overlays

- Applying the Township Zone to all residential areas within the defined settlement boundary.
- Applying a Design and Development Overlay to properties fronting the main roads in the town to build on the historic and low scale character of the township as well as to encourage an active frontage for commercial development.
- Applying the Restructure Overlay to old and inappropriate subdivisions to require the consolidation of lots in the same ownership that are too small to contain and treat household effluent.

#### Undertaking further strategic work / other work

- Prepare a vegetation management plan to protect and enhance the avenue of oak trees along the Winchelsea/Deans Marsh Road.
- Investigate the preparation of a traffic management plan to slow traffic at the intersection of Birregurra-Deans Marsh Road and Winchelsea-Deans Marsh Road.

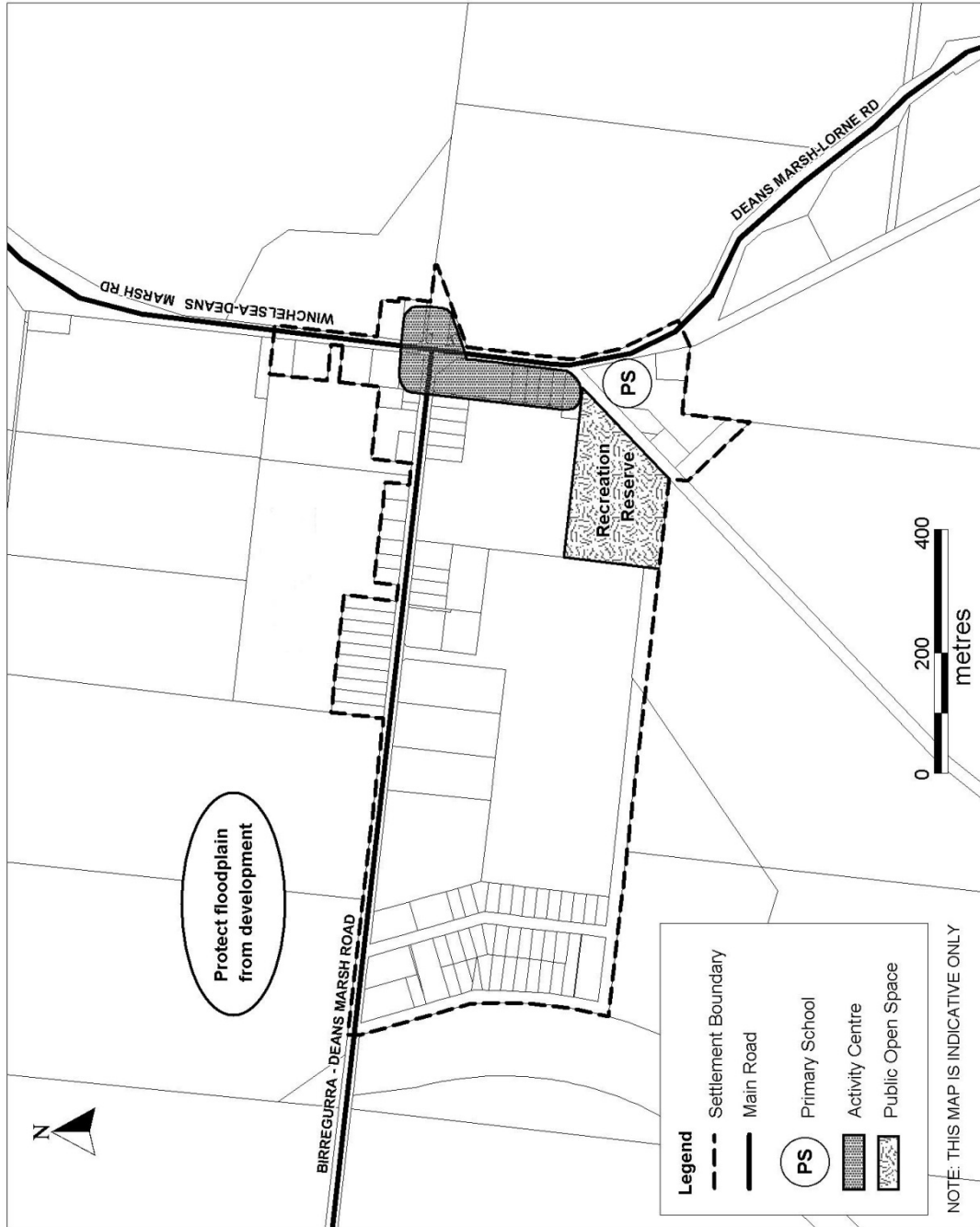
#### 21.15-4

30/05/2014  
C88  
Proposed C96

### Reference Documents

- *Deans Marsh Structure Plan, May 2008*
- *Regional Bushfire Planning Assessment: Barwon South – West Region, DPCD (2012)*

Map 1 to Clause 21.15 Deans Marsh Framework Plan



**22.01 RURAL TENEMENT POLICY**

12/09/2013  
**C68(Part 4)**  
**Proposed C96**

This policy applies to all land in the Farming Zone and Rural Conservation Zone.

**22.01-1 Policy Basis**

12/09/2013  
**C68(Part 1)**

This policy;

- Applies the agriculture State Planning Policy Framework objective in Clause 14.01 to local circumstances.
- Builds on the MSS objectives in Clauses 21.05-2 and 21.06 relating to agriculture and rural landscape;
- Applies the findings of the Surf Coast Shire Rural Strategy 2007;
- Applies tenement provisions in the rural zones to protect rural and environmentally sensitive land for future generations;
- Specifies requirements for assessing applications for subdivision and dwellings in rural areas;
- Recognises that there is no nexus between subdivision and housing in rural areas.

Tenement provisions have been an important rural land use tool in the Shire over the past 20 years. Tenement provisions have effectively limited the number of houses built in the rural area and encouraged the retention of rural land holdings and their continued use for rural production. Without limiting the definition of a tenement in Clause 72 (General Terms), a tenement is a single lot or group of lots held in the same ownership; and ‘tenement provisions’ are used to limit the number of dwellings that will be approved on a tenement rather than on individual allotments which may or may not comprise separate titles.

**22.01-2 Objectives**

11/11/2010  
**C49**

To help effect the long term protection of the Surf Coast Shire’s rural land for agricultural purposes and for the rural landscape qualities it provides.

To provide a consistent and equitable basis for considering permit applications for dwellings and subdivision in the rural zones.

**22.01-3 Policy - Dwellings**

11/11/2010  
**C49**

***Dwellings on lots below the minimum lot size specified in the Schedule to the Farming Zone or Rural Conservation Zone***

Where a permit is required to use land for the purpose of a dwelling on a lot below the minimum lot size specified in the Schedule to the Farming Zone or Rural Conservation Zone, it is policy to not grant approval unless all of the following requirements are met:

- The lot comprises and remains a tenement or part of a tenement falling within a category listed in Part A below; and
- The maximum number of dwellings on the said tenement does not exceed the relevant number listed in Part B below; and
- Any conditions listed in Part C below are met.

How to use this policy

A. Identify which of the five tenement categories the lot falls within.

B. Calculate the maximum number of dwellings permitted on a tenement falling within the relevant category.

C. Identify the conditions that will apply if a permit is granted.

Note: This policy is intended to supplement assessment of any application under the Farming Zone or Rural Conservation Zone. Compliance with the policy requirements does not imply that the responsible authority will grant a permit in every case.

### Part A. Tenement categories

Category 1	A lot created under a Plan of Subdivision approved by the Responsible Authority prior to the approval date (5 October 2000).
Category 2	A lot listed in Table 1 to this Clause.
Category 3	A lot comprising a tenement on 18 December 1997.
Category 4	A lot comprising part of a tenement on 18 December 1997.
Category 5	A lot comprising part of a tenement on 18 December 1997 where the said part was acquired in a single transaction between 17 December 1975 and 18 December 1997.
Where a lot falls within more than one tenement category the category with the smallest total area is to be used.	

### Part B. Maximum number of dwellings

Categories 1 & 3	1.
Category 2	Refer to Table 1 to this Clause.
Category 4 & 5*	<p>If the total area of the tenement identified in part A is less than twice the minimum lot size specified in the zone schedule: 1.</p> <p>If the total area of the tenement identified in part A is at least twice the minimum lot size specified in the zone schedule: the maximum number of dwellings is not to exceed the number permissible if the tenement were a single lot.</p> <p>The maximum number of dwellings includes:</p> <ul style="list-style-type: none"> <li>▪ The proposed dwelling;</li> <li>▪ Any existing dwelling;</li> <li>▪ Any dwelling for which a current permit exists but which has not been constructed.</li> </ul> <p>*Note: The maximum number of dwellings permitted on the tenement will not be increased whether or not part of the tenement is sold after the 18 December 1997.</p>

### Part C. Conditions to apply

Category 2	Any conditions specified in Table 1 to this Clause.
Categories 4 & 5**	<p>If the tenement comprises more than one lot:</p> <ul style="list-style-type: none"> <li>▪ the lots must be consolidated prior to the commencement of development; or</li> <li>▪ an agreement under s.173 of the Act must be entered into providing that the owner or any future owner will not apply to use or develop a dwelling on any lot that does not contain a dwelling or have a valid permit for a dwelling at the date of the agreement; and such agreement must be registered on title.</li> </ul>
All categories	<p>Each lot used for the purpose of a dwelling must:</p> <ul style="list-style-type: none"> <li>▪ have legal frontage to a road which provides a suitable means of access to the satisfaction of the responsible authority and</li> <li>▪ be suitable for a dwelling by way of its shape, configuration and means of access.</li> </ul> <p>**Note: If a tenement is broken up after 18 December 1997 this condition may need to be modified, however approval will not be granted for any dwelling which would increase the maximum number of dwellings otherwise permitted on the former tenement.</p>

**More than one dwelling on a lot**

Where a permit is required to use a lot for the purpose of more than one dwelling it is policy to not grant approval for an additional dwelling unless the responsible authority is satisfied that an additional dwelling is required for the operation of a productive rural activity that will generate a marketable rural commodity.

**22.01-4 Policy - Subdivision**

11/11/2010  
C49  
Proposed C96

Where a permit is required for subdivision, it is policy to:

- Require a written report which addresses the decision guidelines of the Rural Conservation Zone or Farming Zone, as applicable.
- Require a land management plan which demonstrates how the proposal achieves good land management practices. A land management plan should be prepared along the lines of a 'whole farm plan' as described in 'Whole Farm Planning, Principles and Options', edited by BK Garrett, Department of Conservation and Natural Resources and the Department of Agriculture, 1993.
- Where relevant, requiring the implementation of a land management plan within a specified time as a condition of permit.
- Disregard subjective considerations, such as the perceived non-viability of a lot for farming purposes, personal hardship, or family circumstances, which do not form part of the statutory decision guidelines,
- Require a subdivision layout that takes into consideration the ongoing protection and enhancement of any environmental assets within the property, ensuring adequate buffers (50m from a wetland/waterway, 30m from a minor waterway, 10m clearance of significant trees and 30m clearance of significant understorey) are provided around the asset to ensure protection from current or future land use or development.
- Require an owner to enter into a section 173 agreement to protect any environmental values identified by the responsible authority.

Where a permit is required to re-subdivide existing lots to create a new lot or lots that do not comply with the minimum lot size in the zone schedule, it is policy to:

- When calculating the number of lots that may be re-subdivided, count only a lot that has legal frontage to a road and is suitable for a dwelling due to its shape, configuration and means of access.

Where a permit is required to subdivide land to create a lot for an existing dwelling, it is policy to not grant approval unless all of the following requirements are met:

- The dwelling must have been in existence since 18 December 1997 and have been occupied or capable of being occupied, on and since 18 December 1997.
- The lot intended to contain the existing dwelling is not to be greater than 1 hectare in area and is of a shape and configuration that will have minimal impact on the continuing agricultural use and management of the balance of the tenement (in particular, battle-axe shaped blocks are discouraged).
- Since 17 December 1975, no other dwelling is to have been excised from any tenement of which the land has formed a part.
- The larger tenement after subdivision is to comply with the minimum lot size requirement in the zone schedule.

**22.01-5 Reference Documents**

11/11/2010  
C49

*Whole Farm Planning, Principles and Options*, BK Garrett, Department of Conservation and Natural Resources and the Department of Agriculture, 1993; (for examples of land management plans).

**Table 1 to Clause 22.01**

A permit may be granted to use the land described in this table for a dwelling provided the condition opposite is met.

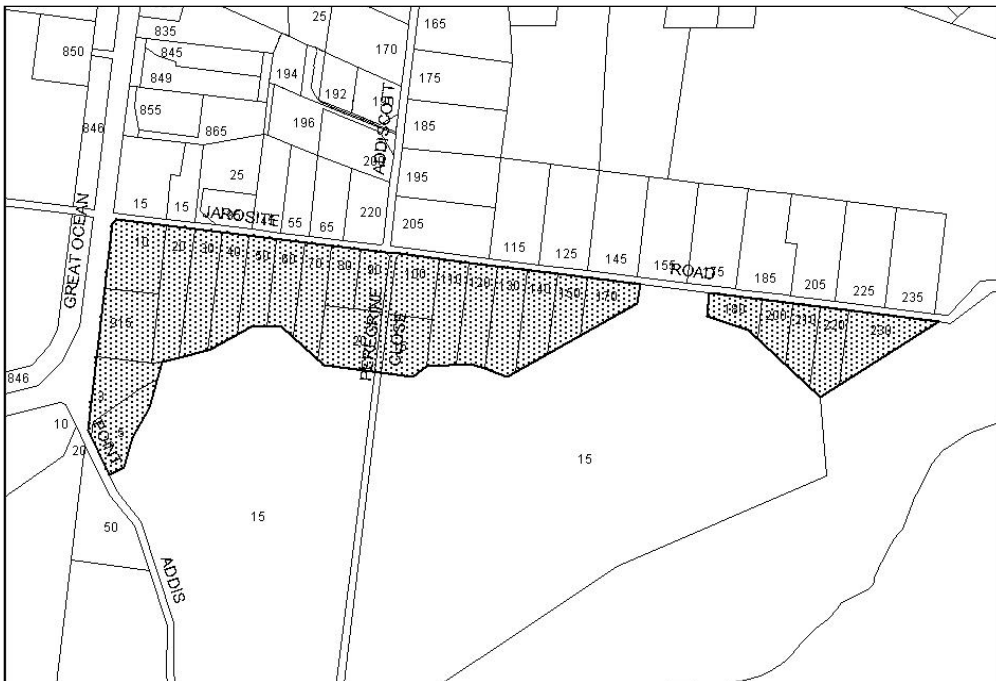
MAP REF NO.	LOCALITY	CONDITION
1	Bellbrae Township (as shown shaded on map no. 1)	One dwelling on each lot
2	Jarosite Road, Bells Beach (as shown shaded on map no. 2)	One dwelling on each of lots 1 to 24 LP136440
3	Aireys Inlet (as shown shaded on map no. 3)	One dwelling on each lot
4	Eastern View (as shown shaded on map no. 4)	One dwelling on each lot
5	Big Hill (as shown shaded on map no. 5)	One dwelling on consolidated lots: 18 & 76 LP10103, and One dwelling on each other lot
6	Cathedral Rock (as shown shaded on map no. 6)	One dwelling on each lot
7	Lorne (as shown shaded on map no. 7)	One dwelling on each of: <ul style="list-style-type: none"> <li>▪ Crown Allotments 1 &amp; 2 Section F</li> <li>▪ Crown Allotments 1 to 10 Section B</li> </ul>



**Map 1 to Clause 22.01 – Bellbrae Township**



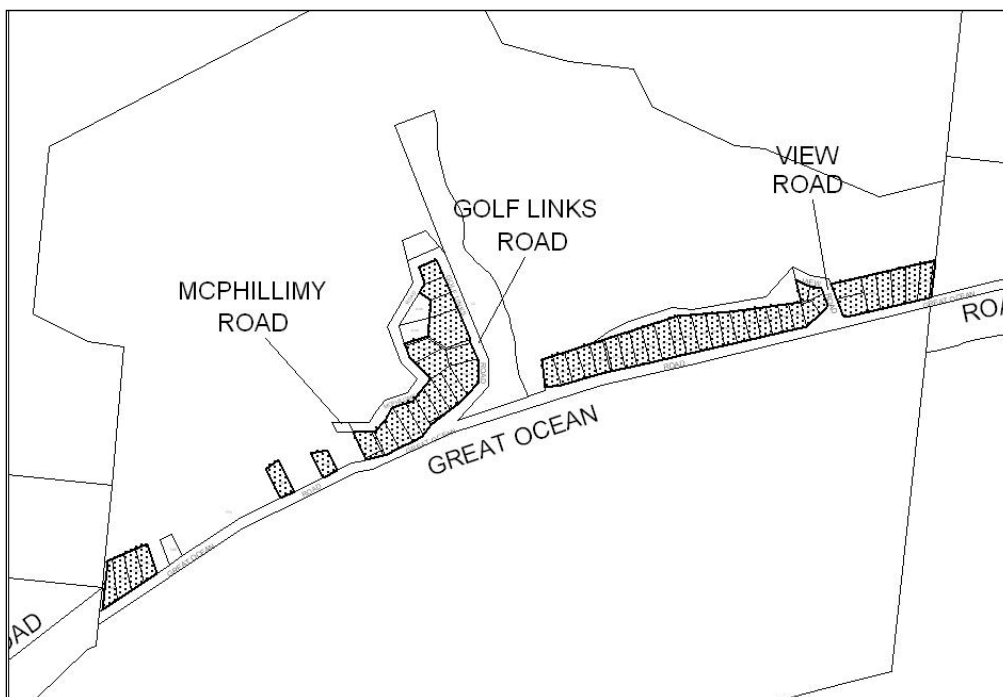
**Map 2 to Clause 22.01 – Jarosite Road, Bells Beach**



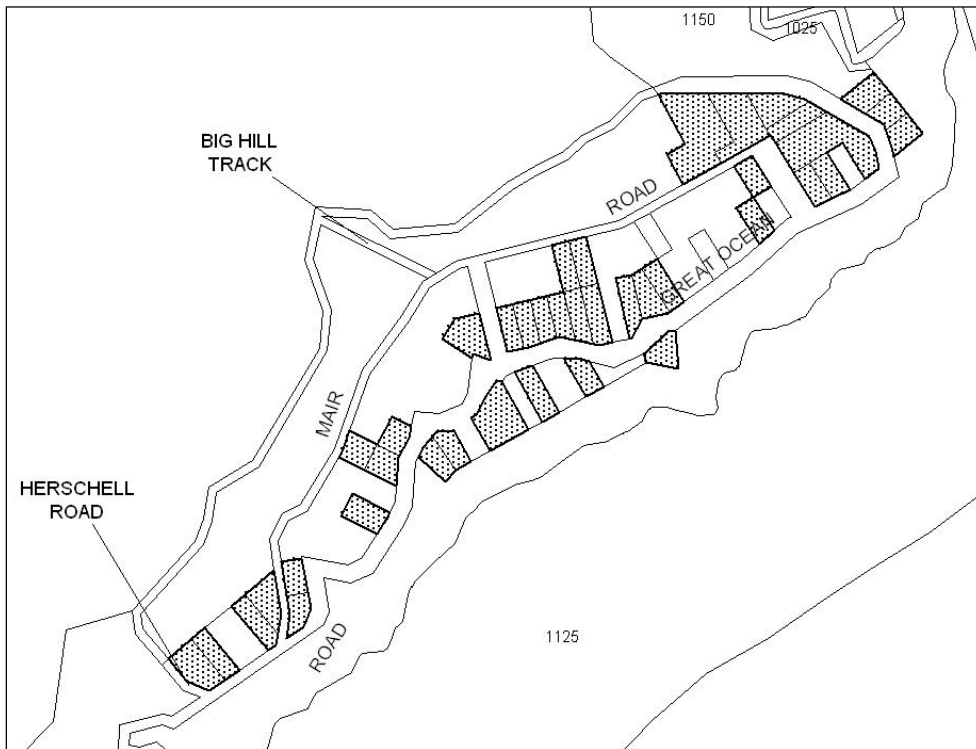
**Map 3 to Clause 22.01 – Aireys Inlet**



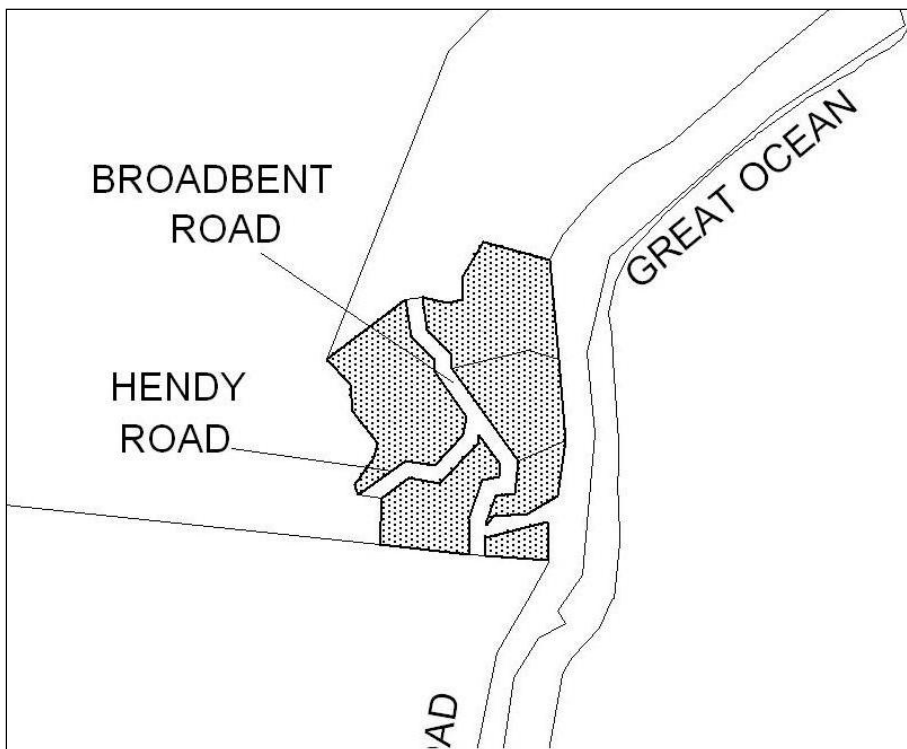
**Map 4 to Clause 22.01 – Eastern View**



**Map 5 to Clause 22.01 – Big Hill**



**Map 6 to Clause 22.01 – Cathedral Rock**



Map 7 to Clause 22.01 – Lorne



## 22.02 Streetscape and Landscaping Policy

20/03/2014  
C66  
Proposed C96

This policy applies to all developments throughout the Shire.

### Policy basis

This policy:

- Builds on the MSS objectives relating to urban and rural neighbourhood character and landscapes.
- Specifies landscaping plan requirements.

The visual quality and appearance of Landscaping throughout streetscapes and public places help to are important elements in creating and enhancing the character and attractiveness of towns for both residents and visitors. Townscapes are shaped by vegetation, infrastructure, signs, and the design and siting of buildings adjoining streets and public spaces.

#### Street trees and landscaping in urban areas:

- Reinforce the street network as a public place and slow traffic down.
- Reduce the heat island effect from hard surface areas and store Co2.
- Create pedestrian focused streets and provide shade.
- Capture and use stormwater.
- Enforce the neighbourhood character and beautify the area.

A mixture of indigenous, native and exotic tree species are to be used in streetscapes and public places, selected for their ability to meet the objectives within this policy.

Indigenous vegetation species are is to be planted in nature reserves and open spaces that connect to environmental assets as they are well adapted to local soil and climatic conditions, have minimal irrigation requirements, contribute to distinctive local landscape character and provide habitat for wildlife.

### 22.02-1 Objectives

11/11/2010  
C49  
Proposed C96

To protect and enhance the individual landscape character of each town through the planting and protection of indigenous vegetation and environmental objectives input to infrastructure design at an early stage.

To avoid increasing the risk of bushfire to the community.

To encourage the creation and ongoing management of defensible space.

To promote the development of co-ordinated and visually pleasing streetscapes in residential, commercial and industrial areas.

To encourage ecologically and economically sustainable streetscapes and landscapes.

To soften hard surface areas such as car parks and public spaces.

To create public open spaces that include shade for users and provide a visual connection to the local environment through landscaping.

### 22.02-2 Policy - Landscaping

20/03/2014  
C66

It is policy to:

- Require a landscaping plan where a permit is required for:
  - Commercial and industrial development.
  - Development that creates or modifies an existing a new public carpark road.
  - Use and development of land for more than one dwelling.

- Development of land in the Rural Conservation Zone, in the towns of Anglesea, Aireys Inlet, Fairhaven, Moggs Creek and Lorne, in Schedules 4 and 5 to the Environmental Significance Overlay, and on land subject to in Schedule 1 to the Significant Landscape Overlay, and ~~in~~ Schedules 1, 13, 20, 21 and 22 to the Design and Development Overlay (excluding minor buildings and works associated with an existing building).
- Native vegetation removal.

A landscape plan for a single dwelling must:

- Identify all indigenous vegetation to be removed and retained within an area identified as the inner zone for defendable space, on sites covered by a Bushfire Management Overlay.
- Identify the location of any indigenous vegetation to be removed or retained within 10m of any proposed building.

A landscape plan for all other applications must:

- Identify all indigenous vegetation to be removed and retained within the identified defendable space inner zone, on sites covered by a Bushfire Management Overlay.
- On sites up to 4,000m<sup>2</sup> in area, show all existing indigenous vegetation and shade trees.
- On sites larger than 4,000m<sup>2</sup> in area, show all existing indigenous vegetation within 20m of any proposed buildings, works or vegetation removal.
- Identify the location and species of any indigenous vegetation or shade trees to be removed.
- Provide details of proposed planting and landscaping works, including the number, location and species of proposed plants.
- Where buildings, works (including reticulated utility services) or hard surfaces are proposed within the canopy or root zone of existing trees, include a report by an arborist confirming that the location and design of any proposed buildings, works and hard surfaces will not compromise the long term viability of such trees.
- Identify any problems associated with climate, soil, rainfall, buildings, works or any other matter that may affect the establishment and long term health of existing or proposed native vegetation.
- In visually prominent areas, or where potential problems are identified, include a maintenance program to assist the sound establishment and long term health of existing and proposed native vegetation.
- Show all hard surface areas.
- Provide shade trees in play spaces, activity areas and car parks. In parking areas (including on street parking) trees are to be planted at a ratio of one tree to every four spaces with 10 or more spaces.
- ~~On land shown in a habitat protection envelope area (refer to Schedule 1 to the Significant Landscape Overlay), include a habitation envelope beyond which no native vegetation is to be removed, destroyed or lopped.~~
- Encourage vegetation species that are low maintenance, have low water requirements, ~~and are locally indigenous~~ will provide shade and suit the locale.
- Encourage the use of indigenous, historic themed or native shade trees in car parking areas, play spaces, activity centres and community spaces.
- ~~Disallow~~ encourage the use of species listed in the incorporated document "*Environmental Weeds – Invaders of our the Surf Coast Shire, 2nd Edition (2012)*".
- Require the property owner or developer to pay a bond to ensure that new or replacement vegetation is established and maintained and existing trees are retained in accordance with an approved plan where significant trees are to be removed, in visually prominent locations or where the landscape plan identifies specific problems.
- Encourage new development to be sited and designed to avoid or minimise losses to indigenous vegetation or trees that add to the landscape character of the town.

- Landscaping on private land should focus on the removal of environmental weeds and the protection and enhancement of indigenous species.

### 22.02-3 Policy - Streetscapes

11/11/2010  
C49  
Proposed C96

It is policy to:

- Require a streetscape master plan where a permit is required for development or subdivision that creates a new public street/road.
- Encourage a unifying visual image, as well as shade and shelter in the landscaping of development in commercial, community and industrial zones/areas.

A streetscape masterplan must:

- Show details of proposed street planting, lights and furniture (lighting and furniture is to comply with Council standards).
- Be consistent with guidelines developed for each town or locality.
- Give preference to the use of ~~locally indigenous plant species~~, historic themed trees~~unless in recognised historic heritage areas with other planting themes~~.
- Avoid the use of species listed in the incorporated document "Environmental Weeds - Invaders of the our Surf Coast Shire, 2nd Edition (2013/02)".
- Protect and manage remnant indigenous, shade trees and historic planted vegetation on nature strips and roadsides.

Species selection must:

- Be of a sufficient height and spread to provide shade for pedestrians, cyclists and the built environment.
- Assist in reducing the urban heat island effect.
- Not provide a continuous planted corridor that links a high risk bushfire prone area into an area of high activity.
- Suit a street environment being a mixture of native and non native species, with indigenous species being utilised in streets that directly connect to areas of high ecological value.

Species selection will vary depending on location as follows:

- Torquay and Torquay / Jan Juc Urban Growth areas – A mixture of indigenous, native and exotic tree species.
- Winchelsea - A mixture of indigenous, native and exotic tree species including heritage themed tree species.
- Jan Juc, Lorne, Aireys Inlet – Eastern View, Anglesea – Indigenous (native or exotic species may be appropriate in ~~commercial~~ select areas to provide shade).
- Deans Marsh, Bellbrae, Moriac – Indigenous (native, exotic or heritage themed species may be appropriate in ~~commercial~~ some areas to provide shade and to enhance existing avenues).
- Design and locate infrastructure to minimise ecological disturbance and visual impact. This includes roads, car parks, paths, utility lines, structures such as electricity sub-stations and telecommunications towers and underground services where a cleared easement is required.
- Design and position signage to minimise ecological disturbance and visual impact.
- Require the property owner or developer to pay a bond to ensure that new or replacement vegetation is established and maintained in accordance with an approved plan.

### 22.02-4 Reference Documents

DD/MM/YYYY  
Proposed C96

- *Weeds of the Surf Coast Shire (2013)*

- *Landscaping You Surf Coast Garden For Bushfire (2012)*
- *Surf Coast Shire Indigenous Planting Guide (2003)*
- *The Surf Coast Shire Urban tree and vegetation guidelines (2006)*
- *Anglesea Great Ocean Road Study (2013)*
- *Winchelsea Townscape Study (1995)*
- *Tree Species Selection Criteria for the 'Torquay North' Development Plan area (2010)*
- *Pathways Strategy (2012)*
- *Open Space Strategy 2016 – 2025 (2016)*
- *Playground Strategy (2011)*



## **SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

DD/MM/YYYY  
Proposed C96

Shown on the planning scheme map as ESO4

### **Habitat Protection and Significant Remnant Vegetation within the coastal settlements of Lorne, Moggs Creek, Fairhaven, Aireys Inlet, Anglesea, Torquay and Jan Juc.**

#### **1.0**

DD/MM/YYYY  
Proposed C96

#### **Statement of environmental significance**

The coastal settlements are within the Otway Ranges and Otway Plain bioregions and are a major conservation and ecological resource containing a number of species listed under the *Flora and Fauna Guarantee Act 1988*. They contain remnant vegetation of very high conservation value due to;

- the high percentage of native vegetation cover remaining,
- the diverse vegetation communities, and
- the important habitat they provide for a diverse range of flora and fauna, including rare and threatened species.

The settlements from Lorne to Anglesea directly adjoin the Great Otways National Park providing additional habitat, habitat linkages and functioning as a significant buffer to the biodiversity assets within the park.

The major threats to the biodiversity assets within these settlements are:

- Clearance, fragmentation and lack of regeneration.
- Loss of habitat including the loss of hollow-bearing trees.
- Residential subdivision and increasing development.
- Invasion of native vegetation by environmental weeds.
- Predation by cats and foxes on native fauna.
- Increasing levels of clearance in response to management against bushfire.

The protection of indigenous vegetation is intrinsic to the character and beauty of the coastal settlements and is highly valued by the community and visitors alike. All remnant vegetation is significant and removal should be avoided with a focus on removing weed species or exotics over natives in conjunction with reducing risks to persons and property from bushfire.

#### **2.0**

DD/MM/YYYY  
Proposed C96

#### **Environmental objective to be achieved**

To protect and enhance all biodiversity assets, including;

- The quality and extent of all indigenous vegetation including trees, shrubs, heath and grasses.
- Patches of remnant vegetation that provide a buffer to the Great Otway National Park or conservation and nature reserves.
- Merrans Sun Orchid in Fairhaven (refer to map 1 of this schedule).
- Brookers Gum and Wrinkled Buttons in Lorne.
- The Anglesea Heathland (listed on the Register of the National Estate).
- Bellarine Yellow Gums in Torquay/Jan Juc.
- Moonah Woodland Community in Anglesea.
- Habitat for rare or threatened fauna; including Rufus Bristlebird, Powerful Owl, Masked Owl, Grey Goshawk, Swamp Antechinus, Southern Toadlet, New Holland Mouse, Spot-tailed Quoll.

## Surf Coast Planning Scheme

- All rare or threatened flora including; Anglesea Grevillea, Red Beard-orchid, Southern Spider-orchid, Winter Sun-orchid, Anglesea Slender Sun-orchid and Otway Grey Gum,.
- To achieve no overall losses to the biodiversity assets contained within the settlements.
- To eradicate all weed species listed in the incorporated document ‘Weeds of the Surf Coast’.
- To discourage fencing to enable native fauna to move freely between habitat in urban areas into habitat in non-urban areas.
- To encourage site responsive building design that minimises the need for excessive earth works.
- To encourage subdivision layout that avoids the removal of indigenous vegetation.
- To maintain a low density of development with sufficient space around dwellings for defensible space and the retention of a reasonable coverage of indigenous vegetation.
- To maintain large lot sizes abutting or close to the Great Otway National park/settlement boundary.
- To recognise the important contributions that biodiversity makes to the overall character and identity of the settlements.
- To minimise the impacts of residential development on the biodiversity values within the Great Otway National Park.
- To manage the retention and enhancement of indigenous vegetation in a manner that does not increase risks of bushfire to persons or property.
- To discourage the establishment of recreational structure such as tennis courts and swimming pools that prevent long term enhancement of the vegetation cover in the coastal settlements of Anglesea, Aireys Inlet, Fairhaven and Moggs Creek.

### 3.0

#### Permit requirement

DD/MM/YYYY  
Proposed C96

#### Vegetation

A permit is not required to remove, destroy or lop any vegetation that is:

- within 3 metres of a building used for accommodation (or overhangs this area).
- listed as an environmental weed in the incorporated document, “Weeds of the Surf Coast Shire, (2013)”.
- not native to Victoria.
- dead.
- The minimum amount necessary to;
  - Maintain a minor utility installation.
  - Maintain a utility installation in accordance with a code(s) of practice approved by Secretary of the Department of Environment, Land, Water and Planning.
- and is within the designated ‘habitation envelope’ area, shown in map 2 to this schedule, or is the minimum extent necessary for;
  - the construction of a vehicle access from the street to the ‘habitation envelope’ and
  - the construction and maintenance of reticulated services.

#### Fencing

A permit is required to construct a fence.

This does not apply in the settlements of Torquay and Jan Juc or to a post and wire fence:

- with a 200mm clearance from ground level and
- that is not more than 1.5m in height.

## Surf Coast Planning Scheme

### 4.0 Decision guidelines

DD/MM/YYYY  
Proposed C96

Before deciding on an application to remove any native vegetation, construct a building or carry out works, or subdivide land, the responsible authority must consider, as appropriate:

- The environmental objectives to be achieved.

#### Vegetation removal

- The impact of the proposal on the biodiversity conservation values of the area.
- The value and specific qualities of the effected biodiversity asset as defined in the reference document 'Surf Coast Shire Biodiversity mapping project' (2014).
- Any relevant Flora and Fauna Guarantee Action Statements and threatening processes.
- The results of any vegetation assessment or survey of the biodiversity assets contained on the site and whether the survey and assessment has been adequately completed under appropriate seasonal conditions and by a suitably qualified person to the satisfaction of the Responsible Authority.
- The reason for removing any remnant vegetation and the practicality of any alternative options which do not require removal of remnant vegetation or other habitat components. Where alternatives exist which do not require the loss of native vegetation or other habitat values these alternatives should be favoured including the removal of vegetation with a lower ecological value (including weeds, exotics or degraded vegetation).
- Whether the retention and / or layout of new landscaping is appropriate and generally consistent with the reference document, 'Landscaping your Surf Coast garden for bush fire,' Surf Coast Shire (2015). Any new landscaping should not increase bushfire risk or compromise defensible space.
- The quality and extent of the vegetation that is to be removed and how preference has been given to enhancing the mapped patch of vegetation primarily through weed removal and / or revegetating within the patch using species from the relevant Ecological Vegetation Class.

#### Buildings and works

- The impact the proposed buildings or works will have on the biodiversity conservation values of the area and the practicality of siting buildings and works away from patches of native vegetation to ensure its ongoing protection.
- The means of protecting native vegetation during the construction of buildings and works and the on-going management of vegetation post construction.
- The need for a compact building design to reduce the defensible space footprint.

#### Subdivision

- The impact the proposed subdivision will have on the biodiversity conservation values on the site or adjacent sites particularly public land or nature reserves.
- Whether the subdivision will lead to an intensification of development abutting or within close proximity to the bushfire hazard interface and ultimately lead to inappropriate losses of native vegetation in response to bushfire mitigation measures.
- Whether the subdivision layout will;
  - create new lots that are capable of providing for a new dwelling with a 2-3m clear zone, free of all combustible materials including timber fencing, outside vegetated areas.
  - reduce impacts on the highest value vegetation.
  - Limit vehicular access to a single crossover (if practical) to minimise any adverse impact on the vegetated appearance of the street.

## Surf Coast Planning Scheme

- Provide for the placing of reticulated services in common trenches, using internal roads where practical, in order to minimise impacts on native vegetation.

### **Fencing**

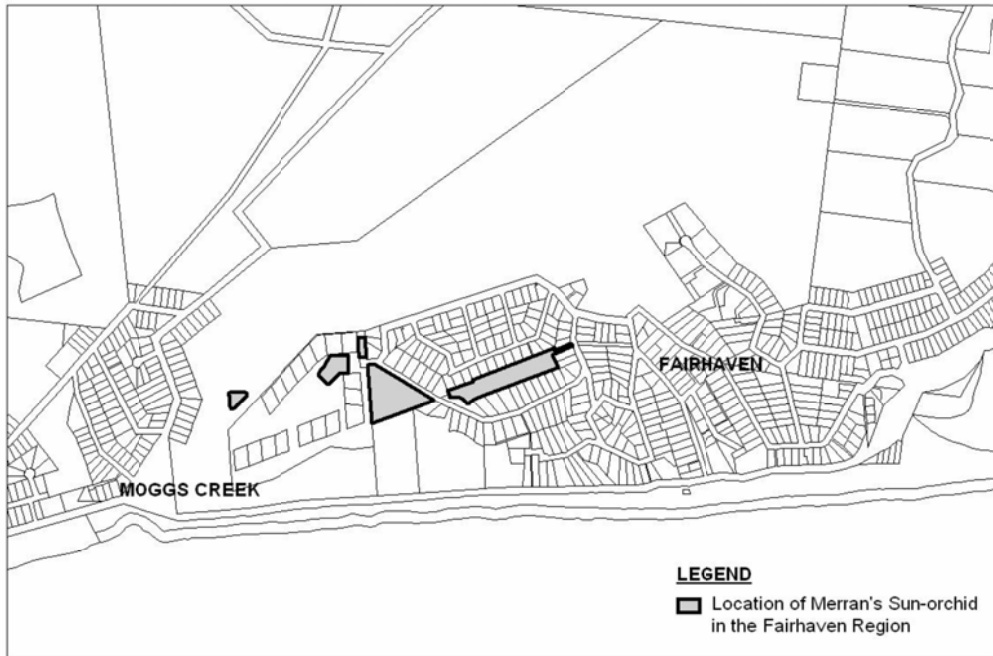
- Whether vegetation can be used as the primary means for achieving privacy between residential properties.
- Whether the layout of screen fencing or extensive areas of closely knit mesh fencing enables the continued passage of native fauna across the site, having regard to the habitat on site or connectivity to habitat on surrounding land, particularly public land.

### **Reference documents**

- Surf Coast Shire Biodiversity Mapping Project, Surf Coast Shire, DEPI and CCMA (2014).
- Weeds of the Surf Coast Shire, Surf Coast Shire (2013).
- Regional Bushfire Planning Assessment: Barwon South – West Region, DPCD (2012).
- Landscaping your Surf Coast garden for bush fire, Surf Coast Shire (2015).
- Aireys Inlet to Eastern View Neighbourhood Character Study and Vegetation Assessment (2004).
- Indigenous Planting Guide – Urban Coastal, Surf Coast Shire (2003).

Surf Coast Planning Scheme

Map 1 to Schedule 4 to Clause 42.01 – Known sites of Merrans Sun Orchid in Fairhaven



Map 2 to Schedule 4 to Clause 42.01 – 'Habitation envelopes', Lots 1 – 6 Harvey Street, Anglesea Heathland



13/10/2016  
C449  
Proposed C96

## SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11**.

### Aireys Inlet to Eastern View Hinterland

#### 1.0 Design objectives

13/10/2016  
C449  
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To preserve scenic landscapes and enhance the low scale, low density, vegetated character from Aireys Inlet to Eastern View.

To ensure that development presents an inconspicuous profile against the landscape setting, allowing the landscape to remain the key feature of the settlements, particularly where the vegetation canopy height is low and/or a site is prominently located.

To ensure that buildings are sited and designed to avoid protruding over or above ridgelines or form a silhouette against the sky when viewed from the Great Ocean Road or any other significant viewing point.

To retain a sense of openness between properties by encouraging the use of open style fencing and vegetated buffers in preference to solid paling fences.

To encourage building design that is site responsive and is stepped down the slope, following the natural contour of the land, avoiding the need for cut or fill.

To ensure that the scale, setbacks, site coverage and overall form of development respects the low scale, vegetated character of the settlements.

To ensure that buildings are sited and designed to avoid and/or minimise removal of native vegetation.

To retain the large lot size subdivision pattern that enhances significant open landscapes

To provide adequate building setbacks in order to retain space around buildings and to sustain landscaping and vegetative screening set back from dwellings to avoid fire risks but which better integrates built form within the landscape.

To achieve a reasonable sharing of views of significant landscape features, including views of the ocean and coastal shoreline, the Split Point Lighthouse, the Painkalac valley and natural bushland in the hinterland.

To encourage the use of warm, natural and earthy colour schemes and roofs that are clad in a non-reflective material and colour to enable buildings to blend with the natural surroundings.

To preserve the night sky ambience of the hinterland.

To discourage the establishment of private recreational structures such as tennis courts and swimming pools and the illumination of existing structures.

To encourage accessways that have an informal vegetated appearance.

#### 2.0 Buildings and works

13/10/2016  
C110

A permit is required to:

- Construct an outdoor swimming pool associated with a dwelling.
- Construct a fence, other than a post and wire fence that is not more than 1.5 metres in height and contains a 200 mm clearance from ground level to enable the movement of small indigenous fauna.

#### Requirements

##### Building setbacks

On land within the Low Density Residential Zone a building must be setback at least:

- 9 metres from a street boundary.

- 3 metres from a side or rear boundary.

#### Building height

Building height should not exceed 7.5 metres.

#### Fences

Front fencing must be of post and wire construction.

Any solid side or rear boundary fence must be:

- Sited behind the front wall of an existing or proposed building; and
- Not more than 1.8m in height.

Except in relation to building height, the above requirements cannot be varied with a permit.

### **3.0 Subdivision**

13/10/2016  
C110

#### **Exemption from notice and review**

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### **4.0 Advertising signs**

05/10/2006  
C18

Advertising sign requirements are at Clause 52.05, Category 4 – Sensitive areas

### **5.0 Decision guidelines**

13/10/2016  
C110

Before deciding on an application the responsible authority must consider, as appropriate:

#### *Building height*

- Whether a lower building height is required in order to meet the design objectives of this schedule, particularly where a building would protrude above the tree canopy.
- Whether a greater building height on steeply sloping land will be in keeping with the landscape character of the area having regard to the proportioning and bulk of the building.

#### *Design and siting*

- Whether the scale, setbacks, site coverage, design, siting and overall form of development is consistent with the low scale, low density, vegetated character of the hinterland.
- Whether the design and siting of proposed buildings and works would retain existing vegetation and provide adequate space on site for the planting of new vegetation.

#### *Fencing*

- Whether solid fencing has been used sparingly and only to screen private open space or a habitable room window where satisfactory screening is not or cannot be provided by vegetation.

#### *Recreational structures*

- Whether swimming pools are integrated with the design of the dwelling and meet the objectives of this schedule.
- Whether private recreational structures such as tennis courts and swimming pools would compromise long term enhancement of the vegetation cover.

#### *Subdivision*

- Whether the subdivision has been designed to avoid or minimise the removal of native vegetation.

- Whether the siting and design of new lots ensure future dwellings will not be visually prominent when viewed from the Great Ocean Road or any other significant viewing point.
- Whether the subdivision will adversely affect the environmental values of adjoining or nearby public land.
- Whether roads, accessways and footpaths within a subdivision have been designed to have an informal appearance, with an emphasis on retaining vegetation within road verges and alternatives to concrete kerb and channel drainage and standard bitumen (e.g. gravel or exposed aggregate).
- Whether the use of street lights has been limited to a single light at an intersection.



01/12/2016  
GC57

**SCHEDULE TO CLAUSE 52.17**

**1.0**

**Scheduled area**

19/08/2010  
C48  
[Proposed C96](#)

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
All land zoned Road Zone, Category 1 (RDZ1) or covered by a Public Acquisition Overlay (PAO3) or within road reservations intersecting with the Princes Highway for the purposes of the Princes Highway West duplication project and associated works not including the area covered by the PAO3 for the construction of a grade separated interchange at the intersection of Princes Highway West with Cape Otway and Devon Roads.	All native vegetation including trees, shrubs, herbs and grasses to the minimum extent necessary for works undertaken by or on behalf of VicRoads in the construction of the Princes Highway West duplication project and associated works, provided any required offsets are initiated in accordance with the <i>DSE-DOT Memorandum of Understanding for Native Vegetation Offsets</i> , 2010 (and its successors).

**2.0**

**Scheduled weed**

15/09/2008  
VC49  
[Proposed C96](#)

Area	Description of weed
<del>None specified</del> All land in the Surf Coast Shire	All species listed in the incorporated document <i>Weeds of the Surf Coast (2013)</i>

**3.0**

**Utility installation code of practice**

01/12/2016  
GC57

Name of code of practice
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016

03/08/2017  
 C447  
 Proposed C96 &  
 Proposed C85

## SCHEDULE TO CLAUSE 61.03 WHAT DOES THIS SCHEME CONSIST OF?

### 1.0

#### Maps comprising part of this scheme:

03/08/2017  
 C447  
 Proposed C96 &  
 Proposed C85

- 1, 1ESO, 1SMO, 1LSIO-FO
- 2, 2ESO, 2SMO, 2LSIO-FO
- 3, 3ESO, 3SMO, 3LSIO-FO
- 4, 4ESO, 4SMO, 4LSIO-FO, 4WMO
- 5, 5ESO, 5HO, 5SMO, 5LSIO-FO
- 6, 6ESO, 6SMO, 6LSIO-FO
- 7, 7ESO, 7HO, 7SMO, 7LSIO-FO, 7PAO
- 8, 8ESO, 8HO, 8DDO, 8DPO, 8SMO, 8EAO, 8LSIO-FO, 8SLO, 8PAO
- 9, 9ESO, 9VPO, 9HO, 9SMO, 9LSIO-FO, 9PAO
- 10, 10 ESO, 10VPO, 10HO, 10SMO, 10LSIO-FO, 10PAO
- 11, 11SMO, 11LSIO-FO, 11DPO, 11ESO
- 12, 12ESO, 12HO, 12SMO, 12LSIO-FO, 12PAO, 12DPO
- 13, 13ESO, 13LSIO-FO
- 14, 14HO
- 15, 15ESO, 15VPO, 15HO, 15SMO, 15WMO, 15LSIO-FO, 15DCPO
- 16, 16DDO, 16EAO, 16DPO, 16ESO, 16SMO, 16LSIO-FO, 16WMO, 16DCPO, 16PO
- 17, 17ESO, 17SMO, 17LSIO-FO
- 18, 18ESO, 18SMO, 18LSIO-FO
- 19, 19ESO, 19VPO, 19SLO, 19HO, 19DDO, 19DPO, 19WMO, 19LSIO-FO, 19EAO, 19DCPO, 19PAO
- 20, 20ESO, ~~20VPO~~, 20SLO, 20HO, 20DDO, 20DPO, 20SMO, 20WMO, 20LSIO-FO, 20EAO, 20DCPO, 20PO
- 21, 21ESO, 21SMO, 21LSIO-FO, 21DCPO
- 22, 22VPO, 22SLO, 22WMO, 22HO, 22DCPO, 22ESO
- 23, 23ESO, 23SMO, 23LSIO-FO, 23PAO
- 24, 24ESO, 24VPO, 24HO, 24SMO, 24WMO, 24LSIO-FO, 24PAO
- 25, 25ESO, 25VPO, 25HO, 25SMO, 25WMO, 25LSIO-FO
- 26, 26ESO, 26VPO, 26SMO, 26WMO, 26LSIO-FO
- 27, 27ESO, 27VPO, 27HO, 27SMO, 27WMO, 27LSIO-FO
- 28, 28HO, 28ESO, 28VPO, 28WMO, 28SMO, 28LSIO-FO
- 29, 29HO, 29SMO, 29 LSIO-FO, 29DDO, 29RO, 29ESO
- 30, 30ESO, 30VPO, 30WMO, ~~30 LSIO-FO~~
- 31, 31ESO, 31VPO, 31WMO, 31LSIO-FO
- 32, 32VPO, 32HO, 32WMO, 32LSIO-FO, 32ESO
- 33, 33ESO, 33VPO, 33SLO, 33HO, 33DDO, 33DPO, 33NCO, 33SMO, 33WMO, 33LSIO-FO, 33RO, 33PAO
- 34, 34VPO, 34SLO, 34HO, 34WMO
- 35, 35HO, 35ESO, 35VPO, 35WMO
- 36, 36ESO, 36VPO, 36SLO, 36HO, 36WMO
- 37, 37HO, 37ESO, 37SLO, 37DDO, 37WMO
- 38, 38ESO, 38WMO

- 39, 39ESO, 39HO, 39DDO, 39NCO, 39SMO, 39LSIO-FO, 39WMO
- 40, 40ESO, 40VPO, 40HO, 40DDO, 40NCO, 40SMO, 40LSIO-FO, 40WMO
- 41, 41ESO
- 42, 42ESO, 42SLO, 42HO, 42WMO, 42LSIO-FO
- 43, 43SLO, 43HO, 43DDO, 43EAO, 43WMO, 43LSIO-FO, 43NCO, 43RO, 43ESO

29/10/2015

VC404

Proposed C96 &amp;

Proposed C85

**SCHEDULE TO CLAUSE 66.04****Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority	Type of referral authority
<del>Clause 3.0 of Schedule 1 to Clause 37.01 (SUZ)</del>	<del>All applications for buildings and works.</del>	<del>Secretary to the Department of Environment, Land, Water and Planning</del>	<del>Determining referral authority</del>
Clause 3.0 of Schedule 1 to Clause 42.01 (ESO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning.  <u>Relevant Catchment Management Authority.</u>	Determining referral authority
Clause 3.0 of Schedule 2 to Clause 42.01 (ESO)	All applications.	Relevant water, drainage or sewerage authority	Determining referral authority
<del>Clause 3.0 of Schedule 3 to Clause 42.01 (ESO)</del>	<del>All applications.</del>	<del>Secretary to the Department of Environment, Land, Water and Planning</del>	<del>Determining referral authority</del>
Clause 3.0 of Schedule 4 to Clause 42.01 (ESO)	All applications <u>on sites know to contain Merrans Sun Orchid as shown on map 1 to the schedule.</u>  <u>All applications for native vegetation removal on sites within the Anglesea Heathland as shown on map 2 to the schedule.</u>	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 3.0 of Schedule 5 to Clause 42.01 (ESO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Clause 3.0 of Schedule 1 to Clause 42.02 (VPO)	All applications.	Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
<del>Clause 3.0 of Schedule 2 to Clause 42.02 (VPO)</del>	<del>All applications.</del>	<del>Secretary to the Department of Environment, Land, Water and Planning</del>	<del>Determining referral authority</del>
<del>Clause 3.0 of Schedule 3 to Clause 42.02 (VPO)</del>	<del>Applications for removal, lopping or destruction of Bellarine Yellow Gum.</del>	<del>Secretary to the Department of Environment, Land, Water and Planning</del>	<del>Determining referral authority</del>

01/06/2017  
C146  
Proposed C96

## SCHEDULE TO CLAUSE 81.01 TABLE OF DOCUMENTS INCORPORATED IN THIS SCHEME

### 1.0 Incorporated documents

01/06/2017  
C146  
Proposed C96

Name of document	Introduced by:
Anglesea Borefield Project Incorporated Document, June 2009	<b>C51</b>
Briody Drive West Upgrade Development Contributions Plan, October 2012	<b>C71 (Part 3)</b>
Cumberland River, Cypress Trees Incorporated Plan, June 2006	<b>C15 (Part 2)</b>
Cypress Ave, Lorne Foreshore Incorporated Plan, June 2006	<b>C15 (Part 2)</b>
Deans Marsh Township Restructure Plan Revised October 2013	<b>C88</b>
<del>Environmental Weeds – Invaders of our Surf Coast (Second Edition 2002)</del> <u>Weeds of the Surf Coast (2013)</u>	<del>C16</del> <b>C96</b>
Golden Beach Concept Plan (marked 'Golden Beach Residential Lakes and Golf Course Development, Torquay – Concept Plan. Revision F: 13.04.00')	<b>NPS1</b>
Livewire Park, Tree Top Adventure Facility, 180 Erskine Falls Road, Lorne, April 2016	<b>C116</b>
Lorne Restructure Plan, 2006 (Revised July 2007)	<b>C34</b>
Moreton Bay Fig, Lorne Foreshore Incorporated Plan, June 2006	<b>C15 (Part 2)</b>
Part of Lot A on PS 720129F (proposed Lots 312-314 on PS711644P), Winki Way, Torquay - West Coast Business Park, April 2016	<b>C115</b>
Point Roadknight Restructure Plan 2004	<b>C16</b>
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016	<b>GC57</b>
Princes Highway Duplication – Winchelsea to Colac, July 2014	<b>C91</b>
Queens Park Caravan Park Incorporated Plan, June 2006	<b>C15 (Part 2)</b>
Surf Coast Heritage Study Stage 2B – Statements of Significance July 2009	<b>C50</b>
Taylor Park Incorporated Plan June 2009	<b>C50</b>
Torquay Caravan Park Incorporated Plan June 2009 (Am Jan 2012)	<b>C78</b>
Torquay Foreshore Incorporated Plan June 2009	<b>C50</b>
Torquay Jan Juc Development Contributions Plan, 16 May 2011 (Version 5 – March 2013)	<b>C57</b>
Wanliss Nut Farm Incorporated Plan, June 2006	<b>C15 (Part 2)</b>