

Submissions to Amendment C150Basc Bass Resort

Sub No.	Issues Raised	Change Requested?	Officer Response and Recommendation
1	Letter of support	N/A	Noted
2	Letter of support	N/A	Noted
3	Letter of support	N/A	Noted
4	Letter of support	N/A	Noted
5	Letter of support	N/A	Noted
6	Letter of support	N/A	Noted
7	Letter of support	N/A	Noted
8	Letter of support	N/A	Noted
9	<p>No objection to enabling the subdivision of the existing units but do have concern about the method proposed.</p> <p>Has concerns for the following reasons:</p> <ul style="list-style-type: none"> - The removal of the SLO is in conflict with broader strategic planning policy and National Trust classified landscapes along this coastline. - The rezoning approach is inappropriate in that it supports 'spot rezoning' in a location distant from the town centre where higher residential densities are preferred. - The proposed rezoning allows for higher density redevelopment to be contemplated. 	<p>Would support the use of Clause 51.01 (Specific Sites and Exclusions or the equivalent).</p>	<p>The Significant Landscape Overlay (SLO) is an important tool for managing the impacts of new developments on recognised landscapes however it does become somewhat redundant in established residential areas where the landscape is already cluttered and disrupted.</p> <p>It should also be noted that the site has already been fully developed and there are no requirements for the SLO to be considered through a subsequent subdivision application.</p> <p>Land to the north, Island View Estate and Silverwater Resort, are similar examples which proved the removal of the SLO to be appropriate as the area started to develop. Although these areas are managed by a Design and Development Overlay, this same approach is not thought to be suitable for the subject site as the built form is already existing.</p> <p>With regards to 'spot rezoning', DELWP have suggested through conditional authorisation that the application of the General Residential Zone (GRZ) is a more appropriate tool to use in this</p>

			<p>instance.</p> <p>The GRZ is recommended to be applied in new or established residential areas where there are minimal constraints to residential development. While adjoining land is within the LDRZ, the general vicinity is arguably well-established with connections available to the required services. This includes reticulated sewerage, which is generally the preventative in transitioning from LDRZ to GRZ due to lots needing to be of a size capable of treating wastewater.</p> <p>The General Residential Zone sets out a three storey height limit as well as a garden area requirement of 35% for a lot of this size which should alleviate concerns regarding the potential for higher density development in the future.</p> <p>Recommended position: No change to amendment proposed. Refer submission to Panel.</p>
10	Letter of support	N/A	Noted
11	<p>Objects for the following reasons:</p> <ul style="list-style-type: none"> - The pavilions on the land to be rezoned have in part been constructed over the property boundary and the mapping in the explanatory report incorrectly represents the boundary relationship to the pavilions. - The amendment will leave a portion of these structures in the Farming Zone and the rest in the proposed GRZ. - The topography drains to the south and at present there is no established easement to transmit sewerage, stormwater and water from the pavilions. - The land to be rezoned abuts a farming zone with no or limited setbacks along the common boundary so there is little to no capacity for the land to mitigate bushfire hazards. 	N/A	<p>A re-establishment survey prepared by Millar and Merrigan was submitted with the most recent planning permit application for the subject land (reference 180324) demonstrating that the pavilions have not been constructed over the property boundary (this has been attached for your reference).</p> <p>The site is subject to a number of encumbering easements including both a drainage and sewerage easement, both of which are registered on title.</p> <p>DELWP provided authorisation for the Amendment to be prepared on the basis that the site is within an existing urban area and having already been developed, would not result in any additional bushfire risk. Further to this, the CFA provided conditional consent for the land to be subdivided into 4 allotments prior to the amendment commencing with</p>

			<p>knowledge that the pavilions were existing on the subject land and formed part of the proposal. The applicant is preparing a bushfire risk assessment to address concerns relating to bushfire.</p> <p>Recommended position: No change to amendment proposed. Refer submission to Panel.</p>
12	Letter of support	N/A	Noted
13	Letter of support	N/A	Noted
14	<p>Acknowledges that the change of zoning from LDRZ to GRZ is a logical solution however does have concerns about the removal of the SLO.</p> <p>Has concerns for the following reasons:</p> <ul style="list-style-type: none"> - The SLO is a mechanism which can protect coastal vistas and retention of it would not adversely impact on the future development of the area. - Inclusion of the site in the proposed Significant Landscape Area is all the more reason that the SLO be retained. 	Would support the retention of the SLO.	<p>See response to Submission 9.</p> <p>It is acknowledged that the municipal boundary of Bass Coast, including a 600 metre buffer seaward from the coast, has been declared a 'distinctive area and landscape'. However, it is noted that a Statement of Planning Policy to set out a vision, policy objectives and strategies to achieve the vision and a strategic framework plan for guiding future use and development of the land in declared areas has not yet been prepared. While regard should be given to the declaration, it should be noted that the subject site is within an established urban area and has already been developed.</p> <p>Recommended position: No change to amendment proposed. Refer submission to Panel.</p>
15	Letter of support	N/A	Noted
16	Letter of support	N/A	Noted
17	Letter of support	N/A	Noted
18	EPA referral response – no objection	N/A	Noted
19	<p>CFA referral response –</p> <p>The explanatory report indicates that as the land has already been developed it will not result in any additional bushfire risk. CFA is concerned with this assessment and does not agree</p>		<p>The applicant is undertaking a bushfire risk assessment to address these concerns and to ensure that the Amendment appropriately responds to Clause 13.02-1S <i>Bushfire planning</i>. This assessment will be provided to the CFA upon completion and will form part of the amendment documentation.</p>

with any interpretation that equates the developed nature of the site with the effective outcome of dismissing bushfire policy considerations from the assessment.

Suggests that a Bushfire Risk Assessment is undertaken to determine the risk level and appropriate mitigation measures which includes:

- An assessment of the proposal against policy contained within Clause 13.02-IS
- A landscape hazard assessment that considers the hazard and bushfire behaviour within the wider landscape. CFA recommends using the process for preparing the landscape Assessment as outlined in the *Planning Permit Application Bushfire Management Overlay Technical Guide (DELWP, 2017 p.12-17)*.
- A bushfire hazard site assessment within 150m of the site, detailing the surrounding classifiable vegetation and slope.
- How the bushfire risk has changed now that the land to the south of the subject site will no longer be used as a golf course.
- Construction details of the existing dwellings on the subject site and how they would be impacted from flame contact and radiant heat.
- Whether any bushfire protection measures are required to be undertaken or evident at the site, including:
 - o Any defensible space or vegetation management.
 - o Static water supply for bushfire or other fire fighting purposes.
 - o Whether the access on and within the site will be able to accommodate fire fighting vehicles.
- Whether any bushfire protection measures are proposed to be implemented at the site.

It should be noted that DELWP provided authorisation having considered the Amendments response to bushfire risk.

It should also be noted that standard conditional consent was provided by the CFA for planning permit 180324 which excised the land with the apartment blocks off from three low density lots. This was provided with knowledge that the pavilions were existing on the subject land and formed part of the proposal. In order to meet the conditional consent, a Bushfire Management Plan was requested which sets out how defensible space, water, vegetation and access within the subject site will be managed. This has since been provided and is under officer assessment. Concerns regarding the existing development's BAL and how vegetation on private property to the south was to be managed was not raised at the time of this initial referral.

Recommended position:

No change to amendment proposed. Refer submission and bushfire risk assessment (once received) to Panel and CFA.

	<ul style="list-style-type: none"> - How any existing or proposed bushfire protection measures will be 'locked in' to ensure that they are undertaken on an ongoing basis. - Establish what vegetation management, if any, is going to happen on the land of the former golf course. Include details on how the vegetation on the land is going to be managed and what management agreements will be developed. <p>Concern that the existing buildings are located within proximity to the southern site boundary and it is unclear whether the building has been constructed to a bushfire attack level (BAL).</p> <p>Where a building has been built to a certain standard and radiant heat exposure level, this may influence the need to lock in management of vegetation both on the site and within the golf course to ensure that any assessments that underpinned the original building are not altered by the virtue of the golf course not proceeding. This information should be considered in the above assessment.</p> <p>CFA encourages an outcome that both fixes an administrative and zoning issue whilst improving the safety at the site. CFA recommends further incorporation of bushfire protection measures within the amendment or justification why they have or will not be provided.</p>		
20	Letter of support	N/A	Noted
21	Letter of support	N/A	Noted
22	Letter of support	N/A	Noted
23	Letter of support	N/A	Noted
24	<p>Objects for the following reasons:</p> <ul style="list-style-type: none"> - The developer did not contribute to the upgrade of Shetland Heights Road when the land was originally developed and as a result of the extra traffic, the 	N/A	Planning permit 180324 (which allows for the subdivision of land into four allotments) presents a new opportunity to collect a contribution for the construction of Shetland Heights Road via permit condition. This rectifies the lack of contribution

	<p>condition of this road is substandard and unsafe for pedestrians and cyclists.</p> <ul style="list-style-type: none"> - There is no footpath for those currently residing in the apartment complexes to use when accessing the commercial centre of San Remo. This should be addressed before any rezoning goes ahead. - As there is no footpath on Shetland Heights Road or Potters Hill Road this amendment will not facilitate a pedestrian link to Bore Beach. 		<p>collected when the development was initially approved.</p> <p>While there is not currently a footpath along Shetland Heights Road or Potters Hill Road, as nearby estates develop they will be expected to contribute to shared infrastructure such as roads and footpaths. The Bass Coast Planning Scheme (in this instance Clause 21.08-3) sets out the preferred locations for this infrastructure and does note both Shetland Heights Road and Potters Hill Road as key routes on the trail network. This helps establish a priority list for future infrastructure however it's important to note that the Scheme doesn't suggest this needs to be delivered before new development is contemplated. It's also important to note that in requesting infrastructure contributions, there be a clear nexus between what is being requested and the intensity of the development.</p> <p>The development facilitates a shared pathway through the subject site from Shetland Heights Road to Cayley Court.</p> <p>Recommended position: No change to amendment proposed. Refer submission to Panel.</p>
25	Melbourne Water referral response – no objection	N/A	Noted
26	West Gippsland CMA referral response – no objection	N/A	Noted
27	Letter of support	N/A	Noted