

Surf Coast Planning Scheme

Amendment C147surf

Explanatory Report

Overview

Amendment C147surf implements the recommendations of the *Surf Coast Planning Scheme Review 2024* into the Surf Coast Planning Scheme.

The amendment does this by introducing new and revised local content into the Municipal Planning Strategy, Planning Policy Framework, and schedules to zones, overlays, general provisions, and operational provisions.

Where you may inspect this amendment

The amendment can be inspected free of charge during office hours at Surf Coast Shire Council's offices, 1 Merrijig Drive, Torquay or Council's website at www.surfcoast.vic.gov.au

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by **5pm on Friday, 18th April 2025**.

A submission must be sent to: Coordinator Strategic Planning, Surf Coast Shire Council, PO Box 350, Torquay Vic 3228 or emailed to info@surfcoast.vic.gov.au.

Panel hearing dates

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

- Directions hearing: 23/06/2025
- Panel hearing: 21/07/2025

Details of the amendment

Who is the planning authority?

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

Land affected by the amendment

The amendment applies to all land in the Surf Coast Shire.

What the amendment does

The amendment proposes to introduce new or revised local content into the Municipal Planning Strategy, Planning Policy Framework, and schedules to zones, overlays, general provisions and operational provisions to implement the *Surf Coast Planning Scheme Review 2024*.

The amendment proposes to make the following changes to the Surf Coast Planning Scheme:

- Implements the land use and development directions of Council's adopted strategies and documents, including the:
 - Surf Coast Shire Council Plan incorporating the Health and Wellbeing Plan 2021-2025
 - Surf Coast Shire Climate Emergency Response Plan 2021-2031
 - Affordable Accommodation Action Plan 2022
 - Growing Adventure Tourism in Barwon South West Region Regional Trails Action Plan 2015-2025
 - Surf Coast Safer Cycling Strategy 2022-2027
 - Surf Coast Shire Economic Development Strategy 2021-2031
- Clarifies and improves the style, format, language or grammatical form of content in accordance with the requirements of the *Ministerial Direction: the Form and Content of Planning Schemes* and principles set out in the *Practitioner's Guide to Victoria's Planning Schemes* where the intended effect of that clause or any other clause is not changed.
- Updates clause references, department names, legislation names, document references, terminology and statistical data.
- Deletes or adjusts content that conflicts with State planning policy of the Victoria Planning Provisions.
- Removes repetitive content.
- Removes or updates outdated content.

Specifically, the amendment proposes to make the following changes to the Surf Coast Planning Scheme:

Planning Scheme Maps

- Amend Zoning Map Nos. 1 to 40, 42 and 43 to include schedule numbers in the map code for the Rural Conservation Zone (RCZ1-7) and Farming Zone (FZ1-3) in accordance with the *Ministerial Direction: the Form and Content of Planning Schemes*.

Municipal Planning Strategy and Planning Policy Framework

- Amend Clauses 02.01 (Context), 02.02 (Vision) and 02.03 (Strategic Directions) to add land use and development directions from local and regional documents and strategies; to recognise First Nations peoples; to update Council's vision; and to include policy guiding economic development and tourism.
- Amend Clause 02.04 (Framework plans) to relocate the plan *Areas of Conservation Value* from the Schedule to Clause 35.06 (Rural Conservation Zone) to Clause 02.04-11.
- Amend Clause 12.05-2L (Landscapes in the Great Ocean Road and south west coast region) to improve language to conform with the drafting principles set out in the *Practitioner's Guide to Victoria's Planning Schemes*.
- Amend Clause 15.01-1L-01 (Design in Deans Marsh) to add a Policy application consistent with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Clause 15.01-5L-01 (Coastal towns preferred neighbourhood character) and Clause 15.01-5L-02 (Torquay-Jan Juc preferred neighbourhood character) to improve language to conform with the drafting principles set out in the *Practitioner's Guide to Victoria's Planning Schemes*.
- Insert new Clause 15.01-2L (Environmentally Sustainable Development – Surf Coast) to encourage development to include environmentally sustainable design principles.
- Amend Clauses 17.02-1L (Business in Surf Coast) and 17.04-1L (Facilitating tourism in Surf Coast) to add content from adopted strategies and make administrative changes.
- Delete Clause 18.01-1L (Sustainable personal transport) and move existing content to Clause 18.02-1L (Walking – Surf Coast).
- Insert Clause 18.02-2L (Cycling – Surf Coast) to include content from the adopted Surf Coast Safer Cycling Strategy 2022-2027.
- Amend Clause 19.02-6L (Open space in Surf Coast) to add new content from Council adopted strategies.
- Amend Clause 19.03-2L (Infrastructure design and provision in Surf Coast) to

reflect Council's use of the Infrastructure Design Manual.

Zones

- Renumber the Schedule to Clause 35.06 (Rural Conservation Zone) to Schedule 1 to Clause 35.06 (Rural Conservation Zone) and apply it to Breamlea Wetlands.
- Insert Schedule 2 to Clause 35.06 (Rural Conservation Zone) and apply it to Bells Beach and Addis Point.
- Insert Schedule 3 to Clause 35.06 (Rural Conservation Zone) and apply it to Bellbrae South West.
- Insert Schedule 4 to Clause 35.06 (Rural Conservation Zone) and apply it to Great Ocean Road Hinterland.
- Insert Schedule 5 to Clause 35.06 (Rural Conservation Zone) and apply it to Otways and Hinterland.
- Insert Schedule 6 to Clause 35.06 (Rural Conservation Zone) and apply it to Pennyroyal and Bambra.
- Insert Schedule 7 to Clause 35.06 (Rural Conservation Zone) and apply it to Lake Modewarre.
- Renumber the Schedule to Clause 35.07 (Farming Zone) to Schedule 1 to Clause 35.07 (Farming Zone) and apply it to areas with a minimum subdivision area (hectares) of 40 hectares.
- Insert Schedule 2 to Clause 35.07 (Farming Zone) apply it to areas with a minimum subdivision area (hectares) of 60 hectares.
- Insert Schedule 3 to Clause 35.07 (Farming Zone) apply it to areas with a minimum subdivision area (hectares) of 80 hectares.
- Amend Schedule 1 to Clause 37.01 (Special Use Zone) to remove referral requirements set out at Clause 4.0 (to be relocated to the Schedule to Clause 66.04), in accordance with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 3 to Clause 37.01 (Special Use Zone) to rationalise the purpose from 6 points to 5 points to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 9 to Clause 37.01 (Special Use Zone) to relocate decision guidelines to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 2 to Clause 37.02 (Comprehensive Development Zone) to replace the word shall with must, to comply with standard drafting practice.

Overlays

- Amend Schedule 2 to Clause 42.01 (Environmental Significance Overlay) which applies to Special Water Supply Catchment Areas to include a more detailed statement of environmental significance at Clause 1.0, reduce the number of objectives from 3 to 1, include application requirements and update the decision guidelines in line with Barwon Water's requested changes and to align with the *Ministerial Direction: the Form and Content of Planning Schemes*. This includes removing the referral to Barwon Water (to be relocated to the Schedule to Clause 66.04).
- Amend Schedule 5 to Clause 42.01 (Environmental Significance Overlay) to correct the spelling of Sheoak, include application requirements and remove referral requirements that are reflected in the Schedule to Clause 66.04.
- Amend Schedule 1 to Clause 42.02 (Vegetation Protection Overlay) to make minor corrections and remove the referral requirement set out in Clause 5.0 (to be relocated to the Schedule to Clause 66.04) to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 6 to Clause 42.03 (Significant Landscape Overlay) to remove the referral requirement set out in Clause 5.0 (to be relocated to the Schedule to Clause 66.04) to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 2 to Clause 43.02 (Design and Development Overlay) to rationalise the number of design objectives from 6 to 5 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 5 to Clause 43.02 (Design and Development Overlay) to remove the reference to Background Documents to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 8 to Clause 43.02 (Design and Development Overlay) to rationalise the number of design objectives from 6 to 5, remove the reference to Background Documents and replace with a new decision guideline to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 13 to Clause 43.02 (Design and Development Overlay) to rationalise the number of design objectives from 6 to 5 to align with the *Ministerial Direction: the Form and Content of Planning Schemes* and make minor corrections.
- Amend Schedule 15 to Clause 43.02 (Design and Development Overlay) to clarify the requirements relating to buildings and works.
- Amend Schedule 17 to Clause 43.02 (Design and Development Overlay) to reorder the requirements under buildings and works to a more logical structure.
- Amend Schedule 18 to Clause 43.02 (Design and Development Overlay) to

clarify the permit requirements relating to buildings and works.

- Amend Schedule 22 to Clause 43.02 (Design and Development Overlay) to rationalise the number of design objectives from 6 to 5 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 23 to Clause 43.02 (Design and Development Overlay) to relocate application requirements to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 5 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 6 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 7 to Clause 43.04 (Development Plan Overlay) to rationalise the objectives from 6 to 5 and insert the correct introductory text to Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 8 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 9 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 10 to Clause 43.04 (Development Plan Overlay) to remove dot points from the objectives and insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 11 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 12 to Clause 43.04 (Development Plan Overlay) to add Clause 1.0 Objectives with no content, renumber subclauses and insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 13 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 14 to Clause 43.04 (Development Plan Overlay) to insert the correct introductory text to Clause 3.0 and Clause 4.0 to align with the *Ministerial*

Direction: the Form and Content of Planning Schemes.

- Amend Schedule 1 to Clause 45.09 (Parking Overlay) to correct the numbering of sub clauses to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 2 to Clause 45.09 (Parking Overlay) to rationalise the number of objectives from 6 to 5 to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.

General Provisions

- Amend the Schedule to Clause 66.04 (Referral of permit applications under local provisions) to reflect the referrals that were previously incorrectly located in Schedules 1, 3 and 9 to Clause 37.01 (Special Use Zone), and Schedule 6 to Clause 42.03 (Significant Landscape Overlay) and update Victorian Government Department names.

Operational Provisions

- Amend the Schedule to Clause 72.08 (Background documents) to include the following background documents:
 - Surf Coast Highway Urban Design Guidelines (David Lock Associates, 2006)
 - Surf Coast Industrial Zone Outdoor Advertising Sign Guidelines (Surf Coast Shire, 2011)
 - Surf Coast Open Space Strategy 2016-2025 (ROSS Planning, 2015)
 - Surf Coast Safer Cycling Strategy 2022-2027 (O'Brien Traffic, 2021)
 - Surf Coast Shire Economic Development Strategy 2021-2031 (Surf Coast Shire, 2021)
 - The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013)
 - Torquay Central Boston Road Residential Precinct Design Guidelines (Hassell, 2006)
 - Torquay Community and Civic Precinct Master Plan (Surf Coast Shire, 2007)
 - Torquay Town Centre – Foreshore Zone Design Guidance (Surf Coast Shire, 2007)
 - Torquay Town Centre Revitalisation Project (Fisher Stewart, 2001)
 - Torquay Town Centre Revitalisation Project – Urban Design Guidelines (Fisher Stewart, 2007)
 - Torquay Town Centre Parking Precinct Plan (Surf Coast Shire, 2012).

- Amend the Schedule to Clause 74.01 (Application of zones, overlays and provisions) to update schedules to the Farming Zone and Rural Conservation Zone.
- Amend the Schedule to Clause 74.02 (Further strategic work) to include further strategic work identified in the *Surf Coast Planning Scheme Review 2024* as a council priority for the next 4 years.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the recommendations of the *Surf Coast Planning Scheme Review 2024* in the Surf Coast Planning Scheme.

The Review was finalised in May 2024 as required by Section 12B of the *Planning and Environment Act 1987*. Periodic reviews ensure planning schemes provide the necessary framework to achieve a council's land use vision for the municipality.

The Review found that the Surf Coast Planning Scheme is generally well drafted and complies with Victoria government requirements. The Review found that the local provisions are performing well. While there were a few gaps identified, the Review predominantly identified minor drafting issues when assessed against the Ministerial Direction: the Form and Content of Planning Schemes, the Practitioner's Guide to Victoria's Planning Schemes and relevant planning practice notes.

The main amendments that are proposed as a result of the Review relate to the:

- Updating of the Municipal Planning Strategy and Planning Policy Framework to reflect recent work undertaken and adopted by Council but not yet translated into the planning scheme.
- Inserting a new Environmentally Sustainable Development policy at Clause 15.01-2L based on the template developed by the Council Alliance for Sustainable and Built Environment (CASBE) of which Surf Coast Shire Council is a member.
- Policy neutral changes are also required to align with the Ministerial Direction: the Form and Content of Planning Schemes and the principles set out in the Practitioner's Guide to Victoria's Planning Schemes; to make factual changes to the Municipal Planning Strategy to include the most recent Australian Bureau of Statistics and other economic data; and the need to include land use and development directions from local and regional strategies in the Planning Policy Framework.

These are set out in more detail in the tables below.

Map No.	Description of anomaly	Proposed amendment
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 23, 24, 29, 32	Missing schedule numbers in the map code for the Farming Zone.	Update maps to reflect new schedules to clause 35.07.
17, 18, 19, 21, 22, 25, 26, 27, 28, 30, 34	Missing schedule numbers in the map code for the Rural Conservation Zone and Farming Zone.	Update maps to reflect new schedules to clauses 35.06 and 35.07.
31, 33, 35, 36, 37, 38, 39, 40, 42, 43	Missing schedule numbers in the map code for the Rural Conservation Zone.	Update maps to reflect new schedules to clause 35.06.

Clause No.	Description of anomaly	Proposed amendment
Clause 02.01	Dated regional reference, outdated demographic information and economic drivers.	Update to reference Barwon Southwest Region, to include contemporary demographic information and economic drivers.
Clause 02.02	Vision is not consistent with current Council Plan.	Update vision to align with the adopted Council Plan 2021-2025.
Clause 02.03	Population projections dated, strategies adopted since the last review not reflected in MPS, unclear language.	Update projections (REMPPLAN 2023), grammatical and language corrections, add council position on various matters based on the Accommodation Action Plan 2022, Regional Trails Action Plan 2015-2025, and SCS Economic Development Strategy 2021-2031.
Clause 02.04	New map: Areas of conservation value.	Add the <i>Areas of conservation value</i> map that has been relocated from the schedule to clause 35.06.
Clause 12.05-2L	Content inconsistent with drafting principles of Practitioner's Guide to Victoria's Planning Schemes.	Language correction.
Clause 15.01-1L-01	Content inconsistent with Ministerial Direction: the Form and Content of Planning Schemes.	Policy application added. .
Clauses 15.01-5L-01 and 15.01-	Content inconsistent with drafting principles of Practitioner's Guide to Victoria's Planning Schemes.	Language changes.

Clause No.	Description of anomaly	Proposed amendment
5L-02		
Clause 15.01-2L	New policy: Environmentally Sustainable Development.	Add new clause 15.01-2L (Environmentally Sustainable Development - Surf Coast), which applies to residential development of 2 or more dwellings on a lot, a building for accommodation (other than one dwelling on a lot) and all non-residential development as specified in the policy. The provision does not apply to the development of one dwelling on a lot. The policy will help to reduce greenhouse gas emissions, supporting Council's adopted position on Climate Change Action (SCS Climate Emergency Response Plan 2021-2031).
Clauses 17.02-1L and 17.04-1L	New information from Council's adopted SCS Economic Development Strategy 2021-2031 is not reflected in the current clauses.	Strategies added to add content from the SCS Economic Development Strategy 2021-2031. Also updated to rectify reference to a previously omitted policy document.
Clauses 18.01-1L and 18.02-1L	Content relating to pathways incorrectly located under clause 18.01-1L. New information from Council's adopted Surf Coast Safer Cycling Strategy 2022-2027 is not yet reflected in local policy.	Content moved from clause 18.01-1L to clause 18.02-1L (Walking – Surf Coast). Add clause 18.02-2L to include content from the Surf Coast Safer Cycling Strategy 2022-2027.
Clause 19.02-6L	New information from Council's adopted SCS Economic Development Strategy 2021-2031 is not yet reflected in local policy.	Add a new strategy to clause 19.02-6L (Open space in Surf Coast) to include content from the SCS Economic Development Strategy 2021-2031.
Clause 19.03-2L	Requires update to reflect Council's adopted position on use of the Infrastructure Design Manual (IDM).	Add new content to clause 19.03-2L (Infrastructure Design and Provision in Surf Coast) to reflect Council's use of the IDM.
Clause 35.06 schedules	The structure of the Rural Conservation Zone schedules, in that there is only one schedule for all areas, is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Distribute existing content across seven schedules to comply with the MD. Delete Map 1 to the schedule to clause 35.06 and add it to clause 02.04-11.
Clause	The structure of the Farming Zone	Distribute existing content across three

Clause No.	Description of anomaly	Proposed amendment
35.07 schedules	schedules, in that there is only one schedule for all areas, is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	schedules to comply with the MD.
Clause 37.01 – Schedules 1, 3, 9 Clause 37.02 – Schedule 2	Minor language errors and inconsistencies with the Ministerial Direction: the Form and Content of Planning Schemes (MD).	Amend the schedules to comply with the MD.
Clause 42.01 – Schedule 2	The content in the schedule is limited.	As requested by Barwon Water, amend the schedule to provide a more comprehensive description of the Statement of significance, Environmental objectives, Application requirements, and Decision guidelines.
Clause 42.01 – Schedule 5	The schedule is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD), contains minor spelling errors and lacks guidance on application requirements.	Administrative changes to comply with the MD and correct spelling errors and add application requirements to provide improved guidance for permit applicants and other users of the scheme.
Clause 42.03 – Schedule 6	The schedule is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Move referral requirements to clause 66.04.
Clause 43.02 – Schedules 2, 5, 8, 13, 15, 17, 18, 22, 23, 29	The schedules are inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD), or contain minor spelling and grammatical errors.	Administrative changes to comply with the MD and correct spelling and grammatical errors.
Clause 43.04 – Schedules 5, 6, 7, 8, 9, 10, 11, 12, 13, 14	The schedules are inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Administrative changes to comply with the MD.
Clause 45.09 – Schedules 1, 2	The schedules are inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Administrative changes to comply with the MD.

Clause No.	Description of anomaly	Proposed amendment
Clause 66.04 – Schedule	Referral authorities are dated and require updating. Some referral triggers are held elsewhere in the scheme which is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Schedule updated to add content moved from elsewhere in the scheme. Referral authorities (names) updated.
Clause 72.08 – Schedule	The schedule is inconsistent with Ministerial Direction: the Form and Content of Planning Schemes (MD).	Schedule updated to add background documents moved from elsewhere in the scheme and additional administrative changes made to comply with the MD.
Clause 74.01 – Schedule	The schedule requires updating to reflect changes to the schedules to the Farming Zone and Rural Conservation Zone.	Schedule updated to include updated schedules to the Farming Zone and Rural Conservation Zone.
Clause 74.02 – Schedule	The schedule has not been updated since the last planning scheme review and does not include an up-to-date list of council's further strategic work.	Schedule updated to reflect the recommendations of the adopted Planning Scheme Review 2024.

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

The proposed amendment implements the following objectives of planning in Victoria included at Section 4(1) of the *Planning and Environment Act 1987*:

- *Section 4(1)(a) - to provide for the fair, orderly, economic and sustainable use, and development of land.*
- *Section 4(1)(b) - to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- *Section 4(1)(c) - to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *Section 4(1)(d) - to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value.*
- *Section 4(1)(e) - to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*
- *Section 4(1)(f) - to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*

- *Section 4(1)(g) - to balance the present and future interests of all Victorians.*

The amendment seeks to implement the Review by making corrections and updating the Surf Coast Planning Scheme to reflect the key strategic directions established for Surf Coast Shire. This will provide certainty for all users of the planning system by ensuring the fair, orderly, economic, and sustainable development of land in the municipality, which is consistent with the objectives of planning in Victoria.

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

The changes to the Surf Coast Planning Scheme include administrative and policy neutral changes arising from the Review, as well as new policy. Overall, the amendment is expected to have positive environmental, social, and economic effects for Victorian businesses, industry, and the community by:

- Improving the clarity and transparency of local policy content in the Municipal Planning Strategy, Planning Policy Framework, and local schedules, which will result in greater certainty for users of the planning system.
- Reducing unnecessary costs to applicants and Council by enhancing the effectiveness and efficiency of the Surf Coast Planning Scheme.
- Improving planning outcomes by removing errors, inconsistencies, and incompatibility in local policy content in the Municipal Planning Strategy, Planning Policy Framework and local schedules.
- Providing clear direction for environmentally sustainable development.

The application of updated and improved local policy content in the Municipal Planning Strategy, Planning Policy Framework and amended local schedules will provide certainty to the users of the planning system by ensuring land use and development outcomes are consistent with environmental, social and economic land use objectives of planning in Surf Coast Shire and Victoria.

Does the amendment address relevant bushfire risk?

The amendment meets bushfire policy in Clause 13.02 of the Surf Coast Planning Scheme because the proposed changes and the introduction of adopted strategies into the Planning Scheme will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

The Country Fire Authority (CFA) was consulted during the development of the *Surf Coast Planning Scheme Review 2024* and the preparation of this amendment. The CFA did not support any changes to informal referrals included at Clause 14.01-1L-04 and Clause 17.04-1L and stated that any policy changes recommended by the review should be prepared with consideration for Clause 13.02-1S. The CFA's comments and the context of the references have been considered and the references have been retained.

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

The amendment complies with the *Ministerial Direction (the Form and Content of Planning Schemes)* under Section 7 (5) of the *Planning and Environment Act 1987* and updates numerous schedules to better align with this Ministerial Direction.

The amendment complies with *Ministerial Direction 11 (Strategic Assessment of Amendments)* under Section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcome it produces. The amendment has been assessed against environmental, economic, and social effects as well as bushfire risk and the objectives of planning in Victoria and is deemed to comply with the Minister's direction. Details of these assessments are outlined within the relevant sections of this explanatory report.

The amendment complies with *Ministerial Direction 19 (Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health)* under Section 12 of the *Planning and Environment Act 1987*. The amendment does not propose to change the application of planning controls that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

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

The amendment is consistent with and supportive of the Planning Policy Framework by including or updating policies that build upon and support the state and regional policies in the Planning Policy Framework. Any competing policies have also been removed.

This ensures that the Local Planning Policy in the Planning Policy Framework responds to a demonstrated need, is linked to a strategic direction in the Municipal Planning Strategy and is designed to assist the responsible authority in assessing planning permit applications and proponents in understanding whether a proposal is likely to be supported or not.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment strengthens the context and strategic directions in the Municipal Planning Strategy and aligns it with the *Surf Coast Shire Council Plan incorporating the Health and Wellbeing Plan 2021-2025*, which is the key document that drives the strategic direction of Council. The Council Plan was informed by and prompted the preparation of several adopted strategies. The amendment seeks to update specific clauses of the Municipal Planning Strategy and the Planning Policy Framework to ensure these adopted strategies, and thus the strategic direction of the Council Plan,

are reflected in the Surf Coast Planning Scheme.

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

The amendment makes proper use of the Victoria Planning Provisions. The amendment updates local policy and associated local content consistent with the *Ministerial Direction: the Form and Content of Planning Schemes* and the principles set out in the *Practitioner's Guide to Victoria's Planning Schemes*.

The amendment applies the appropriate planning provisions to land throughout the municipality allowing the planning controls contained within the Victoria Planning Provisions to be correctly applied.

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

In preparing the Surf Coast Planning Scheme Review, the following agencies were consulted, and their views are reflected in the amendment.

- Barwon Water
- Corangamite Catchment Management Authority
- Country Fire Authority
- Department of Energy, Environment and Climate Action
- Department of Transport and Planning
- Parks Victoria
- Greater Ocean Road Coast and Parks Authority.

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

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible state.

The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, safety, and health and wellbeing.

The amendment does not have any detrimental implications on the objectives, strategies and decision-making principles set out in the *Transport Integration Act 2010*.

Resource and administrative costs

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

It is expected that the amendment will slightly increase the resource and administrative costs of the responsible authority.

While the amendment will not generate additional planning permit applications, a new clause 15.01-2L will be inserted, requiring the consideration of environmentally sustainable design elements when it is triggered.

The thresholds to which the policy applies have been carefully considered, and applications for the development of one dwelling on a lot have been excluded from the policy application.

Council employs a suitably qualified Environmentally Sustainable Design (ESD) officer who will provide technical support for the application of clause 15.01-2L, in addition to the ESD guidance material that is under development.

The broader amendment, inclusive of clause 15.01-2L, seeks to provide a clear set of policies to give a greater level of certainty to the community and other stakeholders about land use and development in the municipality.

This will have the overarching effect of reducing the burden on the responsible authority of administering the planning scheme.