

Barwon Heads Association Inc.

Reg. No. A0030244U

Postal Address - Post Office, Barwon Heads VIC 3227

www.barwonheadsassociation.com ■ email: bha3227@gmail.com ■ <https://m.facebook.com/barwonheadsassociation/>



17 August 2021

Mr. Richard Wynne
Minister for Planning
PO Box 500
East Melbourne VIC 3002

Submission on the draft Bellarine Peninsula Statement of Planning Policy

The Barwon Heads Association (BHA) welcomes this opportunity to make a submission on Draft Bellarine Peninsula Statement of Planning Policy (SPP). We recognise the amount of work so far and thank all involved.

The BHA represents over 700 members and supporters and has strong relationships with other Barwon Heads community groups. We have been actively involved in planning matters pertaining to Barwon Heads for over 20 years, the development of 2 Structure Plans with the City of Greater Geelong and the Bellarine Distinctive Area Landscape (DAL) process since its inception (including submitting our Phase 2 feedback). The BHA is an active member of the Combined Bellarine Communities Association.

This submission includes:

- Our comments below
- Feedback on of the draft SPP aspects that have not been sought in your questions (Attachment A)
- Long form feedback submission (Attachment B)

The BHA supports the draft SPP, in particular its application of protected settlement boundaries around all Bellarine Peninsula settlements, including the Barwon Heads coastal village – which is consistent with the Barwon Heads Structure Plan and development being sympathetic to each settlement's unique character.

BHA is pleased that the Government is delivering on its promises that the Bellarine Peninsula's attractive rural landscape and significant environmental features would be protected from further urban sprawl.

We believe protection of these areas is vital not only for the health and benefit of existing residents and our future generations, but also for the many visitors to the Peninsula. It is imperative that the qualities which attract residents and visitors alike continue to be protected and enhanced for all of the reasons outlined in the draft SPP and supporting background papers.

The BHA broadly supports the objective and strategies of each of the policy domains and notes they have been produced in response to previous stages of consultation and the background papers.

We consider the objectives and accompanying strategies, with suggested amendments as proposed in Attachment B, provide a strong framework for future decisions. These recommendations include making the strategies binding as allowed for under Clause 46AV (1)(c) of the Planning and Environment Act.

The BHA supports:

- 1 The level of importance provided to the protection of the Peninsula's landscape qualities. The BHA also understands there is considerable evidence of an important close relationship between nature (in its wider context) and community health.
- 2 The translation and interpretation of the Victoria Planning Provisions Clause 11.03-4S (Coastal Settlements) and the Government's policy on coastal settlements (Marine and Coastal Policy 2020) at a local level for the Bellarine and Barwon Heads.
- 3 The hierarchy of settlements (subject to Barwon Heads being referenced as a coastal village), the proposals to impose protected settlement boundaries around all Bellarine Peninsula settlements and conserve and enhance significant landscapes and environmental areas. We also recognize the Green Break areas are likely to provide excellent opportunities for future tourist related developments and farming activities.
- 4 The decision that submissions are not referred to an Advisory Committee for independent assessment.

The comprehensive planning arguments presented in the draft SPP and accompanying background papers present overwhelming support of the draft SPP. We urge you to proceed with the next steps to enable the final SPP to be approved and implemented.

The BHA has been watching the development of the Victorian Marine and Coastal Act 2018 and will comment on the recently released draft Marine and Coastal Strategy (the Draft Strategy). The strategy will provide a very important tool for all custodians of the coast and will help protect our precious coastal villages. In particular it empowers traditional owners, builds foundations for long term climate change, improves integration and co-ordination across governments, industries and communities when planning and managing coastal areas and builds skills and adaptability of communities, managers and governments. The BHA sees that these are very important elements of the SPP and the linkages between the two are very strong. The Draft Strategy has very clear implementation goals which are encouraging.

The BHA looks forward to working closely with DELWP, the City of Greater Geelong, Wadawurrung Traditional Owners and other RPEs to ensure the binding objectives and strategies of the approved SPP are achieved and where necessary, changes are made to the Greater Geelong Planning Scheme to further enhance their implementation.

We look forward to the finalisation of the SPP.

Sandra Gatehouse
President BHA

Attachments

- A: Feedback on draft SPP (Aspects not sought in feedback questions)
- B: Long form feedback submission vision, objectives and strategies

ATTACHMENT A

FEEDBACK ON DRAFT SPP ASPECTS NOT SOUGHT IN FEEDBACK QUESTIONS

About the Bellarine Peninsula declared area

Table 1: Barwon Heads Road Lower - from the Bluestone School Road to Barwon Heads -does not form part of a significant transport corridor.

About the draft Bellarine Peninsula SPP

Figure 1: Not clear how UNSDGs link to draft SPP vision, objectives and strategies

State and regional policy context

- Significance of G21 Regional Growth Plan
- Is 2020 Palet Tjaara Dja: Wadawurrung Country Plan published?
- Settlement strategies to be included as they provide policy context

Implementation of the Statement of Planning Policy

Requires detail on responsibility, process, timeframe and funding for all objectives and strategies

We note a planning practice note on SPP implementation is being prepared by DEWLP for local government. Its drafting should be open for community input.

Refer to implementation in the Draft Marine and Coastal Strategy.

Language

The language of the SPP should be unambiguous replacing terms such as 'would likely', 'consider', 'where relevant', 'be aware of', 'encourage' and with terms such as 'prohibit', 'must' and 'require'.

The BHA recommends that the SPP be strengthened by making the strategies binding on RPEs as allowed for under Clause 46AV (1)(c) of the Planning and Environment Act.

Monitoring and review

The draft SPP states: *The final Bellarine Peninsula SPP may be reviewed at an earlier date if strategic planning work (such as landscape assessments, cultural value assessments, biodiversity assessments or reviews of settlement frameworks or structure plans) identify the need for an earlier review.*

The BHA is of the opinion that extensive work has been undertaken by Councils in various strategies/plans and in the technical papers underpinning the SPP to a fixed 10 year review period (i.e. the need for flexibility is redundant).

An earlier review is a significant impost on community.

Bellarine Peninsula Cultural Heritage

The Barwon Heads area, to its west (to the west of Lake Connewarre) and to the coast should be identified in the draft SPP as an area of cultural heritage sensitivity as it is in the Bellarine Peninsula Cultural Heritage Background Paper.

Extractive Industry Interest Area

The Extractive Industry Interest Area should be removed from Map 7 as it was developed in 1997 without consideration of social and environmental issues and without community consultation and required regular review which has not occurred.

Deposition of clean fill

The BHA has witnessed the deposition of material at multiple sites within the vicinity of Barwon Heads over the past few years.

The landscape domain should include a strategy that requires that any deposition of material within the declared area had been deposited in accordance with the Environment Protection Act 2017 including that there has been appropriate sampling and assessment regime to ensure the material is below the Category D upper limit concentrations,

General

Recommend definitions of the following be included in the draft SPP:

- Green breaks – from Settlement background report
- Coastal character – referred to in draft SPP and Township Character assessment but not defined.
- Rural-living nodes – should be proposed with a hierarchy designation with hamlets listed rather than stating consistent with the G21 Regional Growth Plan and Greater Geelong and Queenscliffe planning schemes.

Definition of village (see page 73) should be amended to coastal village as described for Barwon Heads on page 55 of the draft SPP.

Building Height

Barwon Heads is not identified for growth. There is a diverse network of coastal settlements across the Bellarine coastal towns and villages that is not supported by services that can sustain the growth encouraged by the Increased Housing Diversity Area (IHDA) zoning.

The IHDA height limit of 11m in Barwon Heads has resulted in a range of developments, some not requiring advertising, which have significantly challenged the character of Barwon Heads as a small coastal village. The amendment C375 process would have been relatively straight-forward for the Greater Geelong Planning Scheme to encourage little or no change Barwon Heads. But the Greater Geelong Planning Scheme takes a vastly different approach, applying a residential zone that encourages change, using the schedule to the zone to relax certain design standards, and applying a policy framework that seeks new development that will result in an evolution in character. The policy framework for Barwon Heads supports and indeed encourages developments of the scale up to 11m in accordance with the principles of the IHDA.

Other

- On page 20 of Environment and Biodiversity domain –include Murtnaghurt Lagoon (as well as Lake Connewarre) given its significance as part of the RAMSAR wetlands
- refer to map 4 – not clear enough regarding Murtnaghurt Lagoon (and its link with Lake Connewarre) - could be enhanced to demonstrate the significant link across lower Barwon Heads Road

**ATTACHMENT B
LONG FORM FEEDBACK SUBMISSION
VISION, OBJECTIVES AND STRATEGIES
AUGUST 2021**

VISION

To what extent do you agree with the vision in the draft Bellarine Peninsula SPP?

Agree.

Do you have any suggestions on how the vision could be improved?

Remove 'development' from the overview paragraph.

In Environment and biodiversity include:

- Active management of remnant vegetation including the establishment of buffers around current remnant areas, wetlands and settlement boundaries.

Restoration of these peripheral lands as nature reserves and other areas for public use and amenity will be achieved through protected settlement boundaries, and public purchase of neighbouring land and active conservation, management and restoration of indigenous habitat. Indigenous vegetation on public and private land should be protected by appropriate planning controls.

- Appropriate planning controls to protect indigenous vegetation on public and private land.

In economy, agriculture and natural resources include:

- Marine, surf culture, retail and outside of Bellarine employment
- Recognising physical constraints including low lying land, climate change risks and flooding risks.

In settlements change 'villages' to 'coastal villages'. 'Coastal village' term consistently used in the Township Character Assessment Report.

ENVIRONMENTAL RISKS AND RESILIENCE

To what extent do you agree with the objective to achieve a zero-carbon future and support the declared area taking sustained measures to lower emissions and adapt to the impacts of climate change and natural hazards?

Neutral.

The objective needs to be broader by identifying natural hazards and including resource management.

To what extent do you agree with the following strategies to achieve this objective?

1.1 *Prioritise the protection of human life over all other considerations when planning for bushfires.*

Strongly agree.

1.2 *Avoid new development in areas at high risk of bushfire, flooding, coastal erosion and in areas close to waterways and estuaries.*

Strongly agree.

1.3 *Mitigate coastal erosion risks by restoring natural systems and building infrastructure as appropriate, and by adapting to irreversible occurrences of coastal erosion when making future land use and development decisions.*

Strongly agree.

1.4 *Ensure infrastructure minimise impacts existing vegetation, habitat, natural landforms and natural flows of water.*

Neutral.

Change 'minimise impacts' to 'avoids adverse effects on'

1.5 *Use Wadawurrung knowledge and practices to better manage bushfire risk.*

Strongly agree.

1.7 *Consider growing impacts and apply design for better water management in new developments to harm to waterways, wetlands, beaches and the marine environment.*

Strongly disagree.

This strategy is confusing and appears to be inconsistent with the draft SPP strategy wording. It needs to be rewritten or to be incorporated into Strategy 1.4 subject to 'avoiding adverse effects on'. 'Considering growing impacts' is unnecessary. This strategy question includes 'growing' instead of 'cumulative' as used in draft SPP. Cumulative is inferred to be the correct word.

1.8 *Apply environmentally sustainable design practices to improve the energy, water and waste performance of development and infrastructure.*

Strongly agree.

1.9 *Reduce greenhouse gas emissions by encouraging safe, active transport within and between settlements by providing and maintaining accessible and convenient public transport, walking and cycling infrastructure.*

Strongly agree.

The broad range of activities to reduce greenhouse gas emissions should be included.

1.10 *Increase vegetation and tree cover across the to reduce the climate. Maintain and increase vegetation tree canopy cover across the declared area to aid carbon sequestration and to reduce heat island effects in urban areas.*

Strongly agree.

Assume first sentence should be deleted.

1.11 *Avoid disturbing coastal soils by limiting stormwater run-off and excessive earthworks, particularly around the Barwon River and associated waterbodies along the north coast and west of Portarlinton.*

Neutral.

Need to define "excessive earthworks".

Why did you make those choices?

See comments above.

LANDSCAPE

To what extent do you agree with the objective to protect and enhance the landscape character, physical features, view corridors and natural and cultural values of the declared area's significant landscapes?

Strongly agree.

To what extent do you agree with the following strategies to achieve this objective?

2.1 Provide protections that relate to the significance of each landscape, with the greatest level of protection given to the state-significant Bellarine Peninsula Southern Coast landscape.

Disagree.

Suggest leave out "with the greatest....." or add in Ramsar wetlands which are of international significance etc.

2.2 Protect the coastal and rural settings of each township by containing urban growth and development within settlement boundaries.

Disagree.

Suggest remove "Protect the coastal and rural settings of each township by" and replace containing with "Contain".

2.3 Reserve green breaks between settlements for purposes that help protect and enhance the Bellarine Peninsula's landscapes.

Strongly agree.

Suggest include definition of a green break from Settlement Background Paper plus first para. It is:

A green break is non-urban land between settlements. Settlement boundaries contain township land uses and restrict outward urban growth, helping to protect the values of green breaks. Within the declared area, green breaks are mostly rural land zoned as Farming Zone, Rural Conservation Zone, Public Conservation and Recreation Zone or Rural Living Zone

2.3 Reserve green breaks between settlements for purposes that help protect and enhance the Bellarine Peninsula's landscapes.

Not applicable. Duplicated above.

NOTE: STRATEGY 2.4 DOES NOT APPEAR TO BE INCLUDED FOR CONSIDERATION.

2.5 Ensure development does not extend above hilltops and ridgelines, so that the landscape and vegetation remain visible.

Strongly agree.

2.6 *Manage development to preserve views of rural or coastal areas from main roads, walkways and public areas.*

Strongly disagree.

Feedback question is inconsistent with strategy and strategy is inconsistent with Objective 2. 'Significance' as included in Strategy 2.6 should be defined.

2.7 *Conserve and increase native coastal and indigenous vegetation, particularly along waterway corridors and within vegetation reserves, by revegetating land in keeping with the ecological vegetation classes to strengthen landscape character.*

Strongly agree.

Why did you make those choices?

See comments above.

ENVIRONMENT AND BIODIVERSITY

To what extent do you agree with the objective to conserve and enhance the significant biodiversity, ecological and environmental values of the declared area?

Strongly agree.

To what extent do you agree with the following strategies to achieve this objective?

Avoid disturbing coastal soils by limiting stormwater run-off and excessive earthworks, particularly around the Barwon River and associated waterbodies along the north coast and west of Portarlington.

Strongly agree.

This strategy is Strategy 1.10 of the Environmental risks and resilience domain.

3.1 *Encourage landowners and occupiers to undertake environmentally responsible management practices to ensure the long-term protection and restoration of significant indigenous vegetation and biodiversity and the integrity of ecosystems.*

Strongly agree.

3.2 *Ensure that land use, development and land management practices seek to achieve a net gain in the overall extent and condition of natural habitats in the declared area's terrestrial, waterway and marine environments.*

Strongly agree.

3.3 *Encourage ecological restoration works to connect areas of high environmental and biodiversity value, including increasing connections between identified biodiversity features and areas.*

Strongly agree.

3.4 *Reinforce the role of waterway corridors (within and between settlements) and coastlines as biolinks for native plants and animals.*

Strongly disagree.

Need a planning context for 'reinforce' to provide protection. Remove 'within and between settlements) and coastlines' as this should apply to all waterway corridors.

- 3.5 *Discourage use and development that would impact or threaten the health and function of areas of identified biodiversity and ecological value including biodiversity connections.*

Strongly agree.

- 3.6 *Minimise downstream stormwater impacts by implementing integrated, sustainable stormwater management practices (such as the harvesting, reuse and recycling of water) including the consideration of cumulative impacts on waterways and natural ecological processes.*

Disagree.

Strengthen wording including change 'minimise downstream stormwater impacts' to 'avoid adverse effects on waterways and natural ecological processes' and change 'recycling of water' to 'recycling of water including to a potable standard'.

- 3.7 *Use Wadawurrung biocultural knowledge and practices in the management of biodiversity and ecological and environmental values.*

Strongly agree.

- 3.8 *Minimise the negative impacts of weeds and pest animals on environmental and biodiversity values by developing and implementing best-practice land management plans.*

Strongly disagree.

Change 'minimise the negative impacts' to 'avoid adverse effects'.

Why did you make those choices?

See comments above.

ABORIGINAL CULTURAL HERITAGE – WADAWURRUNG COUNTRY

To what extent do you agree with the objective to conserve, strengthen and promote the declared area's Aboriginal cultural heritage values and partner with the Wadawurrung to care for Country?

Strongly agree.

To what extent do you agree with the following strategies to achieve this objective?

- 4.1 *With the Wadawurrung, identify, manage, conserve and enhance Wadawurrung living cultural heritage: places, landscapes, waterways (including unnamed waterways), natural resources and significant views.*

Agree.

Add 'report' after 'identify'.

4.2 *With the Wadawurrung, build awareness and understanding of tangible and intangible Wadawurrung living cultural heritage knowledge including language, oral traditions and pre-colonial cultural practices, and innovatively incorporate it when planning and managing land use and development.*

Strongly agree.

4.3 *With the Wadawurrung, encourage the use of Wadawurrung language and place names throughout the declared area.*

Strongly agree.

Why did you make those choices?

See comments above.

HISTORIC HERITAGE

To what extent do you agree with the objective to protect, strengthen and promote the declared area's post-colonial historic heritage values?

Strongly agree.

To what extent do you agree with the following strategies to achieve this objective?

5.1 *Ensure that significant historic heritage places within the declared area are identified and protected using best-practice conservation and management techniques, particularly to enable these places to adapt to long-term climate change impacts.*

Strongly agree.

5.2 *Minimise the visual impacts of buildings and works on heritage places by ensuring the siting and design of development and infrastructure respect the unique historic heritage character of the declared area.*

Strongly agree.

5.3 *With the community, promote post-colonial historic heritage relating to the military, maritime, early pastoral settler, shared history, tourism, transport and coastal identity of the declared area by providing interpretive signage and sustainable tourism facilities.*

Strongly agree.

Define sustainable tourism facilities.

5.4 *Ensure historic heritage values are considered in the planning, design and delivery of land use and development proposals, including for infrastructure. Reinforce the role of waterway corridors (within and between settlements) and coastlines as biolinks for native plants and animals.*

Agree.

Assume second sentence should not be there.

Requires guidance as to how this can be achieved. There has been a lack of planning protection afforded to historic heritage values in Barwon Heads.

Why did you make those choices?

See comments above.

TOURISM, AGRICULTURE AND NATURAL RESOURCES

To what extent do you agree with the objective to enable a diverse, sustainable and responsible visitor economy that helps protect the significant environmental, landscape, agricultural and historic heritage values of the declared area?

Strongly agree. Add aboriginal cultural heritage.

To what extent do you agree with the following strategies to achieve this objective?

6a.1 Encourage sustainable, low-impact and ecologically sensitive land use and development for visitation infrastructure that minimises impacts on landscape, environmental and cultural values.

Strongly agree.

6a.2 Encourage appropriately located activities and services for visitors that contribute to and celebrate the Bellarine Peninsula's unique rural-coastal identity.

Neutral.

Clarify what is meant by 'appropriately located activities'.

6a.3 Ensure that if land is used for visitor and recreational activities, environmental values and the primary rural land use and any associated buffers are not compromised, where applicable.

Strongly disagree.

Policy domain is focussed on tourism. Are recreation issues addressed in DAL SPP as per tourism? Is so this needs to be discussed and justified.

6a.4 Ensure tourism infrastructure is designed, located and maintained to not detract from significant landscape views.

Strongly agree.

6a.5 With the Wadawurrung, facilitate culturally responsive tourism and related economic development that encourage people to recognise, understand and celebrate Wadawurrung living cultural heritage, rights and authority.

Disagree.

Remove 'and related economic development'.

6.a6 Ensure tourism use and development responds to bushfire and natural hazard risks by being located away from high-risk areas and by adopting emergency management planning practices.

Strongly agree.

Remove 'and development'.

Why did you make those choices?

See comments above.

STRATEGIC INFRASTRUCTURE

To what extent do you agree with the objective to ensure the provision of transport, essential services and community infrastructure that meets the needs of the community while increasing resilience to climate change?

To what extent do you agree with the following strategies to achieve this objective?

7.1 *Design infrastructure that is sympathetic to and strengthens the preferred settlement and landscape character, natural environment and biodiversity values by maintaining view lines from existing and new transport corridors, retaining remnant vegetation and providing appropriate vegetation.*

Strongly agree.

Suggest remove 'preferred'.

7.2 *With the Wadawurrung, ensure the provision, maintenance and upgrading of infrastructure protects, conserves and enhances sites of Wadawurrung living cultural heritage significance.*

Strongly agree

7.3 *Protect water infrastructure assets and strategic regional assets (such as the Portarlinton and Black Rock water reclamation plants).*

Neutral.

Suggest add 'existing' in front of 'water infrastructure assets and strategic regional assets' as future assets to be considered on their merits.

7.4 *Reinforce the timely delivery of infrastructure and services to meet community needs in sequence with development.*

Strongly agree

Suggest remove 'in sequence with development' as community needs are not tied to development.

7.5 *Maintain and strengthen transport connections between the settlements of the Bellarine Peninsula, Geelong, Melbourne and other regional communities.*

Strongly disagree.

BHA does not agree to upgraded carrying capacity of road from Barwon Heads from the Bluestone School Road to Barwon Heads (Lower Barwon Heads Road) as the Spit is at risk to sea level rises and it would adversely impact values of Barwon Heads coastal village.

7.6 *Prioritise investment in infrastructure that minimises greenhouse gas emissions and improves resilience to climate change impacts (such as walking, cycling and public transport infrastructure).*

Strongly agree

7.7 *Encourage renewable energy facilities where they do not harm the declared area's environmental, Wadawurrung living cultural heritage, historic heritage and landscape values.*

Strongly agree

Why did you make those choices?

See comments above.

SETTLEMENTS

To what extent do you agree with the objective to plan and manage the sustainable development of settlements in the declared area consistent with each settlement's unique character alongside the broader values of the Bellarine Peninsula?

Strongly agree

To what extent do you agree with the following strategies to achieve this objective?

8.1 *Direct urban development to a hierarchy of settlements, through designating areas for change and clearly defining protected settlement boundaries.*

Strongly agree

8.2 *Implement protected settlement boundaries for all district towns and villages in the declared area, Armstrong Creek, Moolap and the eastern urban Geelong suburbs abutting the declared area.*

Strongly agree.

8.3 *Ensure development is designed to respect the identity, heritage and coastal character of settlements.*

Strongly agree

8.4 *Direct the majority of residential development to activity centres, areas identified for substantial change or identified greenfield development areas.*

Strongly disagree.

'Substantial change' is inconsistent with the draft SPP vision.

8.5 *Ensure development at the periphery of settlements provides an urban-to-rural transition and is designed to integrate with the landscape character and environmental and biodiversity values.*

Strongly disagree

The periphery of settlements is not defined. Periphery should be defined as a distance from protected boundary and should be limited.

8.6 *Ensure development in settlements maintains and enhances view lines of the rural hinterland, coast and foreshore.*

Strongly agree

8.7 *Ensure development in settlements maintains and enhances view lines of the rural hinterland, coast and foreshore.*

Strongly agree

8.8 *Avoid development within settlements in high-risk locations, actively reducing the risks associated with climate change impacts and natural hazards.*

Strongly agree

8.9 *Facilitate commercial development, community services, visitor accommodation, infrastructure and facilities within town and activity centres.*

Agree

Suggest add 'appropriate' before 'commercial'

8.10 *Ensure development in all settlements achieves best-practice environmentally sustainable design and development for the full life of the development.*

Strongly agree

Why did you make those choices?

See comments above.