Frequently Asked Questions

What is the purpose of declaring an area a ‘Distinctive Area and Landscape’?

In 2018, the Planning and Environment Act 1987 was amended to provide for the protection of ‘distinctive areas and landscapes’. The Act has four objectives:

- to recognise the importance of distinctive areas and landscapes to the people of Victoria and to protect and conserve their unique features and special characteristics;
- to enhance the conservation of the environment in declared areas including unique habitats, ecosystems and biodiversity;
- to enable the integration of policy development, implementation and decision-making through Statements of Planning Policy;
- to recognise the connection and stewardship of Traditional Owners.

Declaring an area defines the area for preparation and implementing a Statement of Planning Policy (SPP) to ensure that the area is protected for current communities and generations to come.

What area of the Surf Coast has been declared a ‘Distinctive Area and Landscape’?

The Surf Coast declared area focuses on Torquay-Jan Juc. It extends along the coastline from the eastern edge of the Great Otway National Park to Breamlea Flora and Fauna Reserve. It also covers the nearby hinterland area to include the landscape setting of Torquay-Jan Juc and Bellbrae.

To view a map of the declaration area, please visit engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.

Why was this area suitable for declaration?

Before declaring the Surf Coast, the area had to be assessed against the criteria specified under section 46AP of the Planning and Environment Act 1987.

For an area to be declared a ‘distinctive area and landscape’ it must contain a majority of unique attributes of state and/or national significance. These might include environmental, landscape, geological, water, heritage and cultural heritage, natural resource, agricultural and strategic infrastructure features. These attributes are considered to have a positive social, environmental and economic impact on the lives of Victorians.

The second criteria for declaring an area considers the degree to which these attributes are under threat of significant or irreversible land use change that would affect the environmental, social or economic value of the area.

Further details regarding the attributes and threats of the area can be found in the Order in Council declaring the area, available at engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.
Why hasn’t the whole Surf Coast Shire been included in the declaration area?

An assessment of the area against the criteria in the Planning and Environment Act 1987 concluded that the attributes qualifying the area for declaration were clustered near the coast. The areas further into the hinterland which have not been included in the declaration area did not have the majority of attributes or significant threats required for declaration by the Act.

In addition to this, the Great Ocean Road Strategic Framework Plan is being developed to manage coastal towns, landscapes and resources along the Great Ocean Road in an integrated manner, including locations such as Anglesea, Lorne, Aireys Inlet and Apollo Bay, of the Surf Coast Shire. This has limited the declared area to the west to avoid policy overlap.

Why have these boundaries been chosen?

North

The northern boundary meets the urban edge of Geelong and continues east along Barwon Heads Road. This boundary acknowledges the importance of the Thompson Valley green break which preserves the landscape character between the urban areas of Armstrong Creek and Torquay.

East

The eastern boundary follows Barwon Heads Road and the municipal boundary along Breamlea Road southwards towards the Breamlea Flora and Fauna Reserve, where it then follows the boundary of the reserve. The inclusion of Breamlea Flora and Fauna Reserve in the declared area allows for the coordinated future management of the natural features and ecosystems in the area.

South

The southern boundary of the declaration area extends along the coastline from the eastern edge of the Great Otway National Park to Breamlea Flora and Fauna Reserve. The boundary is 600m seaward of the low water mark. Incorporating this part of the marine and coastal environment allows for the coordinated management of the significant features and threats clustered along the coast.

West

The western boundary follows the eastern edge of the Great Otway National Park, Hendy Main Road, Woodland Road and Bogans Lane. This boundary captures important viewsheds from both the Surf Coast Highway and Anglesea Road. The western boundary acknowledges the relationship of this surrounding landscape with the significant coastal areas and their township setting.

How was the declaration area decided?

DELWP undertook a comprehensive assessment of the area against the declaration criteria outlined in the Planning and Environment Act 1987. This assessment involved desktop analysis, site visits, as well as internal and external consultation with subject matter experts. It was further informed by consultation with local councils, the Wadawurrung People, the community and other key stakeholder groups.
To view the declaration assessment report prepared by DELWP and associated landscape advice, please visit engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.

Who approved the declaration of the area as a Distinctive Area and Landscape?

The Governor in Council, under section 46AO(1) of the Planning and Environment Act 1987, on the recommendation of the Minister for Planning, made the declaration.

The Minister for Planning’s recommendation was informed by an assessment of the area against the criteria in the Planning and Environment Act 1987, engagement findings from phase 1 public engagement, as well as input from the Shire of Surf Coast and City of Greater Geelong.

When was the area declared?

The Surf Coast Distinctive Area and Landscape was declared on 19 September 2019 when the order was published in the Victorian Government Gazette by the Governor in Council. A copy of the order published in the Victorian Government Gazette is available here engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.

My property is in the declared area, what does this mean for me?

The declaration does not change the current planning scheme or your property rights. It defines the area for which a SPP must be prepared.

The Statement will set out a long-term vision for the region and guides future land use and development. Some changes to local planning controls may be required in order to implement the Statement. The Statement will be developed in consultation with the Surf Coast Shire Council, the City of Greater Geelong, Traditional Owners and community members.

What is the role of the Surf Coast Shire Council and the City of Greater Geelong in this project?

The Surf Coast Distinctive Area and Landscape project is being led by DELWP. DELWP is working in collaboration with the Surf Coast Shire Council and City of Greater Geelong.

Under the Planning and Environment Act 1987, Surf Coast Shire Council and City of Greater Geelong are identified as Responsible Public Entities. This means that the Minister for Planning must seek their endorsement of the draft SPP before the document is approved.

Does the declaration impact existing planning permits?

Existing, valid planning and building permits will not be affected by the proposed new legislation or the draft SPP.

Councils will continue to assess and determine applications for planning permits based on the existing planning scheme provisions.
Why haven’t Lake Modewarre or the Barrabool Hills been included in the declared area?

For an area to be declared, it must contain a majority of attributes outlined in the Act and be under threat. Lake Modewarre and Barrabool Hills have significant biodiversity and cultural heritage values, however they do not possess a majority of attributes that are under significant threat, as required by the Act.

Why are areas of the City of Greater Geelong in the Declared Area?

The northern and eastern boundaries of the declared area include two areas within the City of Greater Geelong: part of the Thompson Valley green break near Armstrong Creek growth area and the Breamlea Flora and Fauna Reserve.

These locations form part of larger natural features and ecosystems that are predominantly located within the Surf Coast. The extension of the Surf Coast Distinctive Area and Landscape declared area into the City of Greater Geelong is representative of these natural features and will support their coordinated future management.

What does declaration mean for the City of Greater Geelong Amendment C395 – Geelong Settlement Strategy?

Amendment C395 seeks to implement the Geelong Settlement Strategy 2018, which sets the policy for settlement growth in Greater Geelong. The amendment process is separate from the Distinctive Areas and Landscapes project; however, the outcomes of the amendment process will inform and contribute to the development of the Surf Coast SPP.

For more information on the Geelong Settlement Strategy, please visit www.geelongaustralia.com.au/amendments/item/8d6f0bcb1cec127.aspx

Why has the Spring Creek Precinct Structure Plan site been included in the declared area?

Landscapes in the declared area are important to consider for their landscape significance, their role in significant views and the landscape setting of coastal townships.

The Spring Creek Structure Plan site is within the declared area as it forms part of the broader landscape of Torquay-Jan Juc and the Surf Coast. It’s appropriate to consider the township setting of Torquay-Jan Juc in its landscape context as part of the development of the SPP.

What does a declaration mean for Spring Creek and Surf Coast Planning Scheme Amendment C114?

The Surf Coast Distinctive Area and Landscape project will allow the community and stakeholders to have their say on the extent of the protected settlement boundary (a long-term boundary for urban growth) for the Torquay-Jan Juc township. The outcomes of the Surf Coast Distinctive Area and Landscape project will inform the Minister for Planning’s decision on Amendment C114 and the Spring Creek Precinct Structure Plan.
What is the difference between the declared area boundary and protected settlement boundaries?

The Declared Area is an area to which an order under section 46AO of the *Planning and Environment Act 1987* applies. The declared area boundary indicates that an area contains a concentration of distinctive attributes and is under threat. A SPP will be developed for the declared area to protect and conserve its distinctive attributes.

A protected settlement boundary is a defined limit to urban expansion, like Melbourne’s urban growth boundary. When preparing a SPP, there is the opportunity to specify protected settlement boundaries which contain urban development and growth.

The aim of a protected settlement boundary is to:

- Keep green breaks between townships
- Protect a town’s unique identity
- Prevent urban encroachment into rural land of agricultural, environmental, heritage or landscape value.

Any change to a protected settlement boundary identified in a SPP requires a rigorous structure planning process, a planning scheme amendment and parliamentary ratification.

At this stage, no protected settlement boundaries have been decided upon. Further engagement will occur as the SPP is developed.

What happens now that the area has been declared?

Once an area is declared a distinctive area and landscape, a SPP must be prepared to coordinate decision making for land use and development. The SPP must be approved within one year of declaration or a period of up to two years if approved by the Governor in Council.

What is a Statement of Planning Policy (SPP)?

The purpose of a SPP is to guide the future use and development of land in the declared area, making sure the distinctive attributes of the declared area are protected.

An SPP also coordinates decision making for land use and development, achieving integrated management, infrastructure and development outcomes. An SPP contains three main components:

- a 50-year vision which identifies the values and attributes that the community wants to protect
- policy objectives and strategies to achieve the vision
- a framework plan.

Once the SPP is approved and incorporated into the planning scheme, it will be enforced through the *Planning and Environment Act 1987*. 
What are the benefits of a SPP for the community?

The SPP will set out clear objectives and strategies that responsible public entities must have regard to when making decisions. This will provide the highest level of planning protection through state legislation.

This protection will ensure that the significant landscapes, environmental and cultural values of declared areas will be protected and enhanced for the benefit of current and future generations.

What other areas are being declared?

In August 2018, the Macedon Ranges became the first area to be declared a distinctive area and landscape under the Planning and Environment Act 1987.

Bass Coast and Bellarine Peninsula were also declared as Distinctive Areas and Landscapes in October 2019.

More information about all Distinctive Areas and Landscapes projects can be found at engage.vic.gov.au/distinctive-areas-and-landscapes-program.

What is the difference between ‘Distinctive Areas and Landscapes’ and the proposed Great Ocean Road legislation?

The two pieces of legislation have several crossovers, and both will provide robust protection where they are applied.

The Distinctive Areas and Landscapes legislation recognises areas of state importance and can be applied to different parts of the state to ensure that different areas with unique attributes can be appropriately protected.

The Great Ocean Road legislation responds to the specific outcomes of the Great Ocean Road Taskforce and the unique issues facing the Great Ocean Road including governance and management of the road, marine and coastal environments.

Will Torquay’s status as a district town ‘growth node’ be reviewed?

Torquay’s status as a district town growth node was determined on a regional basis as part of the G21 Regional Growth Plan and Plan Melbourne. Reviewing the designation of settlements in the G21 Region is not within the scope of the Distinctive Areas and Landscapes project. However, recommendations from the outcomes of the Distinctive Areas and Landscapes project will inform the review of the G21 Regional Growth Plan.

What community engagement has happened so far?

Phase one public engagement

Phase one public engagement was held between 14 May and 14 June 2019. Engagement consisted of five community open house sessions as well as an online survey and mapping activity. This was an important input for the declaration assessment and will help inform the initial policy development for the SPP.
people participated in community open house sessions, 184 submissions were received, 635 comments were mapped and 1659 people visited our website throughout phase one community engagement.

The engagement sought community feedback on:

✓ What is most valued about the Surf Coast
✓ What threats there are to these values
✓ Ways we could protect what is valued
✓ The vision for the future of the Surf Coast.

To read more about the findings of phase engagement, visit engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.

Phase two public engagement

Phase two public engagement was held between 18 October and 15 November 2019. Engagement consisted of two planning workshops for the community, one information session for City of Greater Geelong residents and one planning workshop for Responsible Public Entities, as well as an online survey. The feedback received through this phase of engagement will help to inform the preparation of a draft SPP.

The engagement sought community feedback on a draft vision statement and potential policy approaches for seven policy domains:

✓ Landscape
✓ Environment and Biodiversity
✓ Risk and Resilience
✓ Aboriginal Cultural Heritage
✓ Post-Contact Heritage
✓ Economy and Infrastructure
✓ Settlement.

The findings are informing the preparation of the draft SPP. For project updates visit: engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.

Will there be any further community engagement?

Yes. Phase 3 public engagement is scheduled to occur in the first half of 2020. This is when the draft SPP will be released and you will be given an opportunity to provide a written submission on the draft.

For more information on the public engagement and project timeline please visit engage.vic.gov.au/distinctive-areas-and-landscapes-program/surf-coast.
## Glossary of terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>Declared Area</strong></td>
<td>The Declared Area is an area to which an order under section 46AO of the <em>Planning and Environment Act 1987</em> applies. Declaring an area indicates that it contains a concentration of distinctive attributes and is under threat. A Statement of Planning Policy will be developed for the declared area to protect and conserve its distinctive attributes.</td>
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<tr>
<td><strong>Framework Plan</strong></td>
<td>A declared area framework plan provides a spatial framework for decision-making in relation to the future use and development of land. It integrates environmental, social, cultural and economic factors for the benefit of the community, encourage sustainable development and identifies areas for protection and conservation. It may also specify protected settlement boundaries.</td>
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<tr>
<td><strong>Great Ocean Road Strategic Framework Plan</strong></td>
<td>The Great Ocean Road Strategic Framework Plan is being developed to manage coastal towns, landscapes and resources along the Great Ocean Road in an integrated manner, including locations such as Anglesea, Lorne, Aireys Inlet and Apollo Bay, of the Surf Coast Shire.</td>
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<td><strong>Green break</strong></td>
<td>The term ‘green break’ is used to describe the non-urban areas between townships which preserve landscape character.</td>
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<td><strong>Growth node</strong></td>
<td>An area designated for future urban growth G21 Regional Growth Plan.</td>
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<td><strong>Low water mark</strong></td>
<td>The level reached by seawater at low tide.</td>
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<tr>
<td><strong>Protected settlement boundary</strong></td>
<td>A protected settlement boundary is a settlement boundary in a declared area that is protected under a Statement of Planning Policy. It is a long-term boundary designed to contain township growth. Settlement boundaries apply to towns identified for future growth.</td>
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<td><strong>Responsible Public Entity</strong></td>
<td>For the Surf Coast declared area, this includes Barwon Water, Corangamite Catchment Management Authority, City of Greater Geelong, Department of Transport, Parks Victoria, Surf Coast Shire Council, VicTrack, and other entities as defined in the <em>Planning and Environment Act 1987</em>. Responsible public entities must have regard to the SPP when developing their own policies or making decisions in relation to the declared area. The Minister for Planning will seek their endorsement of the draft SPP before the document is approved.</td>
</tr>
<tr>
<td><strong>Statement of Planning Policy (SPP)</strong></td>
<td>Statement of Planning Policy means a Statement of Planning Policy approved under Part 3AAB of the <em>Planning and Environment Act 1987</em> in relation to a declared area, as amended from time to time.</td>
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<tr>
<td><strong>Traditional Owners</strong></td>
<td>Traditional Owners are Australian Aboriginal groups with Country in the Surf Coast Shire. The Wadawurrung are the Traditional Owners of the declared area.</td>
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