

Context.

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Attention:

The Department of Environment, Land, Water and Planning (DELWP)

Via Email planning.implementation@delwp.vic.gov.au

17 August 2021

Dear DELWP,

Submission

– Draft Bellarine Peninsula Statement of Planning Policy

1. This submission is made on behalf of a client who has an interest in land at [REDACTED] [REDACTED] which is covered by the draft Bellarine Peninsula Statement of Planning Policy (SPP).

Introduction

2. Firstly, we thank DELWP for the opportunity to provide a submission on the *Draft Bellarine Peninsula Statement of Planning Policy* – (“The draft SPP”)
3. This submission is supportive of the strategic intent of the draft SPP which seeks to, among other things, protect the declared area’s outstanding landscapes and coastal landforms, unique natural environment, rich Wadawurrung living cultural heritage and historic heritage, and important infrastructure and natural resources.
4. We do however wish to make a submission regarding the draft SPPs important function of providing guidance for decision-making and planning for land within the declared area, particularly land identified within the Green break.

Potential Tourism Activity - [REDACTED]

5. My client has commenced a high-level feasibility and planning review process for a potential eco-tourism, agricultural and tourism accommodation activity at [REDACTED]
6. The land is currently located within a Farming Zone and is located within a 'green break' as identified on Map 15. The green breaks are identified as

"Potential location for agricultural, natural resources and/or nature-based tourism land uses that protect and enhance significant landscape features"
7. In accordance with the Victorian Planning Provisions (VPPs) our client's proposal is a Section 2 (Permit Required) land use. The Purpose of the Farming Zone provides a strong emphasis on encouraging and retaining productive agricultural land and there is limited policy which encourages non-agricultural activities. That said, we say there is an alignment with my clients proposal and the intent of the draft SPP and other policies outline in the planning scheme.
8. The Tourism section at page 44 of the draft SPP encourages opportunities to increase diversity of things like agritourism, arts and culture and recreation and recognises that green breaks are important for tourism and we agree with this, particularly the acknowledgement of the diversity of land uses. But we also think that this should not be read as an exhaustive list and lose sight of potential opportunities.
9. Specifically, we wish to highlight the role tourism has on the economy which is acknowledged in the draft SPP - 'visitor numbers are forecast to increase by 30% from 5.8 million people to 7.5 million in 2027' (Page 44, draft SPP). Tourism has and will continue to diversify and the policy framework should be flexible to acknowledge this.

10. For example, Objective 2 (Strategy 2.3) page 33 *could* be revised to recognise other activities in green breaks which still prioritise the protection and enhancement of the significant landscapes, but can also add to the role and function of the Bellarine Peninsula as being a tourist destination.
11. A non-agricultural based tourism activity should not automatically be discouraged just because the primary land use is not agriculture. Land use characteristics, topography, fragmented ownership, significant landscape and environmental features etc may result in an agricultural use not always being the best or most appropriate land use.
12. In these cases it *might* be appropriate to allow a non-agricultural which promotes tourism and or other recreation uses, particularly where the intent of the draft SPP is honoured.
13. Strategy 2.4 at page 33 provides an insight into what is expected from a development perspective and includes:
 - 2.4 *Ensure any development allowed in green breaks between settlements responds to the surrounding landscape character and maintains the visual dominance of the natural landscape by:*
 - *being sited so buildings are responsive to the landscape and use established vegetation or new vegetation buffers to screen development when viewed from the public realm*
 - *providing setbacks from road corridors and publicly accessible land*
 - *using building forms, design detailing and materials and colours that immerse buildings within the landscape, so they are not visually dominant.*
14. We agree with this policy direction, and we think that a similar direction could be provided in relation to land use, particularly given the importance of tourism and recreation uses. This could be achieved by simply acknowledging that a land use in the green break should co-exist with a productive agricultural land use, but is not necessary.

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Map 15: Proposed Portarlington protected settlement boundary



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- | | | |
|-------------------------------|--------------------|---|
| Protected settlement boundary | Waterways | Activity centre |
| Declared area boundary | Parks and reserves | Increased Housing Diversity Area - Incremental change |
| Urban-rural interface | Golf course | Incremental change |
| Green break | Main road | Minimal change |
| | Local road | Minimal change - Further investigation |
| | | Growth areas |
| | | Industrial land |

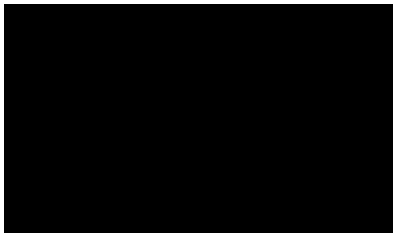
15. Where it is demonstrated that a tourism use is acceptable for other reasons, for example on a tourist route as identified in Council's *'Bellarine Peninsula Localised Planning Statement (2015)'* and meets the intent of the SPP (among other policy requirements), then a non-agricultural use might be acceptable.

16. The draft SPP acknowledges that Green breaks are important for tourism however at page 44 the SPP suggests that *'tourism accommodation and activities should be encouraged in rural areas but only if they preserve productive agricultural capacity.'* This is an example where non-agricultural activities, which might otherwise be appropriate, may fail at the Planning Permit stage if this statement is taken too literally.

17. There are a number of successful examples of non-agricultural activities on the Bellarine Peninsula, some of which are featured in the photographs of the draft SPP (eg. page 33), therefore we submit that the final SPP should acknowledge this.

If you have any questions please do not hesitate to contact me on [REDACTED] or alternately at [REDACTED]

Your sincerely



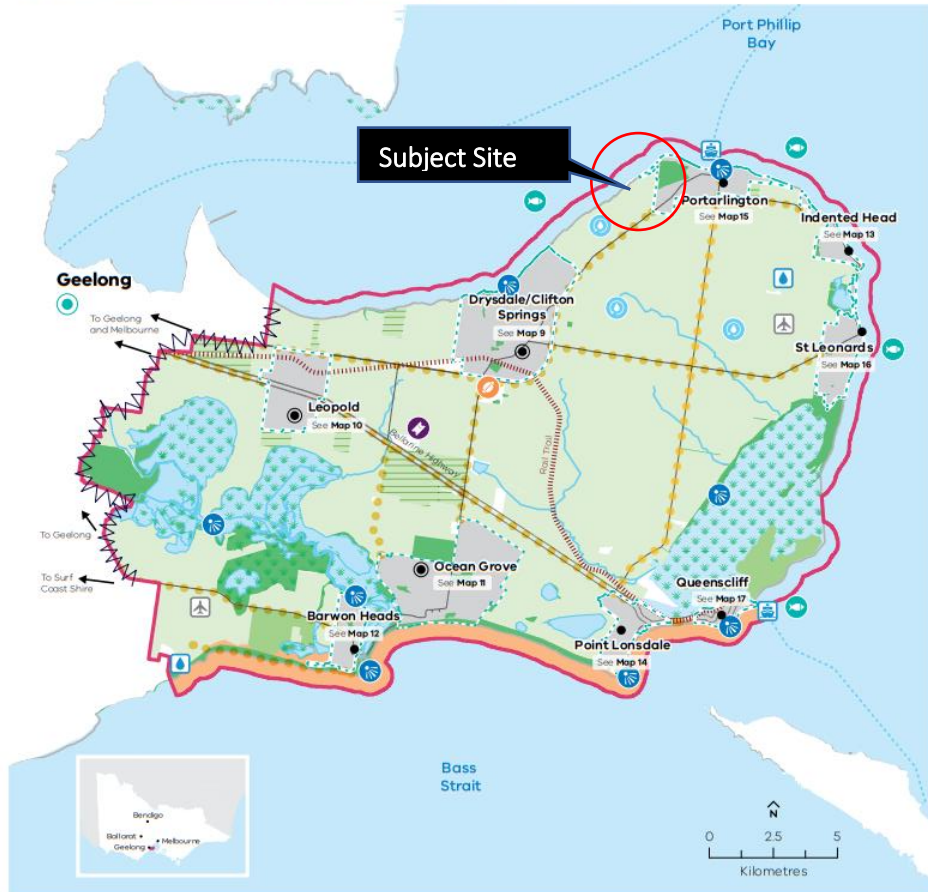
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Map 3: Proposed Bellarine Peninsula declared area framework plan



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- Regional city
 - District town
A large town providing a diversity of housing, services and employment for a large, diverse population, which has a strong relationship with surrounding villages and rural areas
 - Village
A small settlement with a small population, which integrates with its rural and natural surrounds
 - Protected settlement boundary
 - Declared area boundary
 - Protected settlement boundary to be defined subject to strategic planning work
 - Local Government Area
 - Urban area
 - Rural living
- Aboriginal cultural heritage and historic heritage**
- The entire declared area and beyond is Wadawurrung Country. The declared area's Aboriginal cultural heritage values must be conserved, strengthened and promoted in partnership with the Wadawurrung.

- Landscapes and environment**
- Landscapes - Conserve and enhance the declared area's significant landscapes with the greatest protection provided in areas of highest significance*
- State significant landscape: Bellarine Peninsula Southern Coast
- *Note: Areas not designated as state significant are the regionally significant Swan Bay, Lake Connewarre and Barwon River and Bellarine Northern Coast and Central Hills landscapes*
- Road corridor views
Manage the development of infrastructure to maintain views to the rural hinterland and/or coasts
 - Significant view
 - Waterways
Conserve and restore native vegetation along waterway corridors
 - Lakes
 - Ramsar wetlands
 - Parks and reserves
 - Golf course

- Tourism, agriculture, natural resources and infrastructure**
- Green breaks
Potential location for agricultural, natural resources and/or nature-based tourism land uses that protect and enhance significant landscape features
 - Strategic water assets
 - Support recycled water use
 - Aquaculture
 - Sub regional theme park
 - Sport and recreation precinct
 - Airfield
 - Safe harbour
 - Ferry route
 - Highway
 - Main road
 - Rail Trail
 - Movement network
Support a sustainable transport network that enhances the declared area's distinctive attributes

Source: DELWP

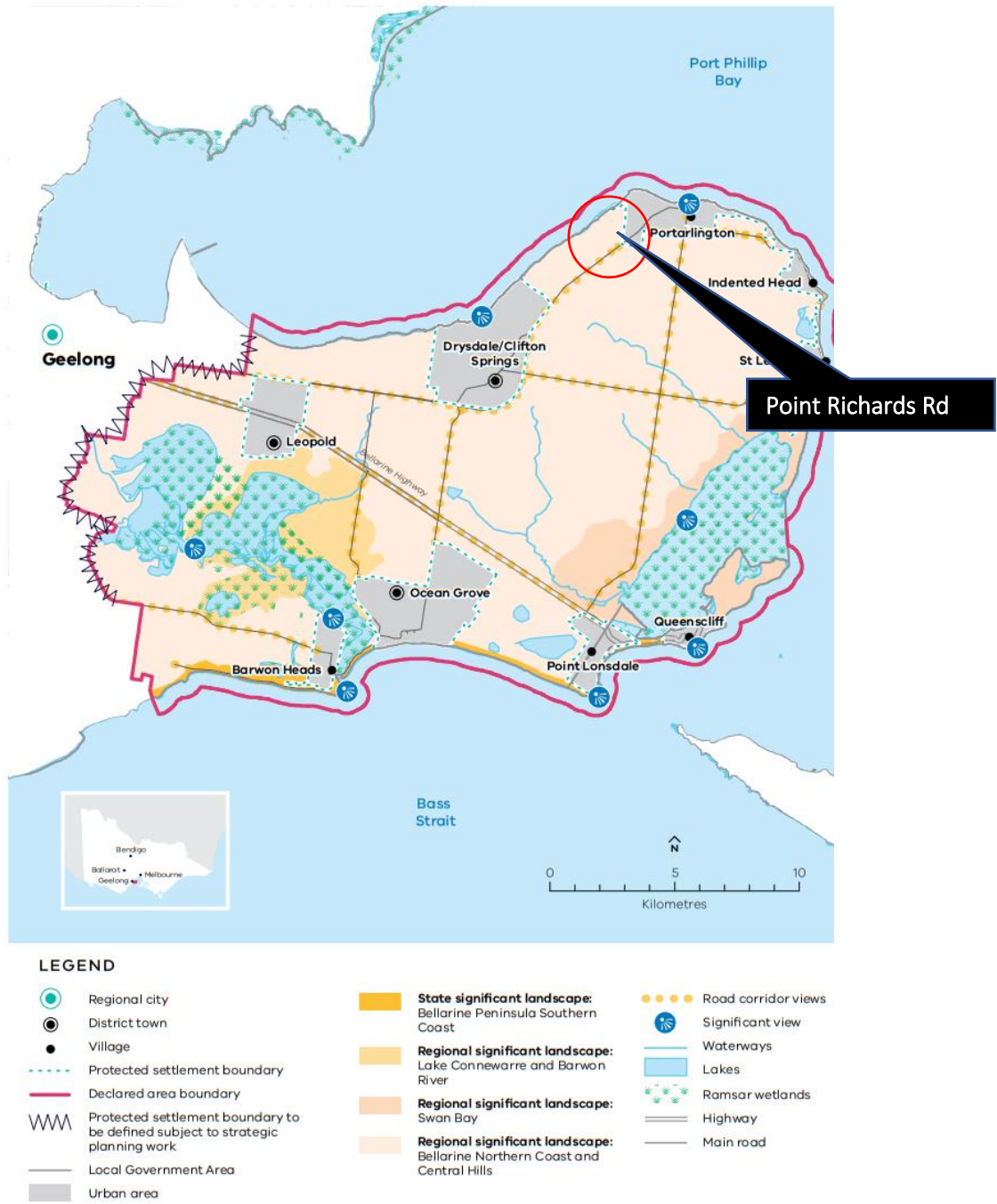
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ATTACHMENT 5

Map 4: Landscape significance areas

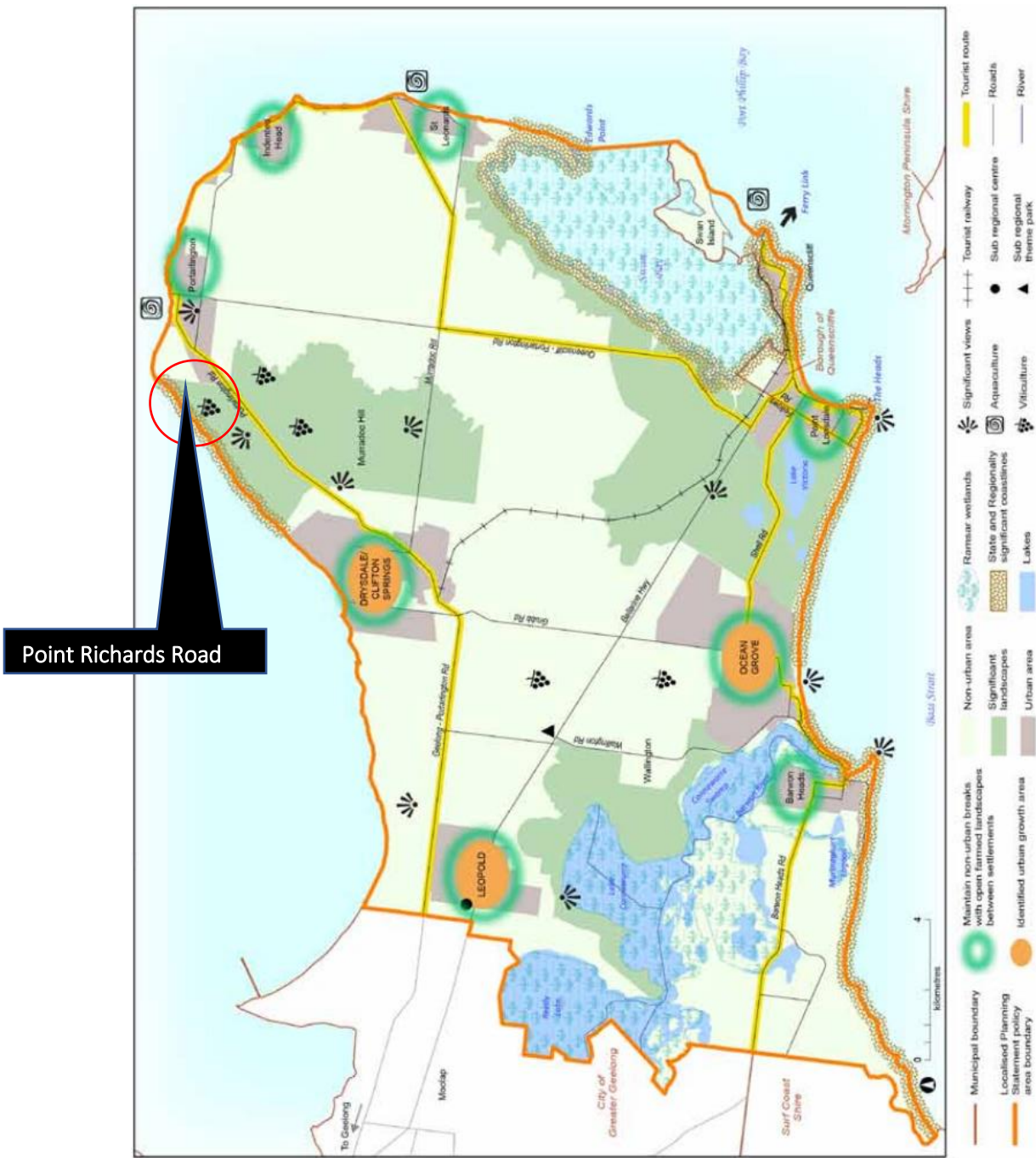


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ATTACHMENT 6



Bellarine Peninsula Localised Planning Statement SEPTEMBER 2015

