The review of the

Municipal Strategic Statement

under Section 12A(5) of the


SEPTEMBER 2003

FINAL
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INTRODUCTION

The Municipal Strategic Statement (MSS) is the key land use and planning strategy for the municipal area of Bass Coast Shire. It expresses the strategic planning objectives for the municipality and the strategies and actions for achieving them. The MSS forms part of the Bass Coast Planning Scheme.

The Planning & Environment Act 1987 (the Act) requires Council to review the MSS at least once every three years. A general practice note has been issued by the Department of Infrastructure relating to the MSS and the three-year review. This practice note provides guidance to responsible authorities on the matters the review should deal with.

This MSS review seeks to provide a general overview of how the MSS has been operating since approved and to focus on and assess the key strategic planning issues of the Shire and the MSS's response to these issues. The review will also look at the usability of the MSS and the way in which the MSS and the Bass Coast Planning Scheme is monitored.

It is noted that the review of the MSS is not an amendment to the Bass Coast Planning Scheme. However, the outcomes of the review will guide future strategic planning initiatives of Council which may lead to future amendments. These future amendments would be subject to separate planning processes required under the Act for amending a planning scheme, including public and stakeholder input.

INPUT INTO THE MSS REVIEW

The MSS Review draws from an extensive range of information, knowledge and experiences contained within Council, the Bass Coast Shire community, and statutory authorities. More specifically, the following have been taken account of in preparing the review: -

- 5 MSS Review Workshops;
- Written responses from Statutory Authorities;
- Minister for Planning Requirements;
- Written submissions from members of the public;
- Council’s town planners;
- Councillors of Bass Coast Shire;
- Feedback received on a regular basis from members of the public;
- Council’s knowledge of the planning issues affecting the Shire.
THE BASS COAST PLANNING SCHEME
AND THE MUNICIPAL STRATEGIC STATEMENT

The MSS forms part of the Bass Coast Planning Scheme. The planning scheme in totality represents the policies, rules and regulations in relation to land use and development in the Shire.

In addition to the MSS, the Bass Coast Planning Scheme includes the following elements:

- The State Planning Policy Framework;
- Local Planning Policies;
- Zones and Overlays;
- Particular Provisions; and
- General Provisions.

In making decisions on planning matters (eg. planning permit applications), Council must consider all parts of the planning scheme.

The Bass Coast Planning Scheme (including the MSS) came into effect on 16 December 1999. It was prepared in accordance with the provisions of the Act and it replaced the Phillip Island, Wonthaggi and Bass Planning Schemes, and parts of the Korumburra, Woorayl and Cranbourne Planning Schemes.

Bass Coast Shire Council is the responsible authority for administering and enforcing the majority of the Bass Coast Planning Scheme under the Act.
BACKGROUND INFORMATION

Section 12A of the Act addressed the MSS. Figure 1 is a complete extract of Section 12A of the Act.

FIGURE 1 – SECTION 12A OF THE PLANNING & ENVIRONMENT ACT 1987

(1) A planning authority which is a municipal council must prepare a municipal strategic statement for its municipal district.

(2) A municipal strategic statement must further the objectives of planning in Victoria to the extent that they are applicable in the municipal district.

(3) A The strategic planning, land use and development objectives of the municipal strategic statement must contain—

(a) planning authority; and

(b) the strategies for achieving the objectives; and

(c) a general explanation of the relationship between those objectives and strategies and the controls on the use and development of land in the planning scheme; and

(d) any other provision or matter which the Minister directs to be included in the municipal strategic statement.

(4) A municipal strategic statement must be consistent with the current corporate plan prepared under section 153A of the Local Government Act 1989 for the municipal district.

(5) A municipal council must review its municipal strategic statement at least once in every 3 years after it is prepared.

(6) A municipal council must also review its municipal strategic statement at any other time that the Minister directs.
PART 1
The First Three Years of the MSS - Progress Report

CHANGES IN STATE PLANNING POLICY

Since the Bass Coast Planning Scheme was approved in 1999, there have been a number of changes in State Planning Policy. Some of these have been fairly minor and will therefore not be discussed as part of this review. However, some of the changes are substantial and have (or will have) major impacts on Bass Coast Shire and the Bass Coast Planning Scheme.

The principal changes include:

- The adoption by the State Government of the Victorian Coastal Strategy (2002) (and the preparation of the Integrated Coastal Planning for Gippsland - Coastal Action Plan);
- The introduction of the ResCode provisions governing residential development across the State;
- The introduction of revised planning scheme controls relating to wind energy developments across the State;
- The development of revised controls and processes relating to native vegetation management;
- The development of the Metropolitan Strategy which includes proposed changes impacting on Bass Coast such as the revised SPPF, changes to Ministerial Direction No. 6 and the introduction of additional non-urban zones.

The above changes impact on many of the key issues affecting the Shire as it undertakes its planning responsibilities. This MSS review seeks to draw out the key challenges for the MSS as it responds to changing circumstances and makes recommendations for future MSS changes and policy development in response to them.

PLANNING PERMITS

The following information has been drawn from the recent Review of Planning Services (2002) undertaken by the Research Planning Design Group in association with Glossop Town Planning Pty Ltd and KPLAN.
Cowes and Inverloch accounted for over half (53 per cent) of all planning applications (2,684 applications) throughout the municipality.
An analysis of the volume and type of applications for planning permits before and after the introduction of the new format planning scheme identifies increases in a number of categories.

**FIGURE 5: - CHANGES IN APPLICATION TYPES**

<table>
<thead>
<tr>
<th>Application type</th>
<th>1997-1999</th>
<th>2000-August 2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation removal/trimming</td>
<td>926</td>
<td>1356</td>
</tr>
<tr>
<td>Subdivision</td>
<td>169</td>
<td>399</td>
</tr>
<tr>
<td>Single dwelling</td>
<td>223</td>
<td>303</td>
</tr>
<tr>
<td>Medium density housing</td>
<td>95</td>
<td>206</td>
</tr>
</tbody>
</table>

Source: - Bass Coast planning register

**PLANNING APPROVALS**

In addition to planning permits, various other approvals are granted under the Act and the Bass Coast Planning Scheme. These include development plan approvals, extensions of time, and amended permits and plans. These activities are part of Council's responsibilities under the Planning & Environment Act 1987 and occur as formal requests are made for approvals.

**PLANNING APPEALS**

Under the Act, various parties have the statutory right to seek a review of Council's decision making in relation to planning permit applications and other approvals under the Planning Scheme. The Victorian Civil and Administrative Tribunal (VCAT) handles planning matters. The most readily available data from VCAT relates to the 2001/2002 financial year.
In the 2001/2002 financial year, a total of 35 applications for review were received by VCAT. This was the highest number of applications received for a non-metropolitan Council.

FIGURE 6b – APPLICATIONS TO VCAT – 2001/2002 – VARIOUS COUNCIL’S
PLANNING SCHEME AMENDMENTS

A planning scheme amendment is the statutory process, outlined in the Act, that Council must follow when seeking to amend the Bass Coast Planning Scheme. Planning scheme amendments are required as part of the on-going need to ensure the Bass Coast Planning Scheme is up-to-date and adequately responds to the land use and development circumstances present in the Shire.

Planning scheme amendments are prepared by Council as the responsible authority for the Bass Coast Planning Scheme. They are sometimes required to give effect to new strategic work undertaken by Council that should be incorporated into the planning scheme or they may be prepared at the request of an outside party who makes a specific request to amend the planning scheme.

Figure 7 is a listing of all planning scheme amendments initiated under the Bass Coast Planning Scheme since its approval in 1999. The information is current as at 1 January 2003.
## FIGURE 7 – AMENDMENTS TO THE BASS COAST PLANNING SCHEME

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Property Description or Type</th>
<th>Proposal</th>
<th>Status as at 1 January 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>Various</td>
<td>Make administrative corrections to the Heritage Overlay, inserts the ESO over some land, other minor changes.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C2</td>
<td>Various</td>
<td>Make corrections in zoning and overlay maps. Inserts the Heritage Overlay on land at 34-35 Stradbroke Avenue, Cowes.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C3</td>
<td>Crown Allotment 212K on Original Plan 120040, Corinella Road, Corinella</td>
<td>Rezone the land to a Rural Zone.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C4</td>
<td>Various sites along the coast.</td>
<td>Extend the Design and Development Plan Overlay No. 1.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C5</td>
<td>Cowes Foreshore Precinct</td>
<td>Introduce interim height controls to the Cowes Foreshore Precinct.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C6</td>
<td>CA13B, Tarwin Lower Road, Inverloch</td>
<td>From Rural to Rural Living Zone (and Planning Permit)</td>
<td>Submissions referred to a Planning Panel.</td>
</tr>
<tr>
<td>C7</td>
<td>Woolamai Township, Dalyston Township (northern section), Kilcunda West township and Treadwells Road, Inverloch</td>
<td>Various changes to restructure overlays and zonings (restructure subdivisions)</td>
<td>Panel recommendations currently being reviewed.</td>
</tr>
<tr>
<td>C8</td>
<td>North side, Viminaria Road, Harmers Haven.</td>
<td>From Rural to Low Density Residential Zone, ESO (and Planning Permit)</td>
<td>Submissions referred to a Planning Panel.</td>
</tr>
<tr>
<td>C9</td>
<td>Annual Review of Planning Scheme</td>
<td>Miscellaneous Changes</td>
<td>Adopted by Council. Ready to be submitted to the Minister for Approval.</td>
</tr>
<tr>
<td>C11</td>
<td>Bunurong Road (between Inverloch and Cape Paterson)</td>
<td>From range of zones to road Zone (Category 1)</td>
<td>Adopted by Council. Ready to be submitted to the Minister for Approval.</td>
</tr>
<tr>
<td>C12</td>
<td>Donmix Site, West Area Road, Wonthaggi</td>
<td>From Public Park and Recreation to Rural Zone</td>
<td>Completed.</td>
</tr>
<tr>
<td>C13</td>
<td>Assessment criteria for retail planning applications and rezonings</td>
<td>New Local Policy</td>
<td>Exhibition Closed.</td>
</tr>
<tr>
<td>C14</td>
<td>205-223 Thompson Avenue, Cowes</td>
<td>From Residential 1 to Business 1 Zone and DPO.</td>
<td>Abandoned.</td>
</tr>
<tr>
<td>C15</td>
<td>Northern side of Bass Highway, between freehold land and Rail Trail, Kilcunda</td>
<td>From Public Park and Recreation to Rural Living Zone</td>
<td>Completed.</td>
</tr>
<tr>
<td>C16</td>
<td>Dandenong Motorcycle Club, West Area Road, Wonthaggi</td>
<td>From Public Park and Recreation Zone to Rural Zone</td>
<td>Abandoned.</td>
</tr>
<tr>
<td>C17</td>
<td>230 Cowes-Rhyl Road, Cowes</td>
<td>From Public Conservation and Resource Zone to Rural Zone</td>
<td>Completed.</td>
</tr>
<tr>
<td>C18</td>
<td>Parking Precinct Plans - Townships in Bass Coast Shire</td>
<td>Incorporate plans into Bass Coast Planning Scheme</td>
<td>Submissions referred to a Planning Panel.</td>
</tr>
<tr>
<td>C19</td>
<td>Spare.</td>
<td>Spare.</td>
<td>Completed.</td>
</tr>
<tr>
<td>C20</td>
<td>14-26 Jeury Court, Cowes - Interim Heritage Overlay - Chicory Klin</td>
<td>Introduce the Heritage Overlay over the land</td>
<td>Completed.</td>
</tr>
</tbody>
</table>

Source: - Bass Coast Amendments Register
When the planning scheme was approved in December 1999, the Minister for Planning requested that Council undertake a series of actions arising out of the Panel hearing. Table 8 below outlines these actions and their current status.

### FIGURE 8 – ACTIONS ARISING OUT OF APPROVAL OF BASS COAST PLANNING SCHEME AND THEIR CURRENT STATUS

<table>
<thead>
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<th>ACTIONS</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amend the Cape Paterson township area, by rezoning the existing</td>
<td>Done. Council decided to include these changes in adopted scheme, now approved.</td>
</tr>
<tr>
<td>residential areas as Residential 1 Zone, and rezoning the existing</td>
<td></td>
</tr>
<tr>
<td>retail area as Business 1 Zone.</td>
<td></td>
</tr>
<tr>
<td>Amend the existing industrial estate at Inverloch, by rezoning the</td>
<td>Done. Council decided to include these changes in adopted scheme, now approved.</td>
</tr>
<tr>
<td>area from Industrial 1 to Industrial 3 Zone.</td>
<td></td>
</tr>
<tr>
<td>Prepare siting and design guidelines in relation to development</td>
<td>Proposed to be undertaken when funds become available.</td>
</tr>
<tr>
<td>along tourist routes.</td>
<td></td>
</tr>
<tr>
<td>Prepare guidelines for tourist routes and then introduce a local</td>
<td>Proposed to be undertaken when funds become available.</td>
</tr>
<tr>
<td>planning policy for tourist routes to give effect to these guidelines.</td>
<td></td>
</tr>
<tr>
<td>Council review overlay controls around the Phillip Island Airfield,</td>
<td>Scheme adopted and now approved includes:</td>
</tr>
<tr>
<td>with a view to ensuring clear approach gradients to runways and the</td>
<td>➢ A Design and Development Overlay over Residential 1 Zone land, which reflects height controls relating to the approach/take-off path for the east-west runway that previously existed in the Phillip Island Planning Scheme. The approach/take-off path for the north-south runway is over rural land.</td>
</tr>
<tr>
<td>restriction of development in areas subject to high levels of aircraft</td>
<td>➢ An Airport Environs Overlay (schedule 2) reflecting the ANEF 20 contour line. This overlay introduces controls over particular uses that may be affected by noise generated from the airport. It applies over residential properties abutting the airport, as well as airport land.</td>
</tr>
<tr>
<td>noise.</td>
<td>It is considered that these measures address the general concerns raised by the Panel. Any modification to these overlays is not considered necessary at this time. If, however, the operations of the airport change, then these overlay controls should be reassessed.</td>
</tr>
<tr>
<td>As restructure plans are developed, Council list them in the Schedule</td>
<td>Seven Restructure Plans have been incorporated into the approved Scheme. A Subdivision Restructure Strategy is complete and is further discussed later in this report.</td>
</tr>
<tr>
<td>to Clause 81 of the Planning Scheme.</td>
<td></td>
</tr>
<tr>
<td>Amend the planning scheme by applying a Design and Development Overlay</td>
<td>Development Plan Overlay – Schedule 8 – &quot;Inverloch Parklands Estate and Lot 122 LP 132220, Inverloch-Tarwin Lower Road, Inverloch&quot; has been included in the approved Scheme. The schedule was developed in consultation with the various landowners and other interested and affected parties. It was not considered necessary that a Design and Development Overlay also apply.</td>
</tr>
<tr>
<td>and a Development Plan Overlay over the Inverloch Parklands Estate.</td>
<td></td>
</tr>
<tr>
<td>ACTIONS</td>
<td>CURRENT STATUS</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Set up a working party, as soon as possible, to assist Council in the</td>
<td>Screw Creek is being investigated as part of the Inverloch Design Framework. Planning Scheme changes will arise out of this project to ensure appropriate controls are placed on Screw Creek and its environs.</td>
</tr>
<tr>
<td>preparation of the appropriate development controls that will protect</td>
<td></td>
</tr>
<tr>
<td>the sensitive coastal and Screw Creek environs from the effects of</td>
<td></td>
</tr>
<tr>
<td>development of the Inverloch Parklands Estate.</td>
<td></td>
</tr>
<tr>
<td>Council review its height controls over development in Inverloch.</td>
<td>The Inverloch Design Framework has investigating this matter and future changes to the planning scheme will be subject to the usual process of consultation.</td>
</tr>
<tr>
<td>Council have discussions with the relevant water authority in relation</td>
<td>No work to date.</td>
</tr>
<tr>
<td>to the introduction of an additional Environmental Significance Overlay</td>
<td></td>
</tr>
<tr>
<td>relating to Sewerage treatment plants and environs.</td>
<td></td>
</tr>
<tr>
<td>Include the Maher's Landing subdivision in any future study of old and</td>
<td>This area has been included in the now completed Bass Coast Shire Subdivision Restructure Strategy. This review further discusses old and inappropriate subdivisions later in this report.</td>
</tr>
<tr>
<td>inappropriate subdivisions.</td>
<td></td>
</tr>
<tr>
<td>Council include in its local planning policy, Fire Safety and Wildfire</td>
<td>Mapping not as yet available.</td>
</tr>
<tr>
<td>Hazard, reference to maps identifying wildfire areas in the Shire,</td>
<td></td>
</tr>
<tr>
<td>once mapping at an appropriate scale in available.</td>
<td></td>
</tr>
<tr>
<td>Following proper investigation and/or studies, appropriate areas within</td>
<td>No work undertaken to date.</td>
</tr>
<tr>
<td>the Shire be rezoned to Environmental Rural Zone.</td>
<td></td>
</tr>
<tr>
<td>Council undertake, complete and adopt as soon as practicable:</td>
<td>The recommendations of this review relating to managing vegetation carry through this action.</td>
</tr>
<tr>
<td>◦ A vegetation study for the Shire.</td>
<td></td>
</tr>
<tr>
<td>◦ A Roadside Management Plan for the Shire, including a local policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>for wildlife corridors.</td>
</tr>
<tr>
<td>◦ A landscape strategy and study.</td>
<td></td>
</tr>
<tr>
<td>A local policy for aquaculture.</td>
<td>A review is required of this action to assess whether a local policy is warranted.</td>
</tr>
<tr>
<td>A complete tourism/tourist strategy.</td>
<td>Such a strategy would need to be driven by the Economic Development Unit of Council with outcomes relating to planning be incorporated into the Planning Scheme where appropriate.</td>
</tr>
<tr>
<td>A study relating to the future direction of Bass township.</td>
<td>The Strategic Coastal Planning Framework includes the Bass Township.</td>
</tr>
<tr>
<td>A local policy on temporary camping, camping grounds and caravan parks.</td>
<td>A review is required of this action to assess whether a local policy is warranted.</td>
</tr>
<tr>
<td>The zoning of the northern sections of Ayr Creek, Inverloch to reviewed</td>
<td>Done. All of Ayr Creek included in Public Park and Recreation Zone.</td>
</tr>
<tr>
<td>with a view to including it in a Public Park and Recreation Zone.</td>
<td></td>
</tr>
<tr>
<td>ACTIONS</td>
<td>CURRENT STATUS</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The zoning of the land next to the Environment Centre, corner of</td>
<td>Lots 1 &amp; 2 LP 26722, 1 &amp; 3 Ramsay Boulevard, Inverloch are owned by Council and appropriately zoned Public Use Zone 6 – Local Government.</td>
</tr>
<tr>
<td>Ramsay Boulevard and The Esplanade, Inverloch, be reviewed after the</td>
<td></td>
</tr>
<tr>
<td>establishment of ownership.</td>
<td></td>
</tr>
<tr>
<td>Council undertake and complete, as soon as able, a heritage and a</td>
<td>The Stage 1 Heritage Study is now complete. Stage 2 Heritage Study will commence when funds become available.</td>
</tr>
<tr>
<td>landscape study for the whole of the municipality.</td>
<td>A landscape assessment is currently being undertaken as part of the Coastal Project.</td>
</tr>
<tr>
<td>The Council give consideration to applying an Environmental</td>
<td>No work to date.</td>
</tr>
<tr>
<td>Significance Overlay over the waterways within the Shire.</td>
<td></td>
</tr>
<tr>
<td>Upon receipt of a list of war memorials in the Shire from the RSL,</td>
<td>All heritage sites to be addressed in the heritage study.</td>
</tr>
<tr>
<td>the war memorials be included in the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>Amend the planning scheme by including 4 Melissa Court and 165-167</td>
<td>165-167 Thompson Avenue (2 Melissa Court) and 4 Melissa Court are currently zoned Residential 1. 2 Melissa Court is occupied by a veterinary clinic</td>
</tr>
<tr>
<td>Thompson Avenue, Cowes in a Mixed Use Zone with a Design and</td>
<td>and 4 Melissa Court is used as a car park in association with the adjoining supermarket. Other properties in Melissa Court are predominantly</td>
</tr>
<tr>
<td>Development Overlay which prohibits access to the land from Melissa</td>
<td>occupied by dwellings. Officers have to consider further the merits of applying a Mixed Use Zone with a Design and Development Overlay over these two properties as per Panel recommendation.</td>
</tr>
<tr>
<td>Court and requires suitable landscaping and fencing along Melissa</td>
<td></td>
</tr>
<tr>
<td>Court frontage.</td>
<td></td>
</tr>
<tr>
<td>The extent of the Heritage Overlay over Churchill Island (HO2) and</td>
<td>Done. Council adopted the planning scheme with the additional detailed information included on the planning scheme maps. However, the approved</td>
</tr>
<tr>
<td>the Wonthaggi Railway Station (HO5) be identified upon receipt of</td>
<td>approved maps did not show this information. It is proposed that a Ministerial Amendment will correct all technical errors related to the Heritage Overlay (as well as other matters).</td>
</tr>
<tr>
<td>adequate information.</td>
<td></td>
</tr>
</tbody>
</table>
PART 2
Consistency with the State Planning Policy Framework

The State Planning Policy Framework (SPPF) forms part of the Bass Coast Planning Scheme. The SPPF is a concise outline of State level planning policies which responsible authorities are to take into account and give effect to in the planning of their respective areas.

The SPPF is structured into key areas. These are:

- Settlement;
- Environment;
- Housing;
- Economic Development;
- Infrastructure.

The SPPF is extensive in the matters it seeks to address within these key areas. Therefore, for the purpose of this review and in a manner consistent with the Practice Note on the MSS review, the MSS will be reviewed against the SPPF only on the key issues that are affecting the Shire.

The key strategic issues affecting the Shire are:

- Managing urban growth in townships;
- Managing urban growth – Planning Scheme;
- Managing urban consolidation;
- Managing rural residential development;
- Managing vegetation;
- Managing old and inappropriate subdivision;
- Managing rural areas and agriculture;
- Managing heritage assets;
- Managing environmental overlays.

In addition to the above key matters, the Minister for Planning has also requested that the MSS be reviewed against the Victorian Coastal Strategy that was adopted by the State Government in 2001. An assessment of the MSS against applicable catchment management strategies has also been requested of Council as it undertakes this process.

The structure of this part of the MSS Review is to introduce the issue, outline the SPPF and MSS response to the issue, and then a brief discussion about any deficiencies in the MSS and any changes that are appropriate.
2.1 MANAGING URBAN GROWTH IN TOWNSHIPS

INTRODUCTION

Bass Coast Shire is currently experiencing rapid changes in terms of population.

This population growth, combined with reducing household sizes and the continuing appeal of the Shire for holiday makers, is resulting in significant development and change in the built and natural environment.

Considerable comments and input to this review from the community highlighted the rate of change as a key issue facing the Shire. This has been further reinforced by the Community Plan presented to Council in December 2002.

The key strategic issue for the MSS is to manage this growth in a coordinated and orderly manner maximising the quality of the outcomes being achieved.

DISCUSSION

Population increases in the Shire’s townships, combined with falling household sizes and the increasing appeal of the municipality for holiday homes, are some of the factors that are placing great pressure on urban areas to expand. This pressure can be expected to continue for the foreseeable future.

The SPPF seeks to accommodate this growth over at least a 10-year period through the development of structure plans for urban areas. These structure plans seek to have the full range of matters considered in their preparation. This allows for a thoughtful, considered and appropriate plan to be developed that addresses, manages and coordinates urban development and urban growth.

Crucially, this process and the existence of structure plans has two consequential effects. The first is that the presence of a structure plan directs development to areas that are most suitable for that development. The obvious benefit of this is appropriate development is directed to appropriate locations. Another benefit of this is that the MSS is a crucial tool which guides investment in the built environment. To this end, it should be clear in the directions it sends to the development industry in terms of where development is appropriate. Structure plans provide this clear direction.

The second effect of having structure plans for any given urban area is that in the absence of any clear directions, each development proposal is forced to be considered individually, often with a lack of appropriate background research, a lack of strategic planning, and with a lack of integration either with existing urban development or future urban development. This process is also not conducive to fully assessing and understanding the cumulative effect of a number of developments.

Ad hoc assessments are not only extremely inefficient in terms of planning, they are also contradictory to the SPPF and in a general sense contrary to good strategic planning. They also force a combative or defensive approach to be taken by groups and individuals involved in the planning process when development approvals are sought (particularly for subdivision on the fringe of existing towns).
It is noted that considerable feedback from community involvement in this review related to the issue of certainty in terms of future development. Structure plans are a valuable tool in this regard.

In the context of the above discussion, it is clear that the MSS as it currently stands is ineffective in managing the growth of the Shire's townships. The principal reason for this is the lack of detailed planning for most of the Shire's settlements. In the absence of this invaluable strategic planning, the MSS is forced to being quite negative and does not direct development in the manner that it should.

The MSS offers no genuine pathway to managing urban growth. The objectives and strategies presented are contradictory in seeking to limit growth within existing urban boundaries whilst at the same time accommodating population increases. This is further complicated by the fact that with the exception of Grantville, urban boundaries are not actually defined.

It is clear that the MSS as it currently stands is contrary to the strategic planning process envisaged in the SPPF and the orderly development which flows from such. A key future strategic focus of Council should therefore be instituting a planning process as envisaged by the SPPF. In the first instance, this requires the preparation of structure plans for the Shire's townships.

The development of structure plans should occur through the planning process in consultation with the community and stakeholders. The ultimate outcome being the plans implementation through the planning scheme. Once developed, structure plans will allow debates about specific development proposals to focus more on the detailed proposal rather than the "should it be permitted?" question when this should have already been answered in the structure plans development.

A flow on effect of undertaking this type of strategic work is that it will allow the MSS to be far more proactive in the directions it sets rather than the fairly negative response that exists currently. It will also allow a more consistent, logical and transparent planning process to be developed and outlined in the MSS to manage urban growth.

ADVANCING THE KEY STRATEGIC ISSUE

Council and the community more generally are fully aware of the above deficiencies that exist at present and actions are currently proceeding to address this situation. These actions include the recently completed Phillip Island and San Remo Design Framework and the currently progressing Inverloch Design Framework. Both these projects will form the basis for future amendments to the Bass Coast Planning Scheme that will provide increased certainty to future development in these areas.

Additionally, the Strategic Coastal Planning Framework has commenced. This project covers the Shire’s coastal strip (and areas generally within 5km of the coastline) and a key part of this project is the development of structure plans for the townships falling within the projects area. The result of this project and the design frameworks is that most of the key townships in the Shire will have, within 12 months, the type of detailed planning undertaken that justifies future planning scheme amendments to include structure plans in the Planning Scheme as a local planning policy.
The township of Wonthaggi, as the Shire's largest population centre, would be the only key urban centre in the Shire that will not have in place a structure plan guiding future land use and development although considerable strategic work has been undertaken in the recent past. The development of a structure plan for Wonthaggi should therefore be a priority for Council in addition to the design frameworks and the Coastal Strategy.

This will then allow the MSS to support the implementation of these local structure plans through the Planning Scheme in a positive and directive manner. It will also allow the on-going focus of resources (human and financial) to focus on ensuring the best possible outcome for individual development proposals.

**RECOMMENDATIONS**

- That the outcomes of the Phillip Island and San Remo Design Framework and the Inverloch Design Framework be used as the basis for the preparation of structure plans for the urban settlements that exist in these areas and that these structure plans be incorporated into the Bass Coast Planning Scheme.

- That the outcomes of the Strategic Coastal Planning Framework be used as the basis for incorporating structure plans in the Bass Coast Planning Scheme when completed.

- That all structure planning has regard to the Victorian Coastal Strategy and the Integrated Coastal Planning for Gippsland - Coastal Action Plan.

- That a structure plan be prepared for the township of Wonthaggi taking into account previous recent strategic work and that this structure plan be incorporated into the Bass Coast Planning Scheme when completed.

- That the MSS be amended to reinforce the use of structure plans to guide specific approvals under the planning scheme and to direct development to areas identified in structure plans as being suitable for such developments.
2.2 MANAGING URBAN GROWTH - PLANNING SCHEME

INTRODUCTION

The development and use of structure plans as recommended in Section 2.1 needs to be placed into a broader Planning Scheme context and needs to be supported by other appropriate and necessary strategic plans and statutory controls. This is vital to ensure the better management of urban growth.

DISCUSSION

It is crucial that the strategic planning and statutory planning processes are in place and implemented to ensure the best possible outcomes in relation to managing urban growth.

To this end, the Planning Scheme needs to be fairly explicit in how all the parts of the planning process fit together. The basic means of doing this is to ensure each higher order planning policy feeds directly into each and every subsequent stage of the planning process. A Managing Urban Growth Framework is outlined in Figure 9 and it illustrates how this should happen.

FIGURE 9 – MANAGING URBAN GROWTH FRAMEWORK

<table>
<thead>
<tr>
<th>State Planning Policy Framework</th>
<th>Provides State wide planning directions on urban growth.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Strategic Statement</td>
<td>Implements the SPPF and outlines local implementation strategies.</td>
</tr>
<tr>
<td>Township Structure Plan</td>
<td>Detailed strategic plan establishing where and how township growth will occur.</td>
</tr>
<tr>
<td>Land Rezoned</td>
<td>Land identified in Structure Plan as being suitable for urban development is rezoned. **</td>
</tr>
<tr>
<td>Development Plan</td>
<td>Requires the form and conditions of future use and development to be shown on a development plan prior to a planning permit being issued.</td>
</tr>
<tr>
<td>Planning Permit Application</td>
<td>Approval granted where application is consistent with the approved development plan.</td>
</tr>
</tbody>
</table>

**Whilst land may be identified in a structure plan as being suitable for urban development, consideration must be still be made at the rezoning stage of the need for additional urban land at that time.
Whilst this above process tends to occur in a more flexible and informal manner currently, it is important that Council, in undertaking its planning responsibilities, commits to the framework outlined above and that this framework is explicitly spelt out in the planning scheme. This will make it clear the manner in which the Planning Scheme manages urban growth.

What also needs particular attention is the use of the Development Plan Overlay (DPO). The DPO is a control that can be placed over land which basically requires that prior to a planning permit being issued, the form and conditions of future use and development needs to be shown and approved first in a development plan. This step in the process is crucial (particularly to managing urban growth) to ensure development is properly planned with due regard to all relevant issues including subdivision design, open space, road layout, pedestrian access, and environmental issues to name a few.

Given this, there is a need to ensure that the DPO is firstly, applied to areas that are planned for future urban growth. Secondly, it is important that the specific requirements of the DPO are consistent with the type and level of information required for an informed and proper decision to made when approval is sought for a development plan.

RECOMMENDATION

- That the processes outlined in the “Managing Urban Growth Framework” be used by Council and be placed in the MSS to ensure all parties are aware of how planning is conducted with regard to managing urban growth.

- That the use of the Development Plan Overlay be reinforced in the MSS.

- That a review be undertaken of future growth areas with regard to the application of the Development Plan Overlay to ensure the control is inserted on land as appropriate and the specific form of the control is explicit in its requirements.
2.3 MANAGING URBAN CONSOLIDATION

INTRODUCTION

Urban consolidation is the process of increasing residential densities in established urban areas. This is principally achieved through the development of medium density housing. Urban consolidation has been a State wide planning objective for over 15 years with the past 5 years seeing considerable development of medium density housing in Bass Coast Shire.

Urban consolidation in Bass Coast is principally premised on the following issues:

- A demand for smaller house sizes to meet the needs of the ageing population within Bass Coast;
- To provide a better range of housing choice within the Shire’s townships;
- To better utilise existing infrastructure and reduce the overall costs to the community of providing new infrastructure in outlying areas;
- To accommodate the increases in population within existing urban areas to minimise the expansion of the Shire’s townships into surrounding rural land;

The introduction of ResCode in 2001, a revised code governing medium density housing, presents increased opportunities for responsible planning authorities to better manage urban consolidation and to ensure outcomes better balance the strategic objective of urban consolidation with existing development.

Managing urban consolidation is a key strategic issue facing Council.

DISCUSSION

The current MSS is quite strong in advocating for increased residential densities in established urban areas and in creating a variety of lot sizes in new urban areas and in this regard the MSS is entirely consistent with the SPPF. But whilst the current MSS identifies quite well the policy and rationale for urban consolidation and the provision of medium density housing, there are some changes needed to the policy framework in light of the introduction of ResCode and to maximise ongoing benefits of the urban consolidation policy.

The first area relates to the issues associated with neighbourhood character and the potential impact of medium density housing on the existing urban environment. It is noted that community input into this review highlighted this as a key concern associated with medium density housing.

ResCode offers the ability for a significant level of local input and direction in terms of the form of housing provided. ResCode has as its mandatory starting point the recognition of the importance of neighbourhood character. This needs to be reinforced in the MSS to drive the provision of medium density housing that is locally responsive.

In addition to site by site assessment of neighbourhood character as applications are assessed, areas experiencing high levels of urban consolidation should have specific neighbourhood characteristics articulated. These matters might relate to site coverage, landscaping, vehicle access or amenity to name some examples.
Once articulated, these neighbourhood characteristics can be incorporated into the Planning Scheme to give statutory weight to specific neighbourhood characteristics that exist and that may be worthy of protection in any given area. The key basis for introducing such local requirements into the Planning Scheme is the identification of the key characteristics and having a well founded and strategically justified basis for departures from those requirements within ResCode. The Planning Practice Note on neighbourhood character can be used in this process.

Whilst the above is a worthwhile exercise, issues associated with neighbourhood character always need to be balanced with other strategic objectives contained in the Planning Scheme. Further, identifying neighbourhood character should be seen as a tool to manage change and not stopping change.

What is equally important as increasing densities in established urban areas is to ensure new urban areas have appropriate levels of medium density housing. This includes the provision of smaller lots in new subdivisions (particularly greenfield subdivisions). Also, consideration of the needs of the ageing population may require the provision (and setting aside) of larger parcels of land in urban areas for aged care facilities and the like.

This consideration of medium density housing early in the planning process can result in comprehensively planned and developed medium density housing maximising the appeal of such housing types and advancing the urban consolidation policy.

**ADVANCING THE KEY STRATEGIC ISSUE**

The Design Frameworks and the Strategic Coastal Planning Framework will, to a certain extent, seek to identify key neighbourhood characteristics of various areas. These should assist in the assessment of medium density housing and help to ensure locally responsive designs are encouraged and approved.

Council is also seeking to undertake a neighbourhood character study of Cowes. This study will look at specific key characteristics of Cowes and how the identified characteristics can be protected and built into the design of new houses. The outcomes of the study will then be included, where appropriate, into the planning scheme (including the MSS).

This study (and its implementation) will indicate the worth of undertaking such studies in other townships of the shire that are experiencing high levels of medium density housing applications.

The most crucial element of better managing urban consolidation is ensuring neighbourhood character is fully considered as part of each and every application. Tools such as the site analysis and design response need to be used to maximum effect and the requirement to certify the site analysis as being accurate and comprehensive prior to planning permit applications proceeding is an important mechanism. It must be used to reinforce to applicants/designers/architects the role that neighbourhood character plays in the planning approvals process.
It is also important that the development plan process be used to ensure the policy of urban consolidation is carried through to new urban areas, and that appropriate provision is made of providing smaller lots and the potential for aged care and other similar uses within the Shire.

**RECOMMENDATIONS**

- That the MSS be amended to reinforce the need to ensure medium density housing is responsive to neighbourhood character.

- That the outcomes of the Design Frameworks and the coastal strategy as they relate to neighbourhood character be incorporated into the Planning Scheme where appropriate.

- That the outcomes of the Cowes neighbourhood character study, when completed, be incorporated into the Planning Scheme, including the MSS.

- That if the Cowes Neighbourhood Character Study is successful in achieving better locally responsive outcomes with regard to medium density housing, that consideration be given to undertaking similar studies in other townships of the shire.

- That the MSS be amended to reflect the need to encourage medium density housing (and lot sizes) in new urban areas (eg. growth areas) and that consideration of the need for aged accommodation be considered when planning new subdivisions.
2.4 MANAGING RURAL RESIDENTIAL DEVELOPMENT

NOTE: The context for this discussion on RRD is within the framework of existing townships and areas suitable for urban development. It is not addressing the issue of rural living development in rural areas and in isolated residential areas.

INTRODUCTION

Rural Residential Development (RRD) is principally the development of land into larger residential lots of between 0.4ha and 8ha. This type of development is mostly not serviced with reticulated sewerage although in most instances reticulated water and other urban infrastructure such as electricity is provided.

DISCUSSION

Rural residential development (RRD) in Bass Coast Shire represents one of the key strategic questions facing Council as responsible planning authority. RRD has historically been seen as a rural use and therefore has not been required to provide urban infrastructure and services. This is no longer the way in which RRD can be viewed. RRD is an urban use and must be treated accordingly. It is also recognised that the location of RRD in the Shire has not been planned in a strategic manner.

The current policy position of the SPPF is quite clear. RRD should not be located in areas that compromise future fully serviced urban development at standard densities. However the MSS is far less clear. The key statement within the MSS is:

Strongly discourage rural living and low density residential development to locate in areas that compromise the potential future development of towns. Rural living and low density residential development should be located on the periphery of, but be functionally part of, existing urban settlements.

The first part of this statement is entirely correct and consistent with the SPPF. The second part however is where the difficulty arises when dealing with RRD. Whilst locating RRD on the periphery of, but being functionally part of, existing urban settlements is fair enough, the policy position is clearly not working in its application and it is not resulting in satisfactory planning outcomes.

The simple reason for this is that the second part of the above statement is being applied on the basis that the periphery of urban settlements is defined as the periphery as it exists now without due regard to the future growth of the Shire's townships.

The key problems with the outcomes that are resulting from applying the above to Bass Coast Shire are:

- that RRD is now located in areas that could and should be used for standard residential development and in areas that fundamentally compromise the orderly and efficient growth of urban areas;
- the unnecessary expansion in the physical size of urban areas that RRD causes over and above that which would be expected with standard residential development;
It is also worth noting that the proliferation of RRD within the Shire's townships is in contradiction to the policy of urban consolidation contained in the MSS and part of the basis for that policy position.

The current MSS also identifies an over supply of RRD lots throughout the Shire. This statement is increasingly being challenged for not being accurate and to a certain extent the high growth over the past three years has probably taken up much of this supply contained in zoned land. However, the supply and demand of such lots varies in different parts of the Shire.

However, a Shire like Bass Coast is such that physical characteristics will always arise in urban areas that justify the provision of RRD lots in a Residential I Zone. The creation of these lots also adds to the supply of RRD lots.

In addition to the location of RRD, there is also a need to clearly outline the infrastructure standards that should be provided with RRD. Currently the MSS leaves open the question as to what standard of infrastructure should be provided. Clear statements on this matter will remove any ambiguity. This particularly relates to waste water and effluent disposal.

**ADVANCING THE KEY STRATEGIC ISSUE**

RRD does meet a certain segment of the housing market and can be used to achieve satisfactory outcomes in locations that have characteristics that lend themselves to RRD. RRD is not, however, a substitute for standard residential development.

A clear policy position on RRD does not require any detailed study or elaborate strategic justification as this already exists within the SPPF and Ministerial Direction No. 6. The key issue is how the policy framework is being implemented and in making sure the MSS cannot be read and implemented in a way that is contrary to the policy framework.

To this end, the MSS should make it clear that RRD can legitimately serve the following functions:

- As a transitional land use between standard residential development and rural areas on the *long-term* periphery of urban settlements;
- In areas identified for urban development where specific constraints exist which make the provision of services unlikely in the *long term*;
- As a soft edge to urban development on the boundaries with environmentally sensitive areas;
- In areas identified for urban development where specific constraints exist which make the provision of larger lots appropriate to achieve an identified outcome in relation to protection of environmental features and assets.

Structure plans and the development plan should be used to ensure the above directions are carried through.
The MSS should also make it clear that whilst RRD will be considered where the above circumstances exist, Ministerial Direction No. 6 remains the key tool for determining whether RRD is appropriate in any given location. Ministerial Direction No. 6 is a comprehensive outline of the matters that should be considered when planning RRD and it provides a more than adequate tool to be used in this matter.

It is noted that the Metro Strategy envisages changes to Ministerial Direction No. 6 and it is likely these changes will further clarify the State wide position on RRD. Any changes should be incorporated into the MSS.

The above changes to the MSS should ensure that future locations of RRD is consistent with the SPPF and ensure that the MSS directs RRD to areas that are appropriate. This will ensure all stakeholders (including proponents of RRD) are clear as to Council's expectations on the provision of RRD within existing townships.

Importantly, the above can also be used to guide the development of structure plans for the Shire's townships and also to identify areas that are currently zoned for RRD that may, with due regard to the above, be more appropriately zoned for standard residential development.

It would also be appropriate for Council to prepare guidelines relating to infrastructure standards associated with RRD. The contents of these guidelines should then be reinforced in the MSS. Particular attention needs to be paid in preparing these guidelines to effluent and waste water disposal, environmental impacts of creating unserviced land, and issues associated with roads and drainage standards. The section of this report on sustainability further elaborates on this matter.

**RECOMMENDATIONS**

- That the MSS be amended to reinforce that Ministerial Direction No. 6 is the key tool that will be used to assess the suitability of specific RRD proposals;

- That the MSS reinforce that RRD should be located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development;

- That the MSS be amended to outline the position that RRD is most appropriate in the following locations:
  
  - As a transitional land use between standard residential development and rural areas on the long-term periphery of urban settlements;
  - In areas identified for urban development where specific constraints exist which make the provision of services unlikely in the long term;
  - As a soft edge to urban development on the boundaries with environmentally sensitive areas;
  - In areas identified for urban development where specific constraints exist which make the provision of larger lots appropriate to achieve an identified outcome in relation to the protection of environmental features and assets or other factors appropriate to the local area.
That structure plans and development plans be used to guide the most appropriate locations of RRD.

That Council prepare guidelines relating to infrastructure standards associated with RRD and that these be reflected in the MSS.
2.5 MANAGING VEGETATION

INTRODUCTION

In terms of the day-to-day administration of the Bass Coast Planning Scheme, managing vegetation represents one of the most significant challenges to Council. Vegetation management is subject to a large range of different policy influences as well the diverse range of views within the community. Further complicating management of the issue is the evolving nature of various policy frameworks that impact on vegetation in addition to the resourcing implications of managing various vegetation controls contained with the Bass Coast Planning Scheme.

In discussion how managing vegetation can be improved, it must also be remembered that vegetation includes all flora (eg. trees, shrubs, understorey) and must have strong regard to fauna and the habitats vegetation provide.

DISCUSSION

There are a large number of policy statements and controls in the Planning Scheme that impact on vegetation management. The SPPF requires that various strategies, laws, agreements and requirements should be considered and implemented by Council as it administers the Planning Scheme. Further, specific issues throughout the SPPF highlight the diversity of areas that have vegetation management implications, including catchments, waterways, salinity, wildfire, coastal areas, and heritage.

The MSS tends to have more general policy statements relating to balancing the environment with development as well as specific references to vegetation management and protection. It appropriately identifies protection of environmental features as a key principle. However, it could and should be made clearer what it is Council is seeking to achieve in the management of vegetation.

Despite the complicated nature of vegetation protection, the MSS can present itself as the single policy document that ties the issues together into a logical, consistent and justified policy framework. Moving the MSS to this end should be a priority focus of Council.

ADVANCING THE KEY STRATEGIC ISSUE

In managing vegetation, the MSS needs to be made clearer and more specific in terms of what we are trying to achieve. To this end, three crucial areas requiring further work are needed to help inform the MSS. These relate to emerging issues, long term strategic directions, and short term necessary actions.

Evolving Policy Changes

The recently released document titled “Victoria's Native Vegetation Management – A Framework for Action (2002)” establishes new requirements and introduces the “net-gain” principle into the vegetation protection policy framework. It is understood this document will be incorporated in the Bass Coast Planning Scheme in 2003.
Council will need to monitor the progress of this document to ensure we are well positioned and resourced to implement it across the Shire. Further, full consideration will need to be made of managing the impact of this policy change on the way planning is undertaken in the Shire. In particular, the impacts of this change on farming and agriculture will need to be carefully monitored.

Clause 15.09 of the SPPF facilitates the ability to require lost vegetation to be replaced by regenerating or replanting locally indigenous species, either on the subject land or nearby land, where vegetation is removed as part of a land use or development proposal. Such an option may be consistent with a “no net loss” or even a “net gain” policy that could be incorporated into the planning scheme. The improvement of the nexus between vegetation protection and statutory controls would make such a prospect a viable option for consideration in the future.

Consideration should also be given to whether it is possible under the Planning & Environment Act 1987 to require, where replanting on the subject site is not a viable option, a payment to be made into a fund of a value equivalent to the cost of purchasing and planting a replacement tree. This fund could then be used to replant trees in proximity to where the money is collected on public land such as local parks and road reserves.

**Long Term Strategic Directions**

Council needs to develop a long-term strategy for managing vegetation based on appropriate research and consultation which should result in a justifiable and clear position as to how the Planning Scheme should be used to manage vegetation. A key part of this is to ensure the MSS gets it right in terms of what the Shire’s priorities are.

A starting point for this process is to identify clearly the reasons for protecting vegetation and/or different types of vegetation. There are many reasons that vegetation should be protected and the reasons identified will change depending on the location, underlying zoning, community perspective and the core outcome vegetation protection is trying to advance. Some reasons for protecting vegetation could include:

- Aesthetic value;
- Landscape value;
- Biodiversity;
- Salinity minimisation;
- Neighbourhood character value;
- Waterway protection;
- Social/heritage value;
- Habitat value;
- Protecting vegetation in identified wildlife corridors;
- Identified for protection in catchment management strategy;
- Identified for protection in State Environment Protection Policy;
- Compliance with State and Commonwealth laws.
Each reason identified for vegetation protection will call on the application of a specific control contained in the VPP to ensure protection and assist in achieving the strategic objective. For example, there may be rural land where vegetation protection is required for salinity management purposes. In these instances, the Salinity Management Overlay would more appropriately highlight the specific reason for vegetation controls as opposed to the Vegetation Protection Overlay. Similarly, vegetation that contributes to a significant landscape should be protected through a Significant Landscape Overlay rather than an Environmental Significance Overlay.

Linking vegetation protection to the reason for protection and to the strategic outcomes being sought will allow proper consideration of the underlying issues if approval is sought for removal. A clear nexus between vegetation protection and the statutory control applied may also assist members of the public in accepting the control over their land and increase understanding and awareness of the role vegetation plays in any specific local environment.

Once the above is complete, a strategic implementation plan for vegetation across the Shire can be developed. The purpose of this plan would be to:

- identify a Shire wide objective in relation to vegetation protection;
- identify any data gaps that should be filled;
- bring together all policy influences that relate to vegetation into one comprehensive strategy;
- outline the circumstances where specific controls for vegetation protection are appropriate;
- outline the mechanisms to be used to achieve vegetation protection;
- outline procedures that will assist in implementing the strategy;
- outline the Shire's position on net-gain and where it will be applied;
- outline application requirements for when a permit is sought;
- identify basic requirements for landscaping plans as part of development approvals;
- decision guidelines to be used when approval is sought to remove vegetation;
- detail conditions upon which removal will be considered;
- outline the resource implications and the impact on landowners of different controls;
- discuss and come to a position on enforcement issues associated with vegetation protection;
- develop a community education/understanding program with appropriate literature.

The idea should be to focus the strategic attention and statutory implementation on protecting vegetation worthy of that protection rather than on vegetation where removal may be appropriate and is approved via a planning permit as a matter of course. Further, there is a strong need to move managing vegetation from a discussion about what vegetation should be removed to a situation where the policy framework outlines what vegetation should be protected.
A strategic implementation plan will also provide the necessary strategic basis for inclusion of its directions into the MSS so as to better articulate what outcomes are sought in relation to vegetation protection. It will highlight the core purpose or reason for protection in different parts of the municipality, and to ensure there is a clear and justified strategic link between the SPPF, the MSS, and the application of specific zones and overlays.

A strategic implementation plan will then provide the pathway to the review and application of specific controls across the Shire. It could also facilitate the establishment of local working groups to use the implementation plan as the basis of applying vegetation controls, and the content of those controls, in their local communities.

**Short Term Changes**

The above discussion highlights the need for additional strategic work in relation to vegetation. However, there is an immediate and pressing need to relieve the resourcing implications of current vegetation controls that exist in Inverloch and on Phillip Island.

Planning approvals for vegetation removals in these areas generated 1355 applications out of the Shire’s total applications of 2870 between December 1999 and August 2002. This represents a significant resource utilisation for dealing with this single issue.

Further, a review of planning permit applications over the past three years indicates that where a vegetation control is in place and a planning permit is sought for vegetation removal, a planning permit is issued in most cases.

Justifications typically cited for vegetation removal include:

- removal for buildings and works;
- tree size;
- unhealthy tree;
- dangerous vegetation.

Bass Coast Shire Council often seeks independent arboreal advice in relation to vegetation removal to aid in its decision making. However, individual permit applications highlight the difficulty in reaching a balance between development and protecting the environment. Clear articulation of the strategic outcomes sought in the MSS, as well as the undertaking of relevant studies, should see planning controls as they relate to vegetation removal made simpler, clearer and easier for all parties to deal with.

In the short term however, there is a need to reduce the resources required to administer the Phillip Island and Inverloch vegetation controls that clearly do not have a sound strategic basis. Further, the controls themselves are poorly written.

Until such time as the strategic implementation plan is prepared, short term common sense changes should be made. These could include changes such as exempting identified weed species from requiring a planning permit as well as placing more emphasis on the Development Plan process in managing vegetation.
RECOMMENDATIONS

- That a strategic implementation plan for vegetation be prepared;
- That short term changes to the planning scheme be developed to better manage vegetation.
2.6 MANAGING OLD & INAPPROPRIATE SUBDIVISIONS

INTRODUCTION

Old and inappropriate subdivisions refers to land that was “subdivided prior to the introduction of planning controls. They were subdivided without analysis of the environmental, infrastructure or strategic value of such subdivisions. Some of these subdivisions have been subject to partial development, whilst others have no development at all. Some are located adjoining townships, and some are quite remote” (Bass Coast Shire Subdivision Restructure Strategy, Woodward-Clyde, 2000, page 1-1).

These subdivisions (and the lots that have been created) exist throughout the Shire, mainly in rural areas.

DISCUSSION

What the SPPF and the MSS both say is that these subdivisions should be restructured to achieve a better outcome than if each existing lot was developed. The restructure will generally involve the creation of rural living lots in place of standard residential lots, with development only being permitted when the existing lots are consolidated in the manner identified in an approved restructure plan. Where no restructure plan exists, the MSS indicates that approval for the construction of a dwelling on a lot within an old and inappropriate subdivision should not occur owing to the constraints of that lot.

The concern that relates to old and inappropriate subdivisions is in relation to the implementation tool identified in the MSS. This states that old and inappropriate subdivisions should be included in a Rural Zone with or without a Development Plan Overlay.

What is evident is that this implementation tool is not sufficient to minimise and/or avoid the expectation amongst land owners that a lot they may own (or are intending to buy) may not in fact be capable of development (eg. a dwelling).

This is particularly concerning where prospective purchasers of land may have little to no knowledge that the parcel of land they intend to buy actually has little to no development potential as it stands.

ADVANCING THE KEY STRATEGIC ISSUE

The aim of managing the issue of old and inappropriate subdivisions is a two-fold exercise. The first is to actually prepare a restructure plan for each old and inappropriate subdivision. This will highlight the requirements that need to be met before a dwelling can be constructed so that it is clear and up-front for all to see.

The Bass Coast Shire Subdivision Restructure Strategy, which was completed in 2000, identified 19 old and inappropriate subdivisions. Of these 19, only seven restructure plans are incorporated in the planning scheme. Other old and inappropriate subdivisions also exist throughout the Shire. Given these old and inappropriate subdivisions, the continued preparation of restructure plans for the remaining areas needs to occur and this should be an on-going part of the planning work of Council.
Amendment C7 identified earlier in this review is one such planning scheme amendment that sought to incorporate restructure plans into the Bass Coast Planning Scheme.

However, each restructure plan requires significant work and it could be expected to be 10-15 years before all old and inappropriate subdivisions are covered by restructure plans. Interim measures are therefore required to manage this issue.

These interim measures are the second part of the management of old and inappropriate subdivisions. It is vital that some mechanism is put in place to identify land that may have limited development potential to ensure prospective purchasers are fully aware of the circumstances that exist.

The clearest way to do this is to apply an overlay to old and inappropriate subdivisions. The effect of this will be that the overlay will be highlighted on planning certificates (and therefore contract of sales) to alert buyers to the fact that there are additional controls on the parcel of land. The overlay itself should refer to the fact that development is severely restricted until such time as a restructure plan is prepared.

The impacts of applying an overlay without a corresponding restructure plan on existing land owners is minimal. No substantial development would be permitted whether or not the overlay is present. Further, discretion would still exist for a permit to be granted for development if it is deemed to be appropriate.

RECOMMENDATIONS

- That Council undertakes future planning scheme amendments to apply overlay controls to old and inappropriate subdivisions that do not have restructure plans prepared.

- That Council continues to prepare and incorporate into the Bass Coast Planning Scheme restructure plans for old and inappropriate subdivisions.
2.7 MANAGING RURAL AREAS AND AGRICULTURE

INTRODUCTION

The majority of the Shire (in terms of land area) is rural and is contained in a Rural Zone under the Planning Scheme. Management of these areas is often a difficult issue but the MSS can set clear directions for rural areas and can outline the on-going support agriculture has from the Planning Scheme.

DISCUSSION

Many of the issues regarding the activity of agriculture in the Shire provides a challenge for the Planning Scheme to address. Agriculture is subject to many factors that impact on farming activities and farming viability, including exchange rates, climatic conditions and tariffs to name but a few. These factors are beyond the scope of the planning system to specifically address.

What the planning system can address however is two core issues. The first is making sure that legitimate farming activities are encouraged and facilitated through the planning system. The second relates to the management of rural land holdings.

Encouraging Farming Activities

A review of the MSS in relation to farming activities generally demonstrates a good level of understanding of the need to encourage farming enterprises and their on going development and diversification. To this end the MSS is consistent with the SPPF.

This in itself should ensure that as proposals come forward and as farmers seek to adjust to changing circumstances, the MSS is very much geared to facilitating these changes. This is vital to provide some confidence to the agricultural sector as it makes investment decisions.

One emerging area where the MSS does need to be more explicit is in relation to “right to farm” issues. This concept basically involves acknowledging that farmers who are legitimately undertaking agricultural activities within industry acceptable standards should not be unduly hindered by the actions and activities of others.

It is therefore important that the MSS protect farmers who are undertaking their activities from changing circumstances around them. It is also relevant when farmers come to expand or change the nature of their enterprises that they are not unduly hindered by surrounding land uses and developments. These might be the introduction of new dwellings close by or at the urban/rural fringe where conflicts typically can arise.

The MSS should be amended to make it clear that Council will support and protect existing, new and/or expanded agricultural enterprises throughout rural areas that operate or are proposed to be operated within accepted industry standards, and that in consideration of any off-site amenity impacts of those activities the rural nature of the locality and the rural amenity levels that could be expected will be the basis for deciding if detriment will arise.
It is also noted that as part of the "right to farm" issues, the Government has made changes to the Sale of Land Act 1962 through State Parliament. These changes require that contracts of sale of land refer to the possibility of amenity impacts of agricultural activities and processes on nearby properties.

This is to ensure people choosing to live in rural areas (that in many cases may not have farming intentions or farming backgrounds) know to expect off site impacts associated with rural activities in such localities. This change has been a worthwhile exercise.

Managing of Rural Holdings and Activities

The second area addressed in the agriculture sections of the SPPF and the MSS relates to subdivision, lot consolidation, lot excisions, dwellings and maintaining viable rural land holdings.

What both the MSS and the SPPF seek to do is to protect and promote the on-going availability of rural land so as to make them available for on-going agricultural production. However, the MSS tends not to explicitly outline the linkages between the strategic directions for rural areas and the statutory controls in the Planning Scheme. It is important that the MSS does this.

Further, some areas are not adequately addressed. These include issues associated with lot consolidations, minimum lot sizes, the quality of agricultural land, and design guidance for rural activities. The Metro-Strategy will also provide some directions for rural areas more generally and proposes some new controls which will need to be examined. The use of codes of practise and striving for best practise in rural land holdings are areas that should be incorporated into the MSS.

It is also noted that the Strategic Coastal Planning Framework and the Urban Design Frameworks will/have addressed rural areas. It is important that the directions contained in these documents are fed into the MSS and planning scheme provisions relating to rural areas.

Given the above, it would be appropriate for a review to be undertaken of rural areas to ensure the MSS and any Planning Scheme controls applying to rural areas are appropriate and adequately reflect the preferred strategic directions for rural areas.

One key consideration in rural land management is the reality that rural areas often bear the brunt of planning controls given the extent of areas they cover. It is therefore paramount that prior to any new controls being placed on rural land that full consideration is given to the impact this will have on agricultural enterprises and people who live in rural areas.

Rural Zones Review

A review has recently been undertaken into the Rural Zone. The outcome of this review is a recommendation that additional rural zones be created which planning authorities can utilise in their local areas. These additional zones would allow rural areas to be better managing by including zones specifically for rural industry as well as zones to be applied to lower quality agricultural land where different controls would be appropriate.
The key basis of the review is that rural areas should be managed through detailed strategic planning. This should be supported.

RECOMMENDATIONS

- That the MSS be amended to make it clear that Council will support and protect existing, new and/or expanded agricultural enterprises throughout rural areas that operate or are proposed to be operated within accepted industry standards. Further, in consideration of any off-site impacts of those activities the rural nature of the locality and the rural amenity levels that could be expected will be the basis for deciding if detriment will arise.

- That the Bass Coast Planning Scheme as it relates to rural land (including lot excisions, lot consolidation, minimum subdivision size, dwellings, design guidance) be reviewed to ensure that controls continue to achieve good outcomes for the Shire’s rural areas.

- That full consideration of the impact on individual rural land holdings and agricultural activities be made when applying new planning controls to rural land.
2.8 MANAGING HERITAGE ASSETS

DISCUSSION

Protecting heritage assets is strongly supported by both the SPPF and the MSS. Heritage assets in the Shire include buildings, wrecks, and land that was used for an activity that has some heritage significance. Some heritage themes in the Shire include sealing, mutton birding, shipwrecks, coal mines, chicory, and Aboriginal heritage,

Council has recently completed the Shire’s Stage 1 Heritage Study which is an important first step towards the identification of heritage assets in the Shire. Once Stage 2 of the heritage study is completed, the Heritage Overlay can be applied to identified sites and areas to ensure appropriate statutory protection for the Shire’s heritage assets.

A key element in managing heritage assets is to ensure that development proposals have full regard to any heritage values that might exists, and for the development to be planned to protect and enhance the identified heritage values as part of an integrated development (and development approval).

One area where there appears to be a gap in the current MSS is in relation to Aboriginal cultural heritage. Whilst the MSS identifies the need to identify and protect aboriginal cultural heritage, the implementation strategies of consulting Aboriginal Affairs Victoria and the cultural officer of the local Aboriginal community probably need to be broadened.

Advice received from the Department of Natural Resources and Environment, Aboriginal Affairs Victoria and Heritage Victoria have highlighted the on-going need to ensure Aboriginal heritage is considered as part of the planning process. Members of the local Aboriginal community have also contacted Council about creating a better framework for managing Aboriginal heritage.

To this end, it is probably necessary for Council to develop a position on the protection of Aboriginal heritage through the planning system. This position may involve the following matters:

- The situations where Council will require Aboriginal cultural studies to be carried out prior to approvals being granted;
- Levels of on-going interaction and communication with the local Aboriginal community;
- The need to ensure the community is aware of various obligations under various Acts as they relate to Aboriginal cultural heritage assets;
- The identification of areas of high sensitivity in relation to Aboriginal cultural heritage sites;
- Planning procedures necessary to protect Aboriginal cultural heritage.

The above needs to be undertaken to ensure Council is advancing the SPPF in addition to other Acts which seek to protect Aboriginal cultural heritage.
Heritage Victoria has also advised Council that there are a number of minor errors in the current Planning Scheme relating to heritage sites. These should be corrected in consultation with Heritage Victoria.

RECOMMENDATIONS

- That once completed, the outcomes of the Bass Coast Shire Stage 2 Heritage Study be incorporated into the Bass Coast Planning Scheme.
- That Council review its planning processes as they relate to the protection of Aboriginal cultural heritage.
- That minor errors in the current Planning Scheme be corrected in consultation with Heritage Victoria.
2.9 MANAGING ENVIRONMENTAL OVERLAYS

INTRODUCTION

The Planning Scheme can seek to address a range of environmental issues through the use of zoned and overlays. The application of these controls must however be based on good quality strategic work so that any new control can be fully justified and understood.

Increasing the use of environmental overlays in the Planning Scheme is a key strategic issue for the Shire.

DISCUSSION

The Planning Scheme includes substantial scope to include and address a range of environmental issues through the use of zones and overlays. These are strongly supported by both the SPPF and the MSS.

Currently, the planning scheme uses these environmental overlays to a limited extent, principally owing to the lack of strategic work and research into the applicability of these controls in any given area. However, it is important that work continue on these areas to ensure the Planning Scheme is used to its fullest extent. The role of other government agencies is crucial to this task.

Environmental overlays include the following:

- Land subject to inundation;
- Salinity
- Wildfire management;
- Erosion management;
- Significant landscapes;
- Environmental significance;
- Flooding.

It is noted that Council does have relevant information relation to flooding and is expecting information from the Country Fire Authority relating to wildfire management. These are two examples of environmental issues that should be included in the Planning Scheme.

ADVANCING THE KEY STRATEGIC ISSUE

To advance this issue, strong cooperation needs to exist between Council and other government agencies that have the expertise to prepare the background work. Further, Council needs to be in a position to process amendments to the Planning Scheme.

However, it is necessary for the MSS to outline how these environmental overlays will be applied so that as information becomes available, sufficient strategic support exists for successful amendments to the Planning Scheme. To this end, the MSS should be made clear as to its intention to continue to apply environmental overlays as and when information is available.
RECOMMENDATIONS

☐ That the MSS reinforce the need to use, to the fullest extent possible, relevant zones and overlays to address the issues that exist in the Shire;

☐ That Council continue to work with other government agencies to prepare strategic information relating to these issues that can then be included in the Planning Scheme;

☐ That as information becomes available, amendments be prepared to incorporate this information into the Planning Scheme.
2.10 THE VICTORIAN COASTAL STRATEGY

INTRODUCTION

The Victorian Coastal Strategy (VCS) was approved by the Government in January 2002. Advice received by Council from the Minister for Planning outlines the Minister’s expectations that the VCS will be considered when carrying out this MSS review. The purpose of this is to determine whether the objectives and strategies in the MSS are consistent with the VCS and provide effective means of implementing coastal objectives.

The Integrated Coastal Planning for Gippsland – Coastal Action Plan (2002) has been prepared by the Gippsland Coastal Board. This document provides localised directions on coastal planning and management and seek to give effect to the VCS.

DISCUSSION

The first key issue that arises out of the VCS is the identification of a hierarchy of principles that provides a pathway for decision making that leads to triple bottom line outcomes. The hierarchy is as follows:

1. Provide for the protection of significant environmental features;
2. Ensure the sustainable use of natural coastal resources;
3. Undertake integrated planning and provide direction for the future; and
4. When the above principles have been met, facilitate suitable development on the coast within existing modified and resilient environments where the demand for services is evident and requires management.

The VCS seeks and the SPPF requires that these principles be followed when undertaking planning on the coast. The coast is broadly defined in this context as including:

- The foreshore or coastal crown land;
- National parks on the coast or in the marine environment;
- Private land adjacent to and within the critical views of the foreshore and nearshore environment; and
- The sea bed and water immediately off shore.

In terms of the MSS, it clearly does not have any specific regard to the current VCS as the MSS was approved prior to the VCS being approved. The focus therefore should be to ensure the MSS in future is consistent with the VCS.

PROGRESSING THE STRATEGIC ISSUE

The most simple and effective way of progressing this matter is to incorporate the hierarchy of principles into the MSS. These principles are very logical steps and to a certain extent consideration of the hierarchy of principles occurs already. By including them in the MSS it will be making it quite clear the process Council will go through when making planning decisions that impact on the coast.
What the hierarchy of principles effectively say is that you look after what's there now, you plan for the future, and you then assess specific development proposals in the context of the directions identified in the plan. The development of structure plans identified previously in this review intends to do exactly that in relation to urban settlements along the coastal areas of the Shire.

The second consideration in the MSS Review as it relates to the VCS is the actions outlined in the strategy that have a planning or planning scheme related focus. Figure 11 identifies the key planning scheme related actions in the VCS and provides comment on how they are being addressed.

**FIGURE 11**

<table>
<thead>
<tr>
<th>VCS</th>
<th>ISSUE</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4.3</td>
<td>Improved water quality.</td>
<td>See Catchment Management Strategies.</td>
</tr>
<tr>
<td>1.4.4</td>
<td>Stormwater Management Plan</td>
<td>See Strategic Gaps.</td>
</tr>
<tr>
<td>1.6.2</td>
<td>Non-sewered developments</td>
<td>See Strategic Gaps &amp; Managing Rural Living Development.</td>
</tr>
<tr>
<td>2.4</td>
<td>Native flora and fauna</td>
<td>See Managing Vegetation.</td>
</tr>
<tr>
<td>2.5</td>
<td>Improve conservation outcomes on freehold land</td>
<td>See Managing Vegetation.</td>
</tr>
<tr>
<td>2.6</td>
<td>Improve integration of catchment and coastal management.</td>
<td>MSS to explicitly be linked to the VCS.</td>
</tr>
<tr>
<td>2.1.2</td>
<td>Planning schemes to be used to address threats to significant coastal environments and will restrict development on or disturbance to significant sites.</td>
<td>Planning Scheme does currently identify significant coastal environments through the application of relevant zones and overlays. As identified needs arise, planning scheme controls should be reviewed/expanded where appropriate.</td>
</tr>
<tr>
<td>2.5.3</td>
<td>Planning schemes to be used to address threats to significant coastal environments and will restrict development on or disturbance to significant sites.</td>
<td>Planning Scheme does currently identify significant coastal environments through the application of relevant zones and overlays. As identified needs arise, planning scheme controls should be reviewed/expanded where appropriate.</td>
</tr>
<tr>
<td>2.5.4</td>
<td>Development proposals will need to demonstrate how no net loss of native vegetation will be achieved.</td>
<td>See Managing Vegetation.</td>
</tr>
<tr>
<td>4.3.1</td>
<td>Planning Schemes will be the primary mechanism to protect scenic and other values along coastal roads.</td>
<td>Planning Scheme do currently identify significant coastal environments through the application of relevant zones and overlays. As identified needs arise, planning scheme controls should be expanded where appropriate.</td>
</tr>
<tr>
<td>4.5.3</td>
<td>Coastal walks be progressively established.</td>
<td>MSS to reinforce the need to protect and provide key coastal walks including the Bass Coast Rail Trail.</td>
</tr>
<tr>
<td>5.2</td>
<td>Provide direction for the location and scale of use and development on the coast.</td>
<td>Design frameworks and structure plans will advance this issue.</td>
</tr>
<tr>
<td>5.2.9</td>
<td>Opportunities will be actively sought to restructure old and inappropriate subdivisions.</td>
<td>See Managing Old &amp; Inappropriate Subdivisions.</td>
</tr>
<tr>
<td>5.4.4</td>
<td>Development of planning scheme overlays to address significant environmental issues will be encouraged.</td>
<td>As identified needs arise, planning scheme controls should be expanded where appropriate.</td>
</tr>
<tr>
<td>5.6</td>
<td>Protection of historic buildings and places.</td>
<td>See Managing Heritage Assets.</td>
</tr>
<tr>
<td>6.5</td>
<td>Facilitate sensitively sited sustainable energy infrastructure.</td>
<td>See Strategic Gaps.</td>
</tr>
</tbody>
</table>
The key strategic issues arising out of the VCS in so far as the MSS is concerned relates to the need to ensure the MSS identifies and seeks to implement the hierarchy of principles identified in the VCS. This will ensure not only that the MSS is consistent with the SPPF but that coastal planning and management is undertaken in a logical, consistent, integrated, transparent and effective manner.

The Integrated Coastal Planning for Gippsland − Coastal Action Plan (2002) identifies a range of matters that Council should be including in its MSS and Planning Scheme policy framework. In particular, the Coastal Action Plan recommends a specific local planning policy be included in the Planning Scheme. Whilst a local policy may have some merit, initial efforts should be made to ensure the actual MSS is much clearer in the directions it sets for coastal areas.

RECOMMENDATIONS

- That the MSS be amended to include specific reference to the hierarchy of principles for coastal planning and management;

- That the MSS be amended to make it clearly and specifically address coastal issues and the coastal planning policy framework that exists;

- That the MSS and the planning scheme more generally be amended as opportunities arise to identify and protect significant coastal landscapes, resources and to address environmental issues on the coast.
2.11 CATCHMENT MANAGEMENT STRATEGIES

INTRODUCTION

Bass Coast Shire is within two different catchment management areas. The Port Phillip and Westernport Catchment covers the western parts of the Shire and the West Gippsland Catchment covers the eastern part of the Shire.

DISCUSSION

It would be fair to say that the current MSS does not integrate with the relevant catchment strategies and therefore the MSS could not be seen as advancing the SPPF. However, one of the main problems with integration is the structure of catchment strategies which are not that user friendly in terms of extracting the key planning outcomes that the strategy may be seeking to advance.

In recognition of this, the Municipal Association of Victoria commissioned Maunsell Australia Pty Ltd to prepare a report titled "Models for Catchment Management Issues (2002)". This report generally recommends that catchment strategies, as they are revised, be written in a format that allows easy integration in to the MSS of local planning schemes. The intent of this is to ensure that in future catchment strategies and MSS's can be better integrated.

The report also highlights the crucial role catchment management authorities have in providing information to Council's, particularly in regard to natural resource management issues.

In so far as this MSS Review is concerned, it is vital in attempting to advance the SPPF and to ensure integration between various agencies that catchment strategies, to the extent they deal with planning issues, be integrated with the MSS.

This MSS Review will not detail where this integration will occur. In reality catchment management strategies need to be linked throughout the MSS and across all issues contained in catchment management strategies that have implications for planning.

RECOMMENDATION

- That the MSS be amended in consultation with relevant catchment management authorities to ensure that there is better integration with the two catchment management strategies that apply to Bass Coast Shire.
PART 3
STRATEGIC GAPS IN THE
BASS COAST PLANNING SCHEME

3.1 WIND ENERGY

On the 8 October 2002 the Government introduced a new section into the SPPF relating to renewable energy. This included the requirement that responsible authorities must take into account the “Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (2002)".

Wind energy is increasingly becoming a viable (from an economic perspective) form of renewable energy. In a general sense, coastal areas and coastal winds tend to provide a good location for wind energy facilities. Coupled with Commonwealth Government mandatory requirements relating to renewable energy production, wind energy may become a key issue for Bass Coast Shire Council to manage into the future.

In terms of managing the issue, the presence of the state planning policy for renewable energy provides a framework for the assessment of wind energy proposals. These guidelines rightly refer to the role renewable energy will play not only in environmental issues (eg. greenhouse gases) but also in terms of total energy supply across the State.

Equally important however is the need to ensure wind energy facilities are appropriately sited. To this end, the planning scheme can play a role in identifying areas of particular significance that may not be appropriate for wind energy facilities. The planning scheme can also identify areas where wind energy facilities could be sited (based on wind data and other considerations) and can direct potential proponents of such facilities to those locations.

A crucial first step in this process is having wind data. It is understood that the Sustainable Energy Authority of Victoria is currently mapping wind information throughout the State. Once completed, this work will be a valuable tool in assessing wind energy proposals and in directing facilities to particular locations.

Another important process will be the Coastal Strategy. This strategy covers all areas of the mainland parts of the shire within 5km of the coast and will be looking into issues such as significant landscapes and planning scheme controls in this area. The outcomes of this study will also provide valuable information to be used in managing the wind energy facilities.

At this point of time, there appears to be no immediate need for Council to undertake any policy development or strategic research specifically relating to wind energy developments. Rather, other work being undertaken by Council and others will provide information that can be fed into the decision making process as and when wind energy proposals are submitted to Council for approval.

Once further information is received, Council will need to review its position in relation to wind energy facilities and identify any need for further policy development.
Recommendation

- That Council monitor the issue of wind energy facilities closely and that when relevant data and strategic work is completed, review the need for further policy development in this area.

3.2 ENVIRONMENTALLY SENSITIVE DEVELOPMENT

This section of the review refers to measures that could be taken that make human activities more sustainable on the natural environment with a view to protecting the environment and environmental resources for future generations.

To date, the term sustainability and the definition of an action or activity that might be more sustainable has been loosely used. There is a policy basis in the current Bass Coast Planning Scheme for sustainable measures to be used in the built and natural environment. These include the provisions of ResCode as they relate to energy efficiency, the state planning policy on renewable energy, and policies on waterways and catchments to name a few.

Unfortunately, these policy statements tend to be fairly general and no-where has it been documented what real and achievable measures could be implemented to make development more sustainable. In advancing issues associated with sustainability, it would be appropriate for a policy position to be developed which identifies a Shire wide objective as it relates to sustainability. This policy could encourage the use of sustainable measures in development and as a condition of development approvals.

Some measures that might be picked up through the development of a policy on sustainability could include:

- Water reuse;
- Water tanks;
- Water sensitive urban design;
- Wetlands;
- Energy efficient design;
- Renewable energy;
- Walking/cycling measures;
- Pedestrian issues;
- Indigenous landscaping;
- Cat and/or dog restrictions;
- Animal friendly fencing.

Also, this policy could look at waste water disposal methods and come to conclusions about the continued use of septic tanks as opposed to other non-reticulated measures such as packaged treatment plants and the like that treat water to a higher standard and allow opportunity for reuse.

The aim of developing a policy should be to put some certainty into the development and use of sustainable measures in the community and for this to be reflected in the MSS.
Recommendation

☐ That Council consider the development of a policy based on sustainability which outlines actual and achievable measures that should be used to make the Shire more sustainable.

3.3 DEVELOPMENT CONTRIBUTIONS

Development contributions basically refers to formalising a process whereby development is required to contribute to the financing of infrastructure which will be utilised as a result of that development. Infrastructure includes roads, open space and community facilities as the core areas but this can be broadened where appropriate.

Clause 21.05-5 Infrastructure in the MSS currently outlines that the preparation of a Development Contribution Plan for the Shire is a supporting action. This matter needs to be progressed in the future to ensure firstly, that development bears part of the cost of infrastructure directly required as a result of that development and secondly, to ensure that the future infrastructure costs do not unnecessarily fall back onto the broader rate base of Council.

The State Government has recently announced changes to the development contributions process. Council should consider its response in relation to the changes announced by the Government.

Recommendation

☐ That Council pursues infrastructure financing in the future and that appropriate policy development occurs to support this.

3.4 SAFETY THROUGH URBAN DESIGN

Safety through urban design seeks to reduce crime and improve perceptions of safety in streets and public places. A set of guidelines has been prepared which discusses how safer built environments can be created. It is important that the MSS refer to this issue to ensure that individual planning decisions have due regard to the issue of promoting safety through urban design. Consideration should be given to including fire safety as part of any more detailed policy development in the area of fire safety.

Recommendation

☐ That the MSS recognise the need to ensure the built environment promotes personal safety and that consideration of this issue is made in daily decision making.

3.5 SPECIAL RESIDENTIAL DEVELOPMENTS

Special residential developments refers to developments in rural areas that include urban elements but normally involve a "special" feature which seeks to separate them from standard urban development.
These special elements may include the following elements:

- Integrated retirement village;
- Golf course;
- Sport;
- Hotel;
- Tourist Accommodation;
- Marina;
- Environmental features;
- Agricultural features.

Some of the attractors of these types of developments to Bass Coast are the natural environment, proximity to Melbourne, a growing population, and in many cases demand for them by the market. Changes by other comparative localities such as Mornington Peninsula Shire Council to the way they consider such proposals may also be impacting on Bass Coast's appeal.

As pressure grows for this type of development in Bass Coast Shire, it is important and necessary that Council is well placed to respond to these developments with an appropriate policy response to the issue. It is also important that such a policy response includes consideration of the wide range of factors which are involved with special residential developments.

**Recommendation**

- That Council prepare a policy position on special residential developments.
**PART 4**

**INTEGRATION WITH THE BASS COAST SHIRE CORPORATE PLAN**

The Planning & Environment Act 1987 requires that a municipal strategic statement must be consistent with the current corporate plan prepared under section 153A of the Local Government Act 1989 for the municipal district.

Bass Coast Shire's current corporate plan was adopted by Council on 5 June 2002. Figure 12 below outlines the key result areas that have a specific impact on planning in the Shire and the extent to which the MSS addresses them. In general, the current MSS and the recommendations contained in this review provide for consistency between two of Council's key strategic documents.

**FIGURE 12 – CORPORATE PLAN AND THE MSS**

<table>
<thead>
<tr>
<th>Key Response Area</th>
<th>Strategies</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Response Area No. 3 – To facilitate sustainable growth in the Shire while complementing and enhancing our fragile natural environment.</td>
<td>Remnant vegetation protected; Agricultural land has on-going viability; Energy use minimised; Development is ecologically sustainable; Appropriate funding available for infrastructure development; Community infrastructure needs met; Continuous improvement of local business; Ongoing and appropriate business development; Presentation of public places meet community expectations.</td>
<td>The current MSS and the recommendations contained within this review will ensure all these matters are appropriately linked and advanced.</td>
</tr>
<tr>
<td>Key Response Area No. 4 – To foster a local and regional environment that supports, maintains and encourages community development and sustainable investment activity that provides for the future prosperity of the people of the Shire.</td>
<td>Bass Coast is a renowned tourist destination; Economic development is sustained across the region; Bass Coast is conveniently accessible to other regions;</td>
<td>The current MSS does generally attempt to address these issues. The implementation of this reviews recommendations will further make it clearer to investors Council's planning directions which should assist in supporting and encouraging a positive investment climate.</td>
</tr>
<tr>
<td>Key Response Area No. 6 - To celebrate and promote the natural and cultural heritage and the healthy, safe and enjoyable lifestyle which is Bass Coast.</td>
<td>Healthy environment sustained; Railway heritage recognised; Aboriginal heritage recognised; Heritage assets recognised; Community safety is a priority in all public places.</td>
<td>The current MSS and the recommendations contained within this review will ensure all these matters are appropriately linked and advanced.</td>
</tr>
</tbody>
</table>
PART 5
FORMAT, CONSISTENCY AND USEABILITY

Considerable feedback was received in preparing this review in relation to the format, consistency and useability of the MSS. The Bass Coast Planning Scheme was an amalgamation of a number of different planning schemes and this fact is fairly obvious in the document in terms of its consistency between different areas of the Shire and in the way it addresses the various issues.

Further, unlike the old planning schemes, the Bass Coast Planning Scheme is intended to be based on good strategic planning as the driver of statutory controls that apply to land.

This MSS review, as already noted, has a focus on policy development which will result in changes to the MSS once various policies are completed. This in itself will result in a clearer document. More generally, as the MSS is amended consideration must be made of how the MSS is formatted and its on-going useability.

There is also scope to include in the MSS tables, charts, plans, maps and other graphics which help to illustrate and communicate more clearly what the MSS is saying. The current MSS only uses such things in a very limited manner. This needs to be improved as changes are made.

Clause 21.02 – Municipal Profile also needs to be up-dated to reflect current circumstances.

Recommendation

- That as the MSS is amended, particular attention be paid to its consistency and useability.
- That as the MSS is amended, the use of graphics be more widely used to improve its useability.
PART 6
MONITORING

Since the Bass Coast Planning Scheme was introduced, little monitoring has occurred. This is principally due to a lack of systematic protocols within Council to monitor approvals and planning outcomes. It is noted that undertaking a genuine monitoring program takes time and resources.

Monitoring of the statutory planning process is a fairly easy task but monitoring actual outcomes on the ground is much more difficult. To attempt to advance the monitoring regime, it is proposed that limited monitoring occur in relation to the key strategic issues affecting Bass Coast Shire.

Figure 13 outlines the things that should be monitored and the reason why this information is useful.

FIGURE 13 - MONITORING

<table>
<thead>
<tr>
<th>What could be Monitored</th>
<th>Why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of medium density housing units approved in each township.</td>
<td>To monitor the progress of urban consolidation in the Shire's townships and to identify areas that may require additional strategic planning work to better manage change.</td>
</tr>
<tr>
<td>Number of residential lots created in each township.</td>
<td>Monitor the growth of each township in terms of dwelling numbers.</td>
</tr>
<tr>
<td>Reasons for vegetation removal.</td>
<td>To monitor the reasons why trees are removed to ensure planning controls are not onerous and requiring planning approval for no substantial reasons or with no adequate justification.</td>
</tr>
<tr>
<td>Number of rural residential lots created in each township.</td>
<td>To monitor the supply of this type of land use.</td>
</tr>
<tr>
<td>Area of zoned but undeveloped land in each township to monitor land supply in the Shire.</td>
<td>Land supply is a crucial factor in determining the need to rezone additional land to accommodate growth.</td>
</tr>
<tr>
<td>Rural subdivisions and dwellings.</td>
<td>To monitor activities in the rural areas of the Shire.</td>
</tr>
</tbody>
</table>
PART 7
COMMENTS TO THE MSS REVIEW

As noted in the introduction, a wide range of comments and views were presented in the preparation of this review. This section highlights some of the specific feedback received. Many other comments have been incorporated into the discussion presented in this review and in the reviews recommendation.

There are some instances where the level of detail in some submissions have meant that a full response has not been included in the Review itself. This is owing to the need to focus the review on the key strategic issues.

Matters relating to the fine detail of the MSS and any future changes are more appropriately addressed as changes are proposed and as policies are developed.

STATUTORY AUTHORITIES SUBMISSIONS

Department of Natural Resources and Environment (DNRE)

DNRE identified a range of matters that the MSS should address and have outlined in detail areas that should be included in the MSS. Of particular note in DNRE’s submission is the focus on implementation tools and the need to provide linkages between the strategic directions of the MSS and the tools used to advance the strategic issue. These are particularly useful when making planning decisions. A substantial amount of policy work has also been completed by DNRE since the Planning Scheme was approved and this work should be reflected in the MSS.

The level of detail outlined in DNRE’s submission is such that the environment (and other) section(s) of the MSS would need to be totally rewritten. Such a re-write is most appropriate when other policy work as outlined in this review is completed.

DNRE have also outlined their desire to discuss with Council matters relating to referrals. This should be pursued as a priority.

South Gippsland Water (SGW)

SGW have endorsed the Planning Scheme’s use of the Environmental Rural Zone on the water supply catchment for Lance Creek. Further, SGW considers that the MSS in principle supports existing infrastructure particularly the existing water treatment plants and waste-water treatment plants. However, SGW suggest that an overlay be applied to these assets to ensure development does not impact on their long term operation.

SGW also notes that future consideration will be given to provision of reticulated water to Harmers Haven and that SGW would welcome input into the future planning of Harmers Haven.
Heritage Victoria (HV)

HV highlight the importance of the recently completed Stage 1 Heritage Study and HV advises Council to continue to make funding submissions for the Stage 2 Heritage Study. HV also suggests that the heritage advisory service currently provided by Council with assistance from HV be included in the MSS.

HV also highlight some mapping and wording errors in the current Planning Scheme that should be corrected.

Tourism Victoria (TV)

TV outline the strategic importance of Bass Coast to Victoria's tourism industry and draws Council's attention to the document titled Victoria's Tourism Industry Strategic Plan 2002-2006.

TV also highlight a range of issues that Council should be considering as it undertakes its planning responsibilities.

National Trust (NT)

NT in response to the exhibition of the draft MSS Review agrees that the preparation of structure plans for existing townships is necessary to ensure orderly future planning outcomes. NT highlights that structure planning should have regard to existing Overlays to ensure development does not occur to the detriment of other values land may have.

NT also urges Council to exercise care in regard to potential future changes to the vegetation controls that currently apply to parts of the Shire.

Country Fire Authority (CFA)

The CFA has stated that it supports the development of the Wildfire Management Overlay on the basis that this should enhance community fire safety. The CFA also seeks to have the MSS make reference to the Municipal Fire Prevention Plan which is part of the Bass Coast Shire Corporate Plan.

The CFA also seek to have the MSS provide a mechanism to enhance fire safety for the community within both new and existing developments. They suggest that this can occur by referencing fire safety within Part 3.4 of this document.

West Gippsland Catchment Management Authority (WGCMA)

The WGCMA supports the preparation of structure plans to manage urban growth, particular as this type of planning can seek to better resolve often conflicting objectives relating to development, retaining character, and protection of the environment.

This submission also reiterates the importance of the State Vegetation Framework and the West Gippsland Regional Native Vegetation Plan for off-set criteria and assessment.

A full outline of the WGCMA submission is attached to this document.
VicRoads

VicRoads highlighted that the draft MSS Review contained little to no reference to road infrastructure and in particular the requirements to cater for growth in Bass Coast Shire.

VicRoads have also highlighted that one issue that needs to be addressed with regard to vegetation is the maintenance trimming of vegetation that encroaches into the trafficked envelop of the road network.

SUBMISSIONS FROM MEMBERS OF THE PUBLIC

As already noted, the MSS Review has not sought to respond to each and every point made. It has however, attempted to more broadly cover the main issues that have been presented (either verbally or in writing) that those interested in the review have made. In general, the following are some of the more specific issues raised (many of these have been paraphrased):

- Keep towns compact;
- Ageing population will require smaller dwellings and lot sizes;
- Open space provision and development;
- Industrial land location and provision;
- Road side vegetation;
- Concern with further development at Harmers Haven;
- Identify environmentally significant areas in the MSS;
- Energy efficiency;
- Planting guidelines;
- Environmental weeds;
- Recycling;
- Solar heating;
- Water tanks;
- Water reuse;
- Lack of tools and reference documents in the MSS;
- Disposal of effluent on site;
- Outdoor advertising;
- Need to clarify what some of the terminology in the MSS refers to (eg. isolated residential);
- The bay should be referred to as Western Port;
- Use the word villages to describe smaller coastal settlements and to cease describing them as urban;
- A 450sq.m lot size should be minimum acceptable in coastal villages;
- Capacity studies should be undertaken to help define the sustainability of development;
- Height and building envelopes on all residential blocks;
- All blocks should demonstrate the ability to support canopy trees;
- The role of the MSS needs to be spelt out in the document;
- Neighbourhood character;
- Use of the word “natural resource” in the environment section of the MSS;
- No prioritisation of the list of matters identified in the MSS as needing more work;
- Stormwater management;
- Need to consider tourist season load factors in decision making;
- Townscape studies required;
- Height controls;
- Ecologically sustainable village;
- Rural land management.
One theme that came through in many comments received was a desire to be better informed of how the planning process operates and how all the various parts fit together. Any revised MSS should have a focus on clearly and simply outlining various processes (eg. medium density housing applications, amendments, green-field developments) to ensure the planning process is clearly understood and accessible for all to participate in.
CONCLUSION

The MSS Review represent a key document that will guide the short and medium term policy development priorities of Council. It has identified a range of matters that need to be looked at and a number of areas that warrant the allocation of resources. It has not covered all policy gaps that exist and many people involved or interested in the planning process will have particular issues that in themselves may warrant further attention. However, it is essential that the issues requiring attention are prioritised to focus on the key strategic issues.

Whilst a clear need for additional policy work and further refinement of the MSS has been identified, what is also evident is that the recommendations of this review as implemented in the short term will advance considerably the position of Bass Coast Shire to manage the planning process and to maximise the quality of outcomes being achieved.
THE MSS AND THREE-YEAR REVIEW

PLANNING AND ENVIRONMENT ACT 1987
SECTION 12A(5)

The Act requires planning authorities to regularly review the provisions of the planning scheme under Section 12(1)(c) and review their Municipal Strategic Statements (MSS) once every three years under Section 12A(5) of the Act.

The information sheet sets out:
- what is the three-year review
- three steps to the review process
- five components of the review
- reporting the review.

What is the three-year review?

An MSS expresses the strategic planning objectives for a municipality and the strategies employed to achieve them.

Section 12A(5) of the Act requires a planning authority to review its MSS. To help assess the performance of the objectives and strategies contained in the MSS, the review will also need to assess whether the means of implementation, in terms of local planning policies, zones, overlays and schedules, have been effective in achieving the MSS objectives.

The three-year review is therefore an opportunity for a planning authority to evaluate the effectiveness of its scheme in achieving the objectives of the MSS.

The three year review may be considered as an audit of the performance of the municipal strategic statement at a point of time. The three-year review will inform the planning authority’s continuous improvement of its planning scheme by addressing:
- what has been achieved over the past three years?
- where are we now?
- where to from here?

The three-year review is not a new MSS or an amendment

The three-year review process does not mean beginning the reform process again nor will a new or modified MSS and scheme necessarily be an outcome. The review is not an amendment, but it is likely to report on proposed changes or additional strategic work required to improve the performance of the scheme. Any amendments to the MSS or planning scheme are part of the continuous improvement to the planning scheme and are to be carried out as normal amendments separate to the review.

 GENERAL PRACTICE NOTE

OCTOBER 2001
Gazetted planning scheme provides a starting point for the three year review period. It is anticipated that most councils will undertake the review of their MSS within the third year of the scheme's operation and every three years from then on.

The review is a self-assessment process that aims to:
- maintain the strategic focus of planning schemes
- ensure council's continued ownership and commitment to the planning scheme and its continuous improvement
- satisfy the requirements of Section 12A(6) of the Act.

1. Consistency with State Planning Policy

The Act requires a MSS to further the objectives of planning in Victoria to the extent that they are applicable to the municipality. The MSS should reflect and support State policy.

The review provides opportunity for council to review:
- how the MSS implements the objectives of planning in Victoria, the State Planning Policy Framework (SPPF) and any approved Government strategy such as any metropolitan or regional strategy.

Councils are encouraged to:
- assess whether the planning scheme further the objectives of planning in Victoria and how the MSS is advancing the strategic directions in the SPPF – does the MSS adequately implement State policy?
- assess if the MSS supports and implements any approved Government strategy applicable to the municipality
- ensure there are clear links between strategic objectives in the SPPF and the MSS.

2. Strategic performance of schemes

The review provides opportunity for council to:
- review the objectives in the MSS – do they adequately reflect the land use and development outcomes council wants to achieve?
- review the strategies employed to deliver land use and development outcomes
- review the means of implementing these objectives and strategies to achieve desired planning land use and development outcomes – are the implementation tools effective and relevant?
- measure the extent to which the scheme has been successful in guiding land use and development to achieve the strategic objectives and the desired land use and development outcomes.

In reviewing the strategic performance of schemes, council is encouraged to:

Assess the Strategic Objectives

- Do the objectives still reflect the general aims and desired outcomes for the future land use and development of the municipality?
- Do all the objectives have specific land use or development outcomes?
- To what extent are the objectives being achieved?
- Have the objectives been able to be implemented?
- Are the objectives and desired outcomes clear?
- How successful have the objectives been in guiding planning decisions?
- Are the objectives linked to the Corporate Plan?
Assess the strategies

- Are the strategies clearly linked to the objectives?
- How successful have the strategies been in achieving the objectives?
- Are the strategies still appropriate to achieving the objectives?
- Are the strategies tied to the desired outcomes? Are the outcomes of each strategy clear? Do the outcomes drive the strategies?
- Are the strategies achieving the desired outcomes?
- To what extent do the strategies help inform planning decisions?

Assess the implementation tools

- How successful are the Victoria Planning Provisions (VPP) tools in achieving the objectives and desired outcomes?
- Are the VPP tools the most appropriate means of implementing the strategy and ensuring that the objectives and desired outcomes are met?
- Are there any VPP tools such as local planning policies, zones and overlays that are no longer useful or effective? Can these tools be deleted from the planning scheme?
- Are the tools clearly linked to the objectives and strategies in the MSS (are they strategically driven or do they provide for a strategic outcome)?

Assess the monitoring provisions of the scheme

- How is the planning scheme being monitored and reviewed?
- Are the monitoring provisions targeting the key strategic objectives of the scheme?
- Are the monitoring provisions the most appropriate means of measuring the performance of the objectives?
- How informative have the monitoring mechanisms been?
- How can the monitoring of the planning scheme be improved?

This process should reveal any gaps or inconsistencies in the linkages between the vision, objectives, strategies and implementation.

3. Strategic gaps

The three-year review provides council with an opportunity to identify parts of the strategic objectives that need changing or strengthening and to identify any further strategic work required to support the strategic objectives.

In doing this council is encouraged to:

- review the progress made on the strategic gaps identified in the MSS and the progress made on the actions requested by the Minister in his letter to council with the approval of the scheme
- identify any strategic work or any amendments to the planning scheme that have been undertaken over the past three years and assess how this has improved the strategic basis of the planning scheme
- identify any further strategic work required to improve the MSS and any possible changes required to the strategic objectives of the scheme.

4. Links with the Corporate Plan

The three-year review provides council with an opportunity to review how effective the scheme has been in meeting the land use objectives of the council’s Corporate Plan and whether the MSS objectives align with the corporate objectives. Opportunity exists to link monitoring and public consultation of the MSS simultaneously with the development and review of the council corporate plan.

5. Format, consistency and usability

The three-year review provides council with an opportunity to review the wording, form and content of the MSS and local planning policies and their consistency with the VPP Practice Notes Writing a local planning policy and Format of Municipal Strategic Statements.

Council may find that certain parts of its MSS are not useful and can be reduced or removed to improve the readability and conciseness of the MSS. The review gives councils an opportunity to review and improve the intent and language of their scheme by:

- ensuring the MSS and local planning policies are clear and usable
- eliminating parts of the MSS and local planning policies that are found to be unnecessary
- improving the statutory drafting of the MSS and local planning policies
- assessing the MSS and local planning policies against the principles contained in VPP Practice Notes.
Reporting the review

The three-year review should be presented in a report to council which:

- identifies the major issues facing the municipality
- demonstrates how the MSS implements State Planning Policy
- assesses the strategic performance of the scheme
- documents the strategic work that has been completed or carried out since the approval of the scheme and any additional work required to strengthen the strategic direction of the planning scheme
- articulates the monitoring and review which has been carried out
- outlines the consultation process and its outcomes
- makes recommendations arising from the review including:
  - possible changes to the strategic objectives of the MSS
  - possible changes to the implementation tools to achieve the strategic objectives
  - matters requiring further strategic work to strengthen the strategic objectives of the MSS
  - issues or problems that require the Department of Infrastructure's attention.

The first three-year review focus

Councils are not expected to review all aspects of their schemes in the first review, but to focus primarily on:

- the progress of the strategic priorities identified in the Minister's letter to council with the approval of the scheme and any other significant gaps council has identified in the scheme
- the need to target the MSS to reflect the key strategic land use and development outcomes and review competing objectives so to better articulate the priority outcomes the council desires to achieve
- developing a monitoring program which is aimed at key strategic outcomes and which can be accommodated in the day-to-day operations and provide for achievable targets.
ATTACHMENT 2 – STATUTORY AUTHORITY SUBMISSIONS RECEIVED IN PREPARING THE MSS REVIEW
Dear Mr. Hazel

**BASS COAST PLANNING SCHEME**
**REVIEW OF MUNICIPAL STRATEGIC STATEMENT**

Thank you for your letter of 7 May 2003 referring a copy of the draft Review of the Municipal Strategic Statement (MSS) to the Department for comment.

The Department previously provided detailed comments on Council’s MSS review and the Department is satisfied that these comments have been adequately addressed in the latest draft. You should note however that the document refers to the Victorian Coastal Strategy 2001 when it should be the Victorian Coastal Strategy 2002.

The Department understands that Council is currently undertaking a strategic planning study of the small coastal townships in the municipality (excluding Phillip Island) and it would be appropriate to include in the revised MSS any recommendations from this study that are adopted by Council.

Should you have any queries regarding this matter please contact David Grace, Senior Statutory Planner, Port Phillip Region (92964517).

Yours sincerely

Gerry Mulcair
Acting Regional Manager
From a Department of Natural Resources and Environment (NRE) perspective, the MSS should address the following key issues in relation to natural resource and Aboriginal cultural heritage management:

1. Biodiversity
2. Water Quality and Nutrient Management
3. Waterway Management
4. Salinity
5. Dams/Environmental Flows
6. Agriculture
7. Forestry and Timber Production
8. Extractive Industry
9. Coastal and Foreshore
10. Aboriginal Cultural Heritage
11. Open Space
12. Greenhouse

Under each of these key issues NRE has identified appropriate objectives, strategies and implementation tools for consideration. In addition, this document outlines potential tools to enable the Bass Coast Shire Council to reflect in its revised MSS.

NRE recognises that effective implementation of these objectives will require the Bass coast Shire Council to ensure effective partnerships between all levels of government, industry and communities.

1. BIODIVERSITY

Current MSS
Clause 21.02-3 of the current (December 2, 1994) Bass Coast Planning Scheme MSS is titled Environment and addresses the following areas:

- Natural resources
- Environmental hazards
- Cultural heritage

It is recommended that the area of Natural Resources could be more strategically addressed and priorities emphasised through a Clause addressing Biodiversity in the revised MSS.

Objective
To ensure that the community achieves improved biodiversity conservation in the context of Ecological Sustainable Development.
- Undertake a systematic survey and mapping of sites/areas of botanical and zoological significance throughout the Shire at a scale better suited to local planning requirements.

Where the Shire is seeking to protect areas of natural vegetation, sites of biological significance and rare or threatened (endangered, vulnerable or depleted) Ecological Vegetation Classes:

- Utilise appropriate planning tools (eg, Environmental Significance Overlays, Vegetation Protection Overlays), to protect significant biological assets on private land.

- Inform decision making utilising the municipality’s Bioregions: Gippsland Plains and Strzelecki.

- Implement the actions outlined in the (draft) Biodiversity Action Plan for the Gippsland Plains Bioregion, a large portion of which falls within Bass Coast Shire.

- Monitor the effectiveness of Planning Scheme controls in protecting and enhancing biodiversity.

- Refer to documents and land use planning strategies that will be implemented to achieve the municipality’s biodiversity conservation objectives, eg. local/regional environmental plans, roadside conservation plans.

- Identify other statutory and non-statutory strategies that will be developed by the Council to conserve biodiversity. Eg. Zone and Local Area Plans developed from the Biodiversity Action Plan for the Gippsland Plain Bioregion, local/regional environmental management plans.

- Describe non-statutory measures that will be implemented to protect biodiversity, such as biodiversity mapping and documentation, recording sites of biological significance etc.

2. WATER QUALITY AND NUTRIENT MANAGEMENT

2.1 Catchment and Nutrient Management

Objectives
To provide a strategic approach to catchment management through sustainable water and land management and ensure that beneficial uses, as defined in State Environment Protection Policies are protected.

To maximise opportunities for wastewater reuse and recycling. The first principle that should apply is “reuse should be a priority/responsibility of the activity that generates the waste”.

To improve the water quality discharged to Western Port, Bass Strait and Andersons Inlet.
- Implementation of vegetated buffer strips with a minimum width of 30 metres either side of a waterway;
- Weed control and revegetation of riparian zones;
- Address gully, bank and bed erosion.

Implementation Tools
- Use existing available mapping, such as the NRE Biomap products, to provide strategic information for the development of local policies and appropriate overlays to protect and enhance waterways through development proposals.

- Adopt strategic limitations on planning permits for dams, such as no instream dams in accordance with the Water (Irrigation Farm Dam) Act 2002.

- Identify and adopt Best Management practices for urban stormwater and runoff from rural land.

- Recognise the importance of effective controls for developments adjacent to waterways.

4. SALINITY

Objective
Ensure that changes in land use do not contribute to increasing salinity and reduce the expansion of salinity so as to minimise its effects on urban and rural development.

Strategies
- Minimise the threat salinity poses to development and environmental values.

- Identify and map recharge and saline discharge areas.

Implementation Tools
- The impact on water tables of the use of recycled water should be thoroughly investigated prior to development/expansion of reuse schemes.

- Identify recharge and discharge areas through the use of salinity management overlays as part of the State Planning Policy Framework. The State Planning Policy Framework aims to minimise the impacts of salinity and rising watertables on land uses, buildings and infrastructure in urban and rural areas of environmental significance as well as reducing salt loads in rivers.

- Refer to the Port Phillip and Westernport Regional Salinity Management Plan that identifies the Bass Valley as one of the ten priority areas for salinity management.

- Establish Salinity Management Overlays with appropriate planning controls for recharge and discharge areas.

- Develop guidelines for areas that have salinity or are at risk of becoming saline where:
  - Development should not occur (except where extraordinary precautions are taken);
- Develop economic incentives (such as land rate rebates) to encourage investment in 'value adding' agricultural practices.

**Implementation Tools**
- Adoption of relevant Best Management Guidelines and Codes of Practice for the development and management of agricultural enterprises such as the *Environment Vegetable Program, Strategic Plan for the Strawberry Industry* (in preparation) etc.
- Recognise that agricultural land use can add to landscape values in the municipality.
- Develop local policies for small lot rural subdivisions in areas where such subdivision will not fragment rural land and will have least impact on agricultural practices.
- Reflect the series of 'Right to Farm' recommendations contained in a report 'Living Together in Victoria's Rural Areas' to maintain the agricultural industry in the region.
- Develop and implement a 'Land Protection Incentive Scheme'.
- Investigate opportunities to jointly fund Community Weed Facilitators and Land Protection Officers with other Natural Resource Management stakeholders.

7. **FORESTRY AND TIMBER PRODUCTION**

**Objective**
To encourage the integration of plantation and farm forestry with traditional agricultural pursuits

**Strategies**
- Promote the use of plantation and farm forestry to assist in the management of erosion and salinity.
- Promote production of high value products from farm grown trees.
- Integrate tree growing into the standard farm enterprise.

**Implementation Tools**
- Ensure practices are consistent with the *Code of Forest Practices for Timber Production*.
- Ensure the Strategic Elements of 'The Private Forestry Strategy (Growing Future In Forestry – Growing Private Forests)' are used to develop plantations and farm forestry.
Implementation Tools
- Implementation of the ‘Bass Coast Coastal Action Plan’
- To determine the future coastal townships including Harmers Haven consistent with the ‘Victorian Coastal Strategy 2002’.
- Ensure all coastal development has regard to the ‘Siting and Design Guidelines for Structures on the Victorian Coast’ VCC 1998

10. ABORIGINAL CULTURAL HERITAGE

Objectives
To promote an appreciation of aboriginal cultural heritage.

To contribute to the ongoing management and protection of Victoria’s aboriginal cultural heritage.

Strategies
- Ensure consideration of Aboriginal cultural heritage in the context of any proposed change of land use that has potential to damage Aboriginal cultural heritage places.

Implementation Tools
- Promote the use of covenants and agreements for the protection of Aboriginal heritage places on private land.
- Involve local and regional Aboriginal organisations in the heritage planning process.
- Undertake an Aboriginal heritage study for the municipality.
- Undertake assessments to identify Aboriginal cultural heritage values relating to Council-owned land and/or managed land, and develop appropriate management strategies to protect values.

11. OPEN SPACE

Objective
To ensure local residents and visitors can access and enjoy open space within the Shire.

Strategies
- The enjoyment of recreational values or experiences through undisturbed "natural" landscapes should be reinforced.
- Recognise the importance of integrating planning for future open space and parklands within townships.
GENERAL COMMENTS

The following provides general comments on the Bass Coast Shire MSS.

21.02-5 Economic Development
G. Extractive Industry
Replace terminology in this section from "leases and licences", to "Work Authorities".

21.03-2 Key Issues
Environment
Revise statement to reflect a commitment from Council that it will actively promote Aboriginal cultural heritage management within its statutory planning processes.

21.04-2 Environment
The first point needs to be strengthened, for example:

"Ensure that future development proposals do not impact on the maintenance of natural biodiversity in the municipality"

Revise statement to reflect a commitment from Council that it will actively promote Aboriginal cultural heritage management within its statutory planning processes.

21.04-3 Housing
The third point should begin with "Increased housing for the aged..."

21.04-4 Economic Development
Fourth Point should read:
"Extractive industry activities that have minimum impact on the environment and surrounding land uses."

The seventh point could better read:
"Tourist development responsive to and linked with the natural environment".

21.05-1 Settlement
Urban Settlement

Harmers Haven
Harmers Haven has been identified as a 'Settlement' in the Bass Coast Shire Council's Planning Scheme.

Clause 21.05-1 "Settlement", of the Planning Scheme includes the following strategies –

"Strongly discourage expansion of isolated residential, low density residential and rural living estates, except of the north side of Viminaria Road, Harmers Haven, if servicing and environmental issues are satisfactorily addressed."
this section set out clearly who was responsible for carrying out these activities.

Environmental hazards

Issues
A further dot point can be added, such as:
"Competition for land use and conservation of significant indigenous native vegetation in the Grantville Sands areas."

Objectives
Dot point two the word “eradicate” in terms of pest plants and animals is almost impossible to achieve. A more practical word would be “control”.

An extra dot point could be added:
“To ensure significant native vegetation stands are protected during sand resource recovery works.”

Implementation
Dot point six could also include the CFA’s guidelines on constructing rural residences in Fire Prone Areas.

Supporting Actions
Dot point nine could have an additional phrase indicating the need not just to identify flood-prone land, but to “consider placing a Land Subject to Inundation overlay over identified areas, where this does not currently apply.”

Cultural Heritage

Implementation
Supporting actions include: Dot point two could be expanded to provide reasons for a study of heritage assets. Why would this be undertaken? To inform local residents and tourists? To assist in obtaining funds for restoration/renovation work? This would assist in providing a focus for such work.

Remove references to planning permit application and planning scheme amendment referrals to AAV. AAV will no longer be commenting on individual referrals, and encourages Council to develop its own statutory planning mechanisms that adequately mitigate the potential impacts of development on Aboriginal cultural heritage values.

Residential Development

Strategies
Point seven needs to be expanded to ensure that design and siting of development takes into consideration fire safety of residents, “and impact on landscape and environment”.

It is suggested that the following dot point be included in Clause 21.05-3 ‘Housing’ under subheading ‘Rural Living and Low Density Residential Development’ (Strategies);

Ensure that residential and rural residential development is discouraged from Extractive Industry Interest Areas and that adequate buffers between existing
include a mixture of trees, shrubs and groundcovers to mimic nature and work towards optimal vegetation health, which will, in turn, improve the landscape value of such public venues.

**Physical Strategies**

Dot point six needs to qualify vegetation by adding: "Maintain and improve *locally* indigenous vegetation and land management practices within Proclaimed Water Catchment Areas."
04 June 2003

Acting Planning Manager,
Bass Coast Shire Council,
Wonthaggi Vic 3995

Attention: Mr. Kevin Hazell

Dear Mr Hazell

Re: Review of the Bass Coast Municipal Strategic Statement

Officers of the CFA reviewed the Bass Coast Municipal Strategic Statement, dated April 2003 and I wish to provide the following comment;

CFA supports the development of a Wildfire Management Overlay, as stated in Part 2.9 - Managing Environmental Overlays. This should enhance community fire safety will be enhanced with all new developments.

This Strategic Statement should provide a mechanism to enhance fire safety to the community within both new and existing developments, this can occur by referencing fire safety within Part 3.4 – Safety Through Urban Design.

Part 4 – Integration with the Bass Coast Shire Corporate Plan should make reference of the Municipal Fire Prevention Plan within its Strategies for community safety. This will ensure that the whole of community safety is considered within the corporate plan.

I hope that these comments are helpful and will be considered when finalising your Strategic Statement. If you wish to discuss this issue further please do not hesitate to me on (03) 9793 4088.

Yours sincerely

Andrew Andreou
Manager Community Safety - Westernport

"Creating a Safer Community"
Re: Review of the Bass Coast Municipal Strategic Statement

I refer to the draft review of the Municipal Strategic Statement, received by South Gippsland Water on 10th April 2003.

Following an internal review of your document, it would be appreciated if you could amend the comments under Statutory Authorities Submission heading, relating to South Gippsland Water, from:

SGW also request that the MSS reflect their desire to provide reticulated water Harmers Haven and that SGW would welcome input into the future planning of Harmers Haven.

to

SGW note that future consideration will be given to provision of reticulated water Harmers Haven and that SGW would welcome input into the future planning of Harmers Haven.

Should you require further discussion on the above request, please contact Geoff Harris, Subdivisions / Development Engineer, on ph: 5682 0432.

Yours faithfully

RICK SZYDZIK
Manager Project Services
Dear Mr Hazell

Review of the Bass Coast Municipal Strategic Statement

Thank you for providing Tourism Victoria with the opportunity to comment on the Bass Coast Municipal Strategic Statement.

Bass Coast Shire is strategically important to Victoria’s tourism industry. The Phillip Island & Gippsland Discovery tourism region generates tourism expenditure in excess of $530m annually. It received 3.5 million domestic day trips, 1.6 million domestic overnight trips, and 61,000 international overnight visitors in the year ending December 2001.

Phillip Island is second only to the Great Ocean Road in the number of international visitors (270,000 international day trips YE 06/2000), and has the third largest number of domestic day trip visitors of any region in Victoria. The region is very important in terms of its contribution to Victoria’s tourism performance.

Subsequently, I draw your attention to Victoria’s Tourism Industry Strategic Plan 2002-2006. The plan was jointly developed by industry and government, and provides the overall strategic framework for tourism development in Victoria in the coming years. The plan includes many references to the Phillip Island & Gippsland Discovery tourism product region, some of which are directly relevant to the current MSS review. You can obtain the plan from http://www.tourismvictoria.com.au.

Tourism Victoria recognises there are several key strategic issues facing the region regarding tourism development and sustainability, and wishes to bring these to Council’s attention for consideration in the MSS review:

> Even after the events of September 11, tourism to Australia and Victoria is still forecast to grow at a significant rate in the coming decade. Whilst domestic tourism will grow at a modest rate, international tourism growth will be quite...
reference to this type of development in the outgoing MSS, Tourism Victoria would encourage Council to retain this reference in the new statement.

> Increasing tourist numbers are likely to increase road traffic considerably in the coming decade. This will necessitate a review of existing transport infrastructure. In particular, the service life of the Phillip Island Bridge may be a point for consideration, as well as the timing for the implementation of the Bass Highway duplication.

> It may be timely for Council to review the potential for air transport to be developed as an alternative to road transport, noting that growth in high yielding international markets may cause an increase in demand for air services. This would have repercussions for air infrastructure, noting the limited potential to expand the existing airfield.

> Expansion of the cycle and walking trail network throughout the Shire, and a strategy to greatly increase cycle usage may also be a positive step in terms of minimising the impact of traffic.

Given the significance of tourism to the regional economy, Tourism Victoria would urge Council to develop a Municipal Strategic Statement that fosters and encourages appropriate and sustainable tourism development.

If you would like to discuss any of the matters raised in more detail, please contact me directly on 9653 9875.

Yours sincerely

[Signature]

DAMIEN RYAN
Manager Infrastructure Projects
2 June 2003

Kevin Hazell  
Acting Planning Manager  
Bass Coast Shire Council  
PO Box 118  
Wonthaggi 3995

Dear Kevin

Re. Response to Review of the Bass Coast Municipal Strategic Statement

Thank you for the opportunity for providing comment on your draft MSS Review document. Unfortunately, the Authority's input into the review process did not get to you late last year due to a misunderstanding at our end. However, it is pleasing to note that most of our concerns have been raised in the review process.

The Authority commends the assessment on page 18 with regard to recognising that the current MSS offers no genuine pathway to managing urban growth. The renewal of the West Gippsland Regional Catchment Strategy supports that the regional stakeholders want visitors and newcomers accommodated in sympathy with the landscape, protecting nature and production. The development of Structure Plans in consultation with stakeholders should help with resolving the sometimes contradictory aims of development, retaining the character of an area, and protecting the environment. We suggest that your second recommendation in this section on page 19 should refer to chapter 2.10 to make the link between your 'Strategic Coastal Planning Framework', the 'Victorian Coastal Strategy' and the 'Integrated Coastal Planning for Gippsland - Coastal Action Plan'. We suggest that Bass Coast Shire consider working with neighbouring municipalities to align strategic coastal planning along the Gippsland Coast.

In relation to vegetation management, it is important to refer to the State Vegetation Framework and the West Gippsland Regional Native Vegetation Plan for offset criteria and assessment. In particular, on page 30 in the 3rd paragraph, we suggest that 'planting a replacement tree' be changed to 'planting appropriate replacement vegetation' to include understory species as well as recognition that a mature tree may require greater offset than a single replacement tree.

The list of reasons for protecting vegetation on page 30 could be rationalised. The Regional Catchment Strategy (not catchment management strategy) acts as the overarching strategy for the use and management of natural resources in the region, under which sit a number of action plans including:

- West Gippsland Regional Native Vegetation Plan (draft)
- West Gippsland Strategic Plan for Salinity Management (draft)
- South Gippsland Waterway Management Plan
- West Gippsland Regional River Health Strategy (in preparation)
These plans deal with the protection & management of vegetation for biodiversity, habitat protection, salinity mitigation and waterway protection, and should be used to help inform a strategic implementation plan for vegetation management. The Regional Catchment Strategy could include a Management Action Target to support the Shire in development of this plan.

The Authority supports the development of restructure plans for old and inappropriate subdivisions (page 36), and could include a Management Action Target to support the development of these plans in the Regional Catchment Strategy.

With regard to managing rural areas and agriculture (page 37), if ‘accepted industry standards’ happened to be ecologically unsustainable or caused offsite environmental impacts, this would not sufficient to ensure that new or changed agricultural enterprises meet with the intent of the ‘Regional Catchment Strategy’. While it is important to protect the ‘right to farm’ and give certainty to agricultural industries, it is also essential that the environmental values both on site and off site are not adversely impacted. As it is written, this section could give the impression that environmental considerations are not applicable to the rural zone. This section needs to link with chapter 2.5 Managing Vegetation, and the proposal to develop a policy on sustainability.

In relation to floodplain & drainage, the Authority notes, on page 42, that Council has relevant information on flooding that should be used to update its planning scheme. The Authority would support an amendment to include this information as soon as possible.

The Authority also supports the development of a policy on sustainability (page 49), particularly as a guide to new subdivisions and development in the area, as well as new or changing agricultural enterprises.

In Chapter 2.11 and throughout the document ‘Regional Catchment Strategies’ have been incorrectly referred to as ‘catchment management strategies’. In order to overcome the difficulties inherent in meeting State and Federal Government accreditation criteria and having a format compatible with the MSS and local planning schemes, we suggest that a management action target be added to the Regional Catchment Strategy to translate the Strategy in consultation with each municipality into the appropriate format to aid amendments and ensure better alignment. This is also directly relevant to Chapter 2.9 Managing Environmental Overlays.

Please do not hesitate to contact us if you require clarification of any of these points.

Yours sincerely,

Geoff Hocking
Chief Executive Officer
Summary

Council is required to review the Bass Coast Shire Municipal Strategic Statement at least once every three years.

Council previously considered this matter on the 5th March where it resolved to make the draft MSS Review available for public comment. In response to this, a number of additional written submissions have been received.

The purpose of this report is to outline changes that have been made to the MSS Review as a result of the exhibition process and to seek Council adoption of the review.

Introduction

The Municipal Strategic Statement (MSS) is the key land use and planning strategy for the municipal area of Bass Coast Shire. It expresses the strategic planning objectives for the municipality and the strategies and actions for achieving them. The MSS forms part of the Bass Coast Planning Scheme.

The Planning & Environment Act 1987 (the Act) requires Council to review the MSS at least once every three years. A general practice note has been issued by the Department of Sustainability and Environment relating to the MSS and the three-year review. This practice note provides guidance to responsible authorities on the matters the review should deal with.

This MSS review seeks to provide a general overview of how the MSS has been operating since approved and to focus on and assess the key strategic planning issues of the Shire and the MSS’s response to these issues. The review will also look at the useability of the MSS and the way in which the MSS, and the Bass Coast Planning Scheme more generally, is monitored.

It is noted that the review of the MSS is not an amendment to the Bass Coast Planning Scheme. However, the outcomes of the review will guide future strategic planning initiatives of Council which may lead to future amendments.
These future amendments would be subject to separate planning processes required under the Act for amending a planning scheme, including public and stakeholder input.

**Strategic Basis**

The Planning & Environment Act 1987 requires Council to review the MSS. The information contained in the review has been drawn from a wide range of information sources and has been prepared with due regard to the practice notes issued by the Department of Sustainability & Environment.

**Finances**

There are no costs for Council associated with adopting the MSS Review.

**Stakeholders**

In preparing the MSS Review, an extensive range of information, knowledge and experiences contained within Council, the Bass Coast Shire community, and statutory authorities have been drawn on. More specifically, the following have been taken account of in preparing the review: -

- 2 preliminary MSS Review Workshops held in 2002;
- 3 MSS Review Workshops held whilst the draft was on public exhibition;
- Written responses from Statutory Authorities as outlined in the Review;
- Minister for Planning Requirements;
- Written submissions from members of the public;
- Council’s town planners;
- Councillors of Bass Coast Shire;
- Feedback received on a regular basis from members of the public;
- Council’s knowledge of the planning issues affecting the Shire.

**Statutory Requirements/Codes/Standards/Policies**

Section 12(A)(5) of the Planning & Environment Act 1987 requires Council to review the Bass Coast Shire Municipal Strategic Statement at least once every three years.

The practice note on the MSS Review requires that it be forwarded to the Minister for Planning when completed. It is noted that whilst the MSS Review needs to be forwarded, the Minister for Planning is not required to approve it.
Other Options

Council has no other options. Under the Act, it must review the MSS.

Officer's Comments/Conclusion

Attached is a copy of the MSS Review. It is effectively made up of four parts.

Firstly, background information is provided on how the Bass Coast Planning Scheme has been operating since it was approved in 1999. This includes planning permit information, VCAT statistics and amendment information.

Secondly, the draft MSS Review goes through a series of key strategic issues that are facing this Shire and assesses the MSS and planning scheme more generally in terms of what is in place currently and what changes should be made so that the planning scheme better responds to these key strategic issues.

Thirdly, a range of emerging issues are highlighted and the draft MSS Review makes recommendations relating to the need for changes to the MSS or further policy development to address these gaps.

Fourthly, the MSS Review has a discussion on the MSS’s useability, how it is monitored, its consistency with the Corporate Plan, and the comments that have been received to date.

The following changes have been made to the MSS Review from what was contained in the draft MSS Review made available for public comment.

1. A new recommendation in Section 2.1 has been added reiterating the need for structure planning to have regard to the Victorian Coastal Strategy and the Integrated Coastal Planning for Gippsland – Coastal Action Plan.

2. Changes have been made to the MSS Review as it relates to short term changes to vegetation controls. Effectively, the short term changes originally outlined have been deleted but the MSS Review notes the need for some change to occur.

A separate report is being prepared for Council outlining in more detail a range of short and long term changes to existing vegetation controls.

3. The introduction to Section 2.5 – Managing Vegetation has been amending to emphasis that vegetation includes all flora (not just trees) and must have regard to fauna as well.

4. Section 2.7 – Managing Rural Areas and Agriculture has a new part which discusses the Rural Zones Review recently completed by a broad based steering committee facilitated by the Department of Sustainability & Environment.
5. Section 2.8 has been amended in the first paragraph to include reference to some of the historic themes that can be found in the Shire.

6. Section 3.4 (Safety Through Urban Design) has been amended to include reference to fire safety.

7. A new section has been added (Section 3.5 – Special Residential Developments) relating to the need for a policy position on special residential developments.

8. Section 7 has been amended to up-date the comments received as part of the consultation process associated with the MSS Review.

9. Two attachments now form part of the MSS Review.

The first is the practice note on the MSS Review and the second is a copy of all statutory authority submissions received. In the consultation process many submitters were interested in what the authorities had to say, particularly the then Department of Natural Resources and Environment.

These submissions have been included for information and completeness.

It is noted that many of the comments received from members of the public were quite detailed and have not been specifically incorporated into the MSS Review. This is because the MSS Review is extensive in the matters it addresses and it is generally covering all issues raised in submissions.

It is worth noting however that many submissions raised the issue of neighbourhood character as being a crucial consideration and an area requiring more work. Numerous comments were also received relating to the short-term changes to vegetation controls.

Some submissions sought to have different emphasis placed on different recommendations. Ultimately however, the review was not intended to rank the recommendations. Rather, it was intended to provide an overview of the key areas requiring further work.

In terms of immediate policy development and strategic work being undertaken by the Planning Department, the following key activities are currently taking place to give effect to the MSS Review’s recommendations:-

- Work is about to commence on a structure plan for Wonthaggi & San Remo;

- The Phillip Island & San Remo and the Inverloch Design Frameworks are currently being worked through in terms of the planning scheme implementation;

- The Strategic Coastal Planning Framework project is continuing to progress with considerable input from the community.
Conclusion

The MSS Review is a key document that will guide the short and medium term policy development priorities of Council. It has identified a range of matters that need to be looked at and a number of areas that warrant the allocation of resources. It has not covered all policy gaps that exist and many people involved or interested in the planning process will have particular issues that in themselves may warrant further attention. However, it is essential that the issues requiring attention are prioritised to focus on the key strategic issues.

Whilst a clear need for additional policy work and further refinement of the MSS has been identified, what is also evident is that the recommendations of this review as implemented in the short term will advance considerably the position of Bass Coast Shire to manage the planning process and to maximise the quality of outcomes being achieved.

It is submitted that the MSS Review provides a timely assessment of the MSS. The review should be adopted by Council as being its review of the Bass Coast Shire Municipal Strategic Statement in accordance with Section 12(A)(5) of the Planning & Environment Act 1987 and be forwarded to the Minister for Planning.

The ultimate aim of implementing the MSS Review's recommendations is a much better planning scheme producing better planning outcomes for the community.

Recommendation

That Council adopt the Municipal Strategic Statement Review September 2003 as being its review of the Bass Coast Shire Municipal Strategic Statement in accordance with Section 12(A)(5) of the Planning & Environment Act 1987 and that it be forwarded to the Minister for Planning.

Council Decision

Moved: Cr. Fairhurst/ Seconded: Cr. Leslie

That the Recommendation be adopted. CARRIED