

Surf Coast Shire

Coastal and Marine Planning Program

Central West Coast of Victoria
Coastal Planning Scheme Review

MAY 2002

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Central West Coast of Victoria

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1 Introduction

1 Introduction

This Coastal Planning Scheme Review is one of the major projects being implemented as part of the Coastal and Marine Planning Program (CMPP) that is underway for the Central West Coast of Victoria, between Point Lonsdale and Moonlight Head. The CMPP is a Commonwealth Government funding initiative developed through Environment Australia's Coast and Clean Seas Program and funded under the National Heritage Trust.

The Central West CMPP is a partnership project between the Surf Coast Shire, Borough of Queenscliffe, City of Greater Geelong, Colac Otway Shire, Western Coastal Board, Department of Infrastructure (DoI), Department of Natural Resources and Environment (NRE) and Parks Victoria.

The key aims of the Central West CMPP are to develop a Regional Coastal Action Plan (CAP) under the *Coastal Management Act 1995*, achieve on-going co-operative and integrated planning through partnerships, and encourage the community to be actively involved in and understand the planning process.

In the initial stages of the Central West CMPP, it became clear that sustainable use and development is a priority issue and one of the ways in which better outcomes can be achieved is to improve coastal planning and management tools. Planning schemes are one of the key implementation tools for coastal planning and management. They play a very significant role in shaping outcomes for the coast. Strengthening the strategic foundations and statutory controls in the planning schemes will assist to achieve a more integrated approach to coastal planning and management across Central West Victoria and in turn result in improved outcomes in decision making.

In this context, the purpose of this Coastal Planning Scheme Review as established by the Central West CMPP partnership agencies is to:

- Improve the ability of the four local Councils (Surf Coast Shire, Borough of Queenscliffe, City of Greater Geelong, Colac Otway Shire) and their planning schemes to plan for, protect and enhance significant values of the region's coastal, intertidal and marine environments.
- Facilitate greater integration and consistency in coastal planning provisions for the region's planning schemes.
- Provide a regional strategic context for land use and development in the coastal, intertidal and marine environments.
- Improve the knowledge and capacity of local planners and Councillors to effectively implement regional coastal and marine objectives.

2 Methodology

2 Methodology

The Coastal Planning Scheme Review has three key elements:

- Development of a strategic regional coastal and marine directions for inclusion in the Municipal Strategic Statements (MSSs) of the Queenscliffe, Greater Geelong, Surf Coast and Colac Otway Planning Schemes.
- Reviewing the planning schemes to identify any changes or adjustments that may be needed to embrace and give effect to the regional directions.
- Examine the planning scheme boundaries and make recommendations in relation to potential extensions into intertidal and marine areas.

The study elements are shown in Figure 1.

The original study scope also included a review of planning tools and other decision making processes available to local planners and Councillors to implement the above changes to planning schemes. Throughout the process of the study, it became evident that similar studies had already been undertaken as part of the development of the Environmental Management System for Surf Coast Shire and in the review of roles and responsibilities of stakeholders in the Central West region. This task was not pursued as part of the Coastal Planning Scheme Review, rather more effort was directed to making sure that the outcomes of this study were integrated into the development of the Regional CAP.

This Coastal Planning Scheme Review also builds upon the investigations that have been undertaken as part of the CMPP for the 10 coastal Municipal Councils around Port Phillip Bay. One of the projects in the Port Phillip CMPP has been the development of a Model for Coastal Issues in Planning Scheme prepared by Maunsell Australia and Keaney Planning Research. This study has provided a benchmark for the Central West CMPP and approach to the development of the regional directions and planning scheme analysis and recommendations.

A key element to the study has been the consultation process and direct involvement of the partnership agencies through the Steering Committee. The membership of the Steering Committee included the CMPP Project Officer and representatives from Surf Coast Shire, City of Greater Geelong, Colac Otway Shire, Borough of Queenscliffe, DoI and NRE. Throughout the progress of the study, a series of workshops were held with the Steering Committee to identify issues, test outcomes and discuss findings. This was supplemented by direct discussions with Council officers to provide additional feedback and input.

The development of the regional directions is closely interrelated to the formulation of the strategic basis of the Regional Coastal Action Plan. In combination, these outcomes assist to meet the overall purposes of this coastal planning scheme review. This is achieved by the subsequent implementation of the recommendation of this review and the Regional CAP which are aimed at:

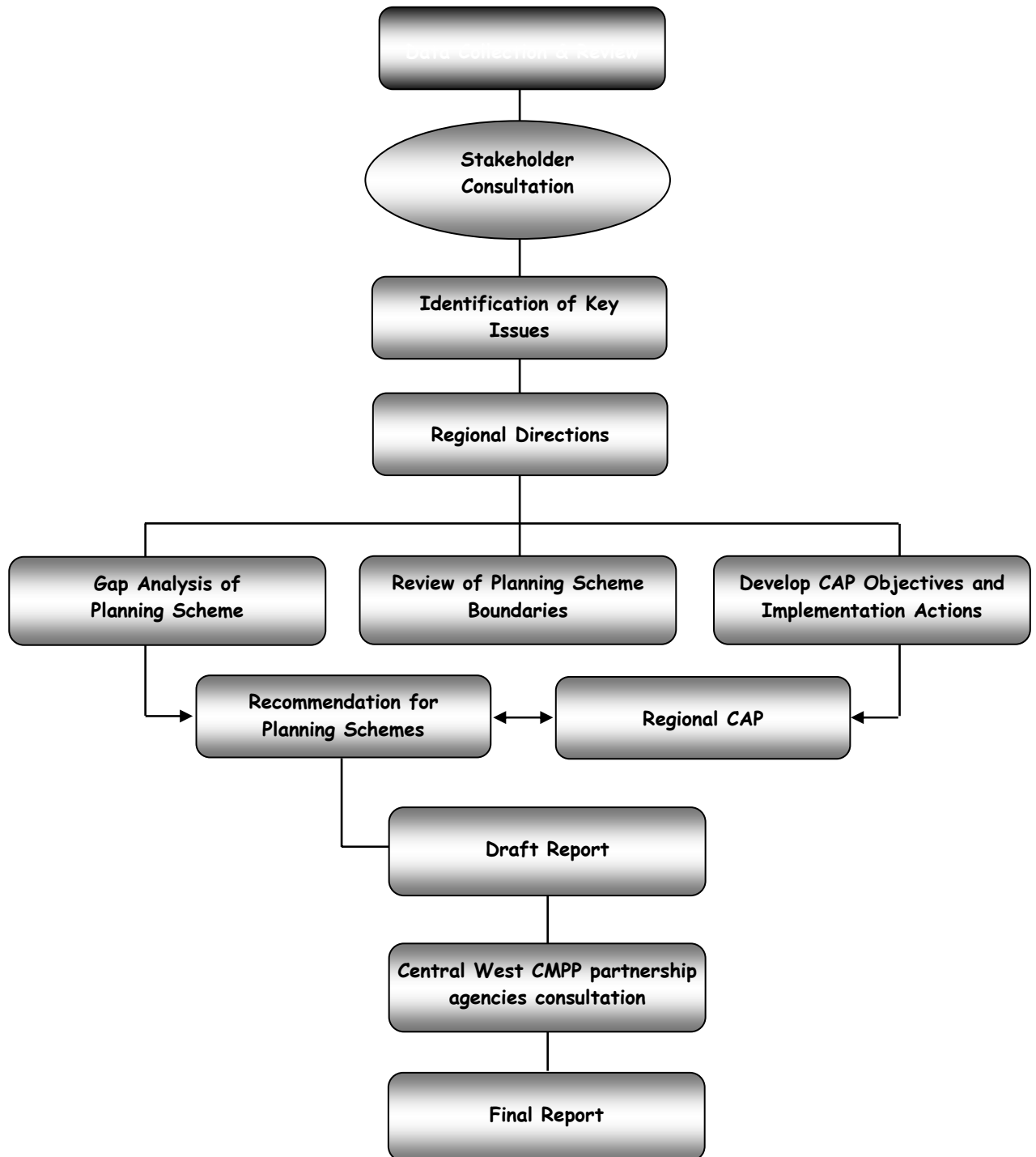
- Enhancing the coastal and marine planning policy framework in the four planning schemes.

2 Methodology

- Providing a stronger basis for decision making.
- Providing a regional statement of priorities to guide detailed local planning.
- Raising awareness of local planners and Councillors about regional coastal and marine objectives and the ongoing need to plan for, protect and enhance the values of the region.

2 Methodology

Figure 1: Study Elements



3 Regional Coastal and Marine Strategic Directions

3 Regional Coastal and Marine Strategic Directions

3.1 Role of the Strategic Directions

The purpose of the regional coastal and marine strategic directions is to provide a consistent regional policy that can be inserted into the MSSs of the Queenscliffe, Greater Geelong, Surf Coast and Colac Otway planning schemes.

In essence, the strategic directions are intended to be an expression of the key coastal and marine planning and management outcomes that are being sought by the four Councils and partnership agencies across the region.

At the outset it was important to consider the relationship of the strategic directions to the Regional CAP being developed and in turn the role and function of the directions in the four planning schemes. In particular, consideration was given to how the strategic directions would “fit” into the policy frameworks of the four planning schemes.

The Regional CAP is aimed at achieving consistent and integrated outcomes for coastal and marine values for the long term across the Central West region. It provides the overall strategic planning and management policy framework for the region and identifies actions to achieve the desired outcomes. Its role is to set out a comprehensive regional policy basis for coastal and marine planning and management. The regional coastal and marine strategic directions being developed in this project were therefore considered to be an integral part of the CAP. They are in fact a subset of the CAP.

The Regional CAP is structured around a vision, regional objectives and a detailed action plan. The regional strategic directions that were identified in this project became the regional objectives of the CAP. They are an expression of the outcomes sought by the vision and form the policy framework for the detailed action plan in the CAP.

It is intended that when the Regional CAP is approved and endorsed by the Minister for Conservation and Environment, it will be given effect to through the four planning schemes in the region. It is most likely that the Regional CAP will be incorporated into the planning schemes as policy as well as through the formulation of detailed development controls which are introduced as overlay provisions. It is therefore important that the vision and strategic objectives or directions of the CAP can be easily translated into the planning schemes as policy in the MSS. The policy statements must also be consistent with the Victorian Coastal Strategy which forms part of the State Planning Policy Framework of the planning schemes and the Victoria Planning Provisions. The relationship between the CAP and MSS in the Planning Schemes is shown in Figure 2.

3 Regional Coastal and Marine Strategic Directions

The regional strategic directions provide a regional policy statement for the four planning schemes. The format of each of the planning schemes is quite different, and at present there is not a regional section in any of the schemes where the policy statements can easily be inserted. In addition, the “model” format of planning schemes advocated by the Victorian Planning Provisions and through the Department of Infrastructure’s Planning Practice Notes has an influence on the form of the policy statements and their role in the schemes. This is explored in section 4 of this report in the gap analysis of the four planning schemes.

3.2 Development of the Regional Strategic Directions

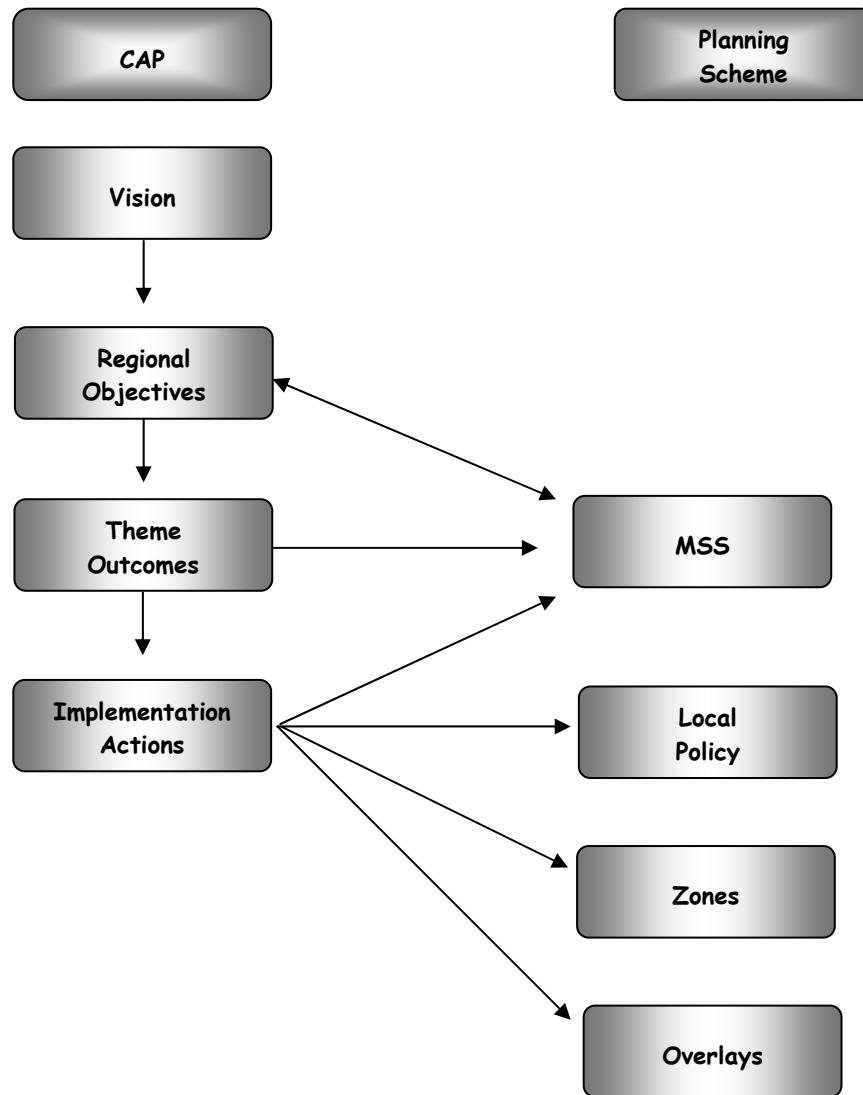
The approach to formulation of the regional strategic directions was to essentially develop them out of the existing policy base of the four Council and partnership agencies in the region. Each of the four Councils has gone through an extensive exercise of expression of policy outcomes through the process of development of the new format planning schemes. There exists a considerable amount of strategic planning policy at the local level, albeit to varying degrees across the four councils.

In addition, as part of the broader Central West CMPP, in April 2000 a *Discussion Paper: Issues and Options* was released by the CMPP which documented key coastal and marine issues in the region. This discussion paper provides a comprehensive overview of key challenges and issues for the region that are common to all four municipalities and are important to the community. It forms a sound basis for identifying the key themes that coastal and marine planning and management should focus upon in the development of the CAP and the regional strategic directions.

In workshop sessions with the Steering Committee, extensive debate was conducted about how detailed the regional strategic directions should be and what they could achieve across the region. It was recognised that each of the four councils, NRE and Parks Victoria have more detailed policies at a localised or geographic level and that the purpose of the strategic directions was to provide some overall statement of outcomes at a regional level. It was determined that the strategic directions would in fact comprise a short policy statement and set of objectives that would be applied across the region, and in particular it would be a policy framework that could be inserted into the four planning schemes in the region.

3 Regional Coastal and Marine Strategic Directions

Figure 2: Central West Victorian CMPP
CAP and Planning Scheme Integration



3 Regional Coastal and Marine Strategic Directions

The first step in developing the strategic directions was to review the CMPP Discussion Paper, four municipal planning schemes and a range of existing strategic planning and management documents existing in the region to identify key regional issues. Discussions were also held with each of the four councils, DoI, NRE and Parks Victoria. Key themes to emerge from this review were identified as follows:

- The significant environmental and cultural features and characteristics of the coast shall be identified and protected including the Cape Otway – Marengo area, Otway National Park, The Aire River, Breamlea coastline, Thompsons Creek, the coast between Jan Juc and Anglesea, Forest Road Floral Reserve, crown land Leased to Alcoa, Angahook National Park, The Great Ocean Road from Moggs Creek to Anglesea, Swan Bay and the lower reaches of Barwon river.
- Biological values and diversity of the coastal, marine and intertidal environments shall be protected and improved.
- An integrated catchment management approach to land and water management shall be adopted to ensure clean and high quality water throughout inland waterways, estuaries and the sea.
- The quality and quantity of indigenous vegetation shall be protected and improved.
- Linear development along the coastline will be prevented by ensuring that development is contained within well defined township boundaries.
- Population growth will be managed in an environmentally sustainable manner.
- Future growth will be encouraged within the coastal activity nodes of Torquay – Jan Juc, and Lorne, Apollo Bay and Ocean Grove.
- Environmentally sustainable and sensitive land use and development that compliments and respects the scenic and environmental qualities and character the coast will be encouraged.
- Existing viewlines and vistas (environment and landscape) will be retained and enhanced.
- Management of public land and infrastructure will be integrated and co-ordinated.
- Sustainable tourism opportunities and development especially those that relate to the Great Ocean Road, Cape Otway, Lorne will be encouraged.
- Accessibility to the coast will be promoted and managed.
- Improved opportunities for safe boating and water based activities including fishing and aquaculture activities (Apollo Bay Harbour) will be provided.

3 Regional Coastal and Marine Strategic Directions

- The distinctive/unique coastal characteristics of the townships will be defined and enhanced.

The themes were discussed with the Steering Committee at a workshop and then refined to form the regional objectives. The objectives or outcomes were generalised in terms of removing reference to particular locations as it was the view of the Steering Committee that this level of detail was more appropriate within the MSSs of the individual planning schemes in the thematic policy statements. The regional strategic directions was considered to be a broad “up front” regional position, expressing a common set of outcomes or objectives. The policy statement or preamble to the objectives was then developed to provide a context for the objectives in the draft Regional CAP. The outcome of this process is the regional strategic directions which are set out below. It is intended that this policy statement be included in both the Regional CAP and the four planning schemes in order to give effect to the CAP.

Regional Coastal and Marine Strategic Directions

The vision and regional objectives of the Central West Regional Coastal Action Plan express a common future for the coast in the region and the outcomes that the community seeks to achieve. They have been formulated in response to community aspirations and within the context of the coastal and marine planning and management goals and principles that have been established at a Commonwealth and State level.

The development of the vision and regional objectives has been driven by the principles of environmental sustainability with the overriding priority being to achieve protection and enhancement of the natural and cultural values and features of the regional coastal environment. In achieving the vision and regional objectives, the actions of the CAP are aimed at continually improving the values of the coastal environment and ensuring that these resources are protected for future generations.

The vision and regional objectives acknowledge that the inherent values of the coastal environment are important for the economic prosperity of the region and that the well being of the community is also dependent on the quality and sustainability of the region's natural and cultural resources. The actions of the CAP are directed at ensuring that the region's distinctive character and identity and its special role for residents and visitors are maintained and enhanced.

The need for development and use of coastal resources in appropriate locations is recognised but it must be undertaken in a manner that is environmentally sustainable. The challenge is to provide opportunities for future growth taking into consideration of the capacity of the coastal environment to cope with the development demands placed upon it, and the need for proactive management to minimise impacts resulting from changes to the environment.

3 Regional Coastal and Marine Strategic Directions

There will continue to be pressure for more development on the coast. In response, development must be encouraged to be sympathetic to the surrounding landscape and result in excellence in design and improved facilities.

The broader influences on the coast must also be acknowledged through the desire to achieve greater integration of catchment and coastal management approaches to land and water resources in the region.

The implementation of the outcomes of the CAP requires a partnership approach across State and Local Government as well as involvement of the regional community. This can be achieved through formal cooperation of agencies in management frameworks, sharing of resources, achieving continuity and consistency in policy and the development of working partnerships and relationships. It will also be achieved through implementation mechanisms such as the municipal planning schemes, management plans, strategic planning and other localised coastal action plans.

The ultimate success of this CAP and its implementation will be reflected in the extent of community ownership of the vision, regional and theme objectives and the outcomes and actions that are set out. This will be achieved by consultation with the community in the finalisation of the CAP and acceptance of the actions and responsibilities that flow from the plan in its future implementation.

- To implement consistent and comprehensive coastal and marine policy at a regional and local level.
- To encourage and foster communication and enduring partnerships between authorities responsible for planning and managing coastal and marine areas, industry, research institutions and the community.
- To increase public awareness, understanding and appreciation of coastal and marine values and threats to their long-term viability.
- To protect and enhance coastal and marine areas, features and characteristics of value for their biodiversity and other biological value, and natural and cultural heritage. This includes conservation and recreation parks and reserves, Ramsar and other wetland areas, unique and representative flora and fauna communities including areas of high habitat value on private land, sites listed on state and local registers including those of value for geology and geomorphology, science and to Aboriginal communities, historical, and significant viewlines and vistas.

3 Regional Coastal and Marine Strategic Directions

- To achieve a net gain in the extent and quality of coastal and marine indigenous habitat and biodiversity through restoration of degraded habitat and provision of habitat corridors on both public and private land and sea.
- To ensure that where natural coastal and marine resources are used this is undertaken in a manner that meets the needs of people today without compromising the needs of future generations and other values of the resource.
- To implement an integrated approach and apply best practice to catchment and coastal management so as to provide for environmental flow and the highest quality of water within the region's inland waters, estuaries and the sea.
- To ensure that urban development is contained within strategically defined township boundaries and that land provided for future growth takes into account township character, land capability including limited water resources, environmental and social needs, and infrastructure and population capacity.
- To ensure that all development is compatible with or enhances the character of the coastal and marine environment, and the township within which it is located.
- To ensure that the use and development of the coastal and marine environment is environmentally sustainable. This includes applying adequate management and buffers to ensure activities are not detrimental to the scenic and environmental qualities of the region.
- To provide opportunities for a range of sustainable and socially equitable recreational and tourism activities and experiences that complement and promote the region's natural and cultural values.

4 Planning Scheme Review

4 Planning Scheme Review

4.1 Introduction

The four planning schemes in the Central West region were reviewed to consider how the regional strategic directions could be inserted and given effect. This was undertaken with the knowledge that in future the Regional CAP would also be inserted as policy in each of the four planning schemes.

The gap analysis revealed that each of the planning schemes were different in terms of their structural format, their approach to policy and the detail of policy expressed in relation to coastal and marine planning and management issues. It is also acknowledged that coastal and marine planning issues embrace a range of topics, many of which have dedicated policy themes in the MSSs of the planning schemes.

In an attempt to achieve greater consistency in how coastal and marine issues are dealt with in planning schemes in a broader statewide context, reference was made to the model approach being developed as part of the Port Phillip CMPP project. The findings of the planning scheme review and recommendations are set out below.

4.2 Model for Coastal and Marine Issues in Planning Schemes

The formulation of a model for addressing coastal planning issues in the Local Planning Policy Framework (LPPF) of planning schemes is one of the key projects in the Port Phillip CMPP. This project involved development of a model approach to how coastal and marine issues should be dealt with in planning schemes and then provided practical examples of its implementation. The project also examined ways to measure the performance of existing management arrangements and policy frameworks for decision making. The findings of the project are reported in *Model for Coastal and Marine Issues in Planning Schemes, August 2001* prepared by Maunsell McIntyre (now Maunsell Australia) in association with Keaney Planning Research for the Association of Bayside Municipalities.

In the development of the model it is acknowledged that coastal issues need be addressed across the whole structure of the LPPF, filtering down from the MSS to Local Policies and through to zones and overlays if required. The LPPF as a policy framework needs to clearly express the strategic base or land use outcomes for the municipality in relation to coastal, marine and catchment issues.

The development of this model framework for the LPPF has been based on the assumption that the VPP format will not be substantially altered in forthcoming reviews of the planning schemes or through the on-going planning reform process. The development of the model has also had regard to the existing varied structures of the ten planning schemes in the Port Phillip region, and attempts to set out a framework that can be massaged to fit each planning scheme.

The model framework for the LPPF takes a thematic approach to coastal and marine planning and recommends that it be given a separate identity or heading within the LPPF. If a municipal Council does not wish to follow this approach, then it is recommended that the coastal issues be included under the theme of "Environment" in the scheme. The drawback of this alternative approach is that in the majority of

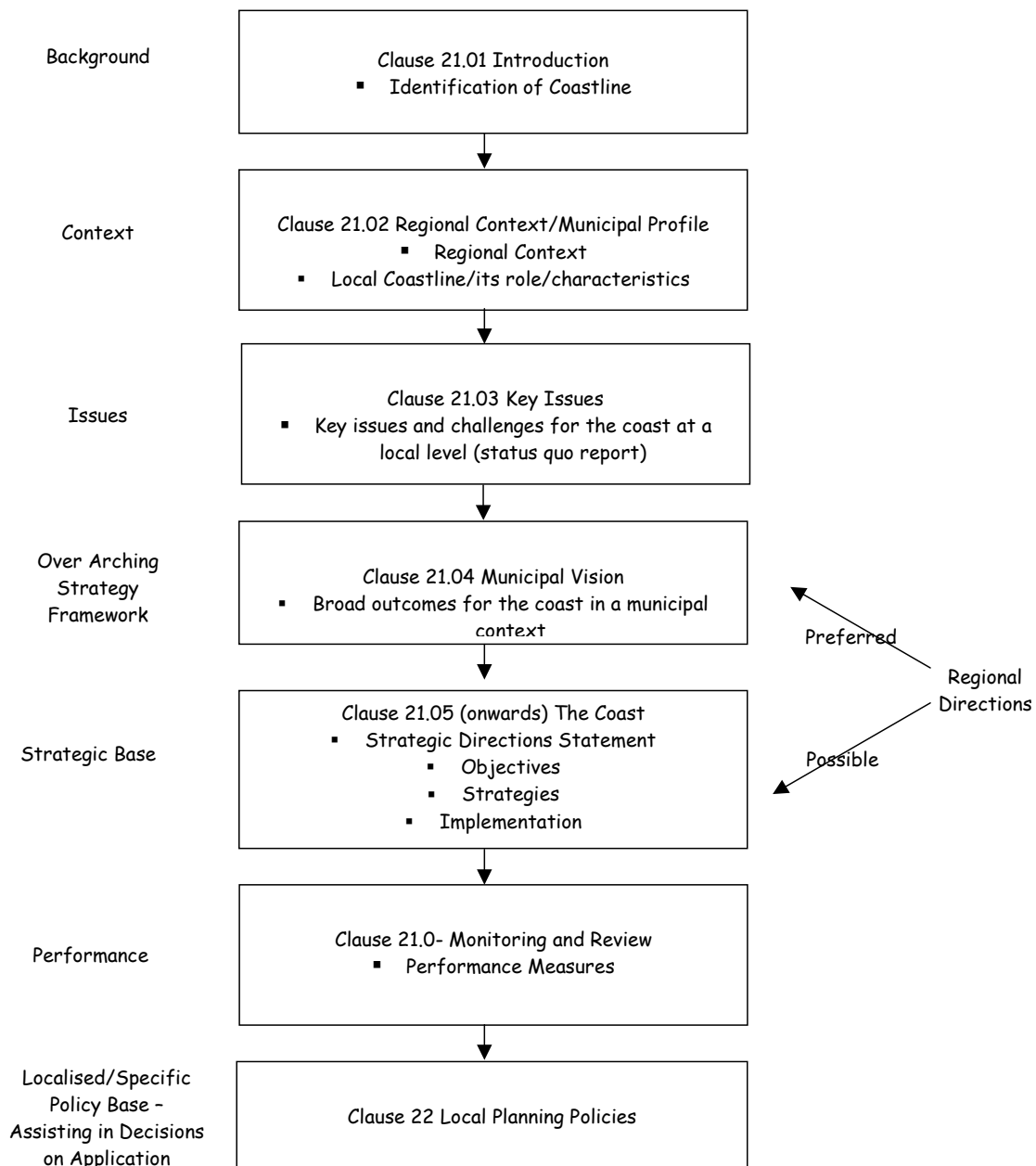
4 Planning Scheme Review

planning schemes, the theme Environment does not really embrace the issues of development along the coast and in the marine environment. It is generally focussed on, and limited to, conservation and protection of the coastal assets and environmental features.

The model framework for inclusion of coastal and marine planning issues in the schemes is shown in Figure 3. The model has been annotated to illustrate where the regional directions for the Central West should ideally be inserted in the LPPF of a planning scheme.

4 Planning Scheme Review

Figure 3: Central West Victoria Local Planning Policy Framework Model for Coastal Issues



4 Planning Scheme Review

4.3 Planning Scheme Gap Analysis

The gap analysis of the four planning schemes in the region comprises two elements. The first part involved an examination of the opportunities for insertion of the regional directions into the existing schemes, which essentially considered structural features of each of the four planning schemes. The second part was a review of the content of the planning schemes in terms of the manner in which they were consistent with the themes of the regional directions.

The initial review of the planning schemes revealed that they are all different in terms of their structural format, despite all being prepared in accordance with the Victoria Planning Provisions. The main differences lie in the set out of the policies in the LPPF, in particular in the “Objectives-Strategies-Implementation” section of the MSS and also in the Local Planning Policies both in terms of content and level of local detail.

Table 1 summaries the options available for each planning scheme for insertion of the regional directions.

In the Colac Otway Planning Scheme, it would be possible for the regional directions to be inserted either into Clause 21.03-3 as part of the key regional strategies or alternatively into Clause 21.04-2 The nature of the land, the coast and its environs. Whilst both would be logical alternatives in terms of location in the planning scheme, the format of the regional directions would not be consistent with the existing structure and set out of these clauses, and some massaging would need to be undertaken to improve their overall structure and the integration of the directions.

In the Surf Coast Planning Scheme, the regional directions could be inserted either as part of Clause 21.04-1 Environment & Landscape or in Clause 21.05-3 Coastal, intertidal and marine environments. The format would need some modification to fit into these clauses, however, both would be an appropriate location for the regional directions.

In the Central West region, the section of coast to the west of Point Lonsdale that lies in the City of Greater Geelong and Borough of Queenscliff comprises only a small part of the coastal areas within these two municipalities. Accordingly, it is not recommended that the above regional directions be inserted for these outer coast areas in isolation of strategic planning outcomes for the balance of the coastline in the municipalities. Ideally, these regional directions should be considered for the whole of the coastline within the municipality rather than a small portion.

Insertion of regional directions relating to the coast is somewhat problematic for the Queenscliffe Planning Scheme as the format of Clause 21.05 does not provide for discussion of policy before listing of “Objectives-Strategies-Implementation” on a thematic basis. The overall format of this section of the planning scheme would need to be reshaped in order for regional policy statements to be incorporated.

4 Planning Scheme Review

In the City of Greater Geelong Planning Scheme, the regional directions appear to align well with regional statements that already exist in Clause 21.13 Coastal Areas. It would be appropriate to include the directions within this clause provided that they were also applicable to the balance of the coast in the City of Greater Geelong.

Table 1: Options for Insertion of Regional Directions in Planning Schemes

Colac Otway Planning Scheme	Clause 21.03-3 Key Regional Strategies	<ul style="list-style-type: none"> ▪ Part of the Vision – Strategic Framework ▪ Broad overall directions could include coastal issues ▪ Links with other regional strategies ▪ Format not consistent with other “Key Regional Strategies”
	Clause 21.04-2 The nature of the land, the coast and its environs	<ul style="list-style-type: none"> ▪ Not consistent format but logical location for insertion of regional directions ▪ Could replace the single objective ▪ Provides a broader context ▪ Requires review of Strategies and Implementation actions
Surf Coast Planning Scheme	Clause 21.04-1 Environment & Landscape	<ul style="list-style-type: none"> ▪ Could be inserted as part of discussion ▪ Could rework the objectives ▪ Provides more of an overview ▪ Aimed more at Conservation rather than Development ▪ Could include a new section that deals with Coast and possibly estuaries
	Clause 21.05-3 Coastal, intertidal and marine environments	<ul style="list-style-type: none"> ▪ Has a strategic basis and could include as Directions ▪ Need to rework objectives to address both protection and development outcomes ▪ Rework strategies into two themes ▪ Cross reference to Landscape/Tourism and Settlement policy statements
Queenscliffe Planning Scheme	Clause 21.05	<ul style="list-style-type: none"> ▪ Not recommended for inclusion in its own right for single small sections of coast – regional directions need to apply to whole of the coast ▪ Should consider whether regional directions are appropriate for all of coastal area ▪ Consider inclusion of regional directions in Vision – Strategic Framework part of MSS in the overall review of the planning scheme. ▪ Does not really fit into current format of planning scheme because Clause 21.05 does not include a policy basis before listing of objectives/strategies/implementation ▪ Could consider inclusion in 21.05-2 Environment Natural Environment
City of Greater Geelong Planning Scheme	Clause 21.13 Coastal Areas	<ul style="list-style-type: none"> ▪ Consider as part of whole coast rather than one portion ▪ Provides a regional setting and goes across the range of issues ▪ Strategies appear to be consistent with Regional Directions ▪ Appropriate in this Section ▪ Could cross reference to other policy areas

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The second part of the gap analysis involved a review of the Local Planning Policy Framework in the four planning schemes to examine the extent to which the themes of the strategic regional direction that has been development have been addressed in policy. This review provides an indication of areas that are given greater attention in the planning schemes and those that could be developed further. This broad based review provides a basis for each of the four Councils to undertake a more detailed analysis of their individual schemes.

The analysis for each of the planning schemes is presented in Tables 2 to 5. The four planning schemes address coastal issues in very different ways. This is a reflection of both the priorities of the individual Municipal Councils and the varying structure or way in which the planning schemes are set out. It may also reflect the extent of resources available within the Council to devote to strategic planning and in turn the initial development of the planning scheme.

Throughout each of the planning schemes the themes of the regional strategic directions are addressed either directly or indirectly and strengthening of policy outcomes for the coastal environment is a matter of fine tuning rather than a major rewrite of the LPPF. This is particularly the case for Surf Coast and Greater Geelong. The planning schemes for Queenscliffe and Colac Otway generally need a more extensive review to enhance the consideration of coastal issues and articulate the strategic planning policy base and outcomes. In relation to Colac Otway, the policy base of the planning scheme needs to be significantly strengthened to give effect to the recently completed Strategic Development Master Plan. The Master Plan contains five key components:

- Economic Development & Tourism Strategy
- Colac Structure Plan
- Apollo Bay Structure Plan
- Apollo Bay Harbourside Development Plan
- Skene's Creek to Marengo Coastal Action Plan.

A number of these plans have policies which directly affect the future of the coastline and their insertion into the planning scheme is an important part of their implementation. It is noted, however, that the plans are effectively terrestrial based and give limited attention to intertidal and marine issues.

The general conclusions that can be drawn from the analysis are:

- The four planning schemes all address the themes of protection of environmental values, particularly focussing on vegetation and cultural heritage, and define some limits to urban development.
- The themes that are generally not afforded as much attention are:
 - Sustainable use of natural resources
 - Land use and access sustainability
 - Land capability
 - Integrated approach to land and water management
 - Protection and enhancement of indigenous vegetation

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- Coastal character and in turn siting and design of development is addressed in Surf Coast Planning Scheme and in Greater Geelong Planning Scheme but not sufficiently in Queenscliffe and Colac Otway planning schemes. This issues is very important as it has implications for siting and design which is often at the crux of many planning disputes in coastal areas.
- Improvements to policy statements are generally needed right throughout the LPPF from the Municipal Profile to the Vision statement and then to the specific policy objectives and implementation strategies. The rigour in following through with themes needs to be enhanced.
- Cross referencing between policy themes in the MSS could also assist to achieve a stronger integration of issues that affect the coastal environment.
- The planning schemes are all generally weaker in addressing the land and resource management type themes and issues.
- There is a need to improve the integration of strategic planning that has been or is being done by public land managers, particularly where the Municipal Council is not the land manager. This integration can enhance the policy basis for the planning schemes and achieve greater co-ordination in coastal planning and management.
- Growth and development outcomes need to be more clearly articulated so that limits to development can be defined. This is addressed by Surf Coast and Greater Geelong, but generally not as well by Queenscliffe and Colac Otway. The clear statement of strategic planning outcomes is critical to management of future urban expansion along the coast.

The gap analysis has indicated areas in each planning scheme where improvements can be made to enhance the policy basis. It is recommended that each Council undertake a more detailed review of its planning scheme to examine how coastal issues can be addressed in a manner that gives effect to the objectives or outcomes expressed by the regional strategic statement.

Furthermore, it is evident that there is strategic planning that has been undertaken by land managers other than the municipal councils that should also be given effect to in the planning schemes. This includes catchment management planning as well as management plans for discrete parts of the coast or public land assets. The Port Phillip CMPP in the Model for Coastal and Marine Issues in Planning Schemes (September 2001) concluded that there is an opportunity to achieve greater integration of the land manager and the planning authority through the vehicle of the planning scheme. This opportunity can related to plans that are strategic or “on ground” management in focus. In many cases the management plan, although specific to a site, often has implications for its surrounding environs and interfaces that need to be managed. This is generally outside the ambit of the management plan but is not outside that of the planning scheme which will cover the particular site and its surrounds (at present with a focus on land).

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In relation to the Greater Geelong and Queenscliffe planning schemes, the regional strategic directions or objectives should be applied to the whole coastline and not just the portion of coast in these municipalities that lies within the Central West region. The applicability of the strategic objectives to the whole coastline therefore needs review by these two Councils.

The insertion of regional coastal strategic directions into each of the four planning schemes by an amendment process should occur as part of the implementation process for the CAPs that are being developed in the region at present. In Surf Coast and Colac Otway, this should be achieved through co-ordinated implementations of the Central West Regional CAP and the Estuaries. In Colac Otway this should also be accompanied by implementation of the Strategic Development Master Plan components. In Queenscliffe and Greater Geelong this should occur through the combined implementation of the Central West Regional CAP and the Corio Bay CAP, along with the Estuaries CAP where relevant for Geelong.

All of these CAPs are yet to be finalised in draft form before proceeding through public consultant phases. Once adopted under the *Coastal Management Act 1995* they will become policy that should be given effect to in the planning schemes.

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Table 2: Colac Otway Shire – Coastal Issues Gap Analysis

	Existing	Comments
Protection and Enhancement of significant values	<ul style="list-style-type: none"> Addressed in Municipal Profile (21.01-03) The coast and its environs 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Acknowledged in vision statements (21.03-01) 	<ul style="list-style-type: none"> Vision statement could be reordered to be consistent with VCS hierarchy of principles
	<ul style="list-style-type: none"> Addressed broadly in (21.04-02) The coast and its environs – key objective, strategies and implementation actions 	(21.04-02) The coast and its environs <ul style="list-style-type: none"> Requires greater articulation by identifying areas of regional significance and providing commentary on other local areas. Strategies and implementation actions need to be significantly expanded to strengthen outcomes for this issue
Sustainable use of natural resources	<ul style="list-style-type: none"> Municipal Profile (21.01-3) The nature of the land broadly acknowledges the need for an integrated approach to natural resource management 	<ul style="list-style-type: none"> Issue requires further articulation in 21.01-3
	<ul style="list-style-type: none"> Not mentioned in vision statement (21.03-01) 	<ul style="list-style-type: none"> Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address sustainable use of natural resources
	<ul style="list-style-type: none"> Addressed in (21.04-02) Natural Resources and Cultural Heritage Management – key objectives and strategies and implementation actions 	<ul style="list-style-type: none"> Appropriate

4 Planning Scheme Review

Table 2: Colac Otway Shire – Coastal Issues Gap Analysis

	Existing	Comments
Integrated approach to land and water management	<ul style="list-style-type: none"> ▪ Municipal Profile (21.01-3) The nature of the land broadly acknowledges the need for an integrated approach to natural resource management 	<ul style="list-style-type: none"> ▪ Issue requires further articulation in 21.01-3
	<ul style="list-style-type: none"> ▪ Not mentioned in vision statement (21.03-01) 	<ul style="list-style-type: none"> ▪ Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address integration of land and water management
	<ul style="list-style-type: none"> ▪ Addressed in (21.04-02) Natural Resources and Cultural Heritage Management – key objectives, strategies and implementation actions 	<ul style="list-style-type: none"> ▪ Appropriate
Protection and Enhancement of Indigenous Vegetation	<ul style="list-style-type: none"> ▪ Addressed broadly in Municipal Profile (21.01-03) The coast and its environs 	<ul style="list-style-type: none"> ▪ Issue could be more clearly expressed in 21.01-3
	<ul style="list-style-type: none"> ▪ Not mentioned in vision statement (21.03-01) 	<ul style="list-style-type: none"> ▪ Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address indigenous vegetation
	<ul style="list-style-type: none"> ▪ Not addressed directly in (21.04-02) The coast and its environs 	<ul style="list-style-type: none"> ▪ (21.04-02) The coast and its environs needs to address this issue directly through the strategies and implementation actions

4 Planning Scheme Review

Table 2: Colac Otway Shire – Coastal Issues Gap Analysis

	Existing	Comments
Defining Urban Development	<ul style="list-style-type: none"> ▪ Issue identified in Municipal Profile (21.01-03) The coast and its environs and (21.01-04) Settlement patterns and rural living ▪ Addressed in vision statement (21.03-01) ▪ Addressed broadly in (21.04-02) The coast and its environs; (21.04-03) Settlement patterns and rural living in key objective, strategies and implementation actions; (21.04-10) Apollo Bay; (21.04-10) Smaller communities of the Shire 	<ul style="list-style-type: none"> ▪ Appropriate – could be some cross referencing ▪ Appropriate ▪ Appropriate
Land Use & Access Sustainability	<ul style="list-style-type: none"> ▪ Issue identified in Municipal Profile (21.01-03) The coast and its environs and (21.01-04) Settlement patterns and rural living ▪ Not mentioned in vision statement (21.03-01) ▪ Not directly addressed in (21.04) apart from residential strategies in settlement patterns 	<ul style="list-style-type: none"> ▪ Appropriate – could be some cross referencing ▪ Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address sustainable land use and access ▪ (21.04-03) The coast and its environs and (21.04-10) Settlement patterns and rural living needs to be expanded to address this issue in strategies and implementation actions

4 Planning Scheme Review

Table 2: Colac Otway Shire – Coastal Issues Gap Analysis

	Existing	Comments
Recreation and Tourism Opportunities	<ul style="list-style-type: none"> ▪ Issue identified in Municipal Profile (21.01-08) Tourism 	<ul style="list-style-type: none"> ▪ Appropriate
	<ul style="list-style-type: none"> ▪ Not mentioned in vision statement (21.03-01) 	<ul style="list-style-type: none"> ▪ Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address recreation and tourism
	<ul style="list-style-type: none"> ▪ Addressed in (21.04-07) Tourism in key objective, strategies and implementation actions 	<ul style="list-style-type: none"> ▪ Appropriate
Coastal Character	<ul style="list-style-type: none"> ▪ Issue not directly identified in Municipal Profile 	<ul style="list-style-type: none"> ▪ Need to include discussion of coastal township character in Municipal Profile as an issue and key influence
	<ul style="list-style-type: none"> ▪ Not mentioned in vision statement (21.03-01) 	<ul style="list-style-type: none"> ▪ Vision statement could be reordered to be consistent with VCS hierarchy of principles and expanded to address coastal character
	<ul style="list-style-type: none"> ▪ Addressed broadly in (21.03-03) The coast and its environs in implementation actions 	<ul style="list-style-type: none"> ▪ (21.04-03) The coast and its environs – key objective, strategies and implementation actions need significant strengthening to address this issue
	<ul style="list-style-type: none"> ▪ Addressed broadly in (21.04-10) Apollo Bay 	<ul style="list-style-type: none"> ▪ (21.04-10) Apollo Bay needs significant strengthening ▪ (21.04-10) Smaller communities of the Shire should also address this issue

4 Planning Scheme Review

Table 3: City of Greater Geelong

	Existing	Comments
Protection and Enhancement of significant values	<ul style="list-style-type: none"> ▪ Acknowledged in Planning Principles (21.05) Natural Environment 	<ul style="list-style-type: none"> ▪ Appropriate
	<ul style="list-style-type: none"> ▪ Addressed in Strategic Directions (21.13) Coastal Areas and (21.14) Conservation of Native Flora and Fauna 	<ul style="list-style-type: none"> ▪ Appropriate
Sustainable use of natural resources	<ul style="list-style-type: none"> ▪ Not directly acknowledged in Planning Principles (21.05) 	<ul style="list-style-type: none"> ▪ Expand Planning Principles in Natural Environment and The Economy to deal with use of natural resources
	<ul style="list-style-type: none"> ▪ Addressed in Strategic Directions (21.13) Coastal Areas and (21.14) Conservation of Native Flora and Fauna 	<ul style="list-style-type: none"> ▪ Appropriate
Integrated approval to land and water management	<ul style="list-style-type: none"> ▪ Not directly acknowledged in (21.05) Planning Principles 	<ul style="list-style-type: none"> ▪ Planning Principles for Settlement Rural Residential and Rural Areas (21.05) could also make reference to integrated catchment management, particularly in coastal areas

4 Planning Scheme Review

Table 3: City of Greater Geelong

	Existing	Comments
	<ul style="list-style-type: none"> Addressed in Strategic Directions (21.10) Environmental Management and more directly in (21.11) Protection of Catchments, Waterways and Groundwater and (21.13) Coastal Areas 	<ul style="list-style-type: none"> Appropriate
Protection and Enhancement of Indigenous Vegetation	<ul style="list-style-type: none"> Not directly acknowledged in (21.05) Planning Principles 	<ul style="list-style-type: none"> Expand comments for Natural Environment (21.05) to address this issue
	<ul style="list-style-type: none"> Addressed in Strategic Directions (21.13) Coastal Areas and (21.14) Conservation of Native Flora and Fauna 	<ul style="list-style-type: none"> Appropriate
Defining Urban Development	<ul style="list-style-type: none"> Acknowledged in Planning Principles (21.05) Settlement and Rural Residential 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Addressed in Strategic Directions (21.08) Urban Growth in statements relating to future growth and (21.13) Coastal Areas. 	<ul style="list-style-type: none"> Appropriate

4 Planning Scheme Review

Table 3: City of Greater Geelong

	Existing	Comments
	<ul style="list-style-type: none"> Addressed in specific planning policies for coastal townships of Ocean Grove (21.32) and Barwon Heads (21.35) 	<ul style="list-style-type: none"> Appropriate
Land Use & Access Sustainability	<ul style="list-style-type: none"> Acknowledged in Planning Principles (21.05) The Economy and Transport 	<ul style="list-style-type: none"> Comments/principles could be expanded to encompass marine and natural resource usage and address access to the coast
	<ul style="list-style-type: none"> Addressed in Strategic Directions (21.13) Coastal Areas 	<ul style="list-style-type: none"> Appropriate
Recreation and Tourism Opportunities	<ul style="list-style-type: none"> Tourism opportunities generally acknowledged in (21.05) Planning Principles 	<ul style="list-style-type: none"> Coastal and eco-tourism could be more directly acknowledged in Planning Principles (21.05) The Economy
	<ul style="list-style-type: none"> Addressed in Strategic Directions (21.23) Tourism and (21.13) Coastal Areas 	<ul style="list-style-type: none"> Strategic Direction (21.23) Tourism and (21.15) Open Space could be cross referenced in (21.13) Coastal Areas to strengthen outcomes for coast
Coastal Character	<ul style="list-style-type: none"> Not directly acknowledged in Planning Principles (21.05) 	<ul style="list-style-type: none"> Comments on Design and Build Form could be expanded to acknowledge this range of developed areas both coastal and non-coastal
	<ul style="list-style-type: none"> Addressed broadly in Strategic Directions (21.30) Design and Build Form and specifically in (21.13) Coastal Areas 	<ul style="list-style-type: none"> Comments/outcomes in (21.30) Design and Build Form need to be strengthened to specifically address coastal areas and townships by cross referencing to (21.13) Coastal Areas policy

4 Planning Scheme Review

Table 4: Queenscliffe Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Protection and Enhancement of significant values	<ul style="list-style-type: none"> Addressed in (21.02) Municipal Profile Physical Features and the Environment for terrestrial and marine environment 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Acknowledged in vision statement (21.04) and Strategic Framework Plans 	<ul style="list-style-type: none"> Vision statements could be re-ordered to be consistent with Draft VCS hierarchy of principles and expanded to make specific mention of marine environment
	<ul style="list-style-type: none"> Acknowledged in (21.05-2) Natural Environment – issues, objectives and strategies 	<ul style="list-style-type: none"> Appropriate but could be expanded to clearly address marine environment
Sustainable use of natural resources	<ul style="list-style-type: none"> Not directly addressed in (21.05-2) Municipal Profile 	<ul style="list-style-type: none"> Municipal Profile (21.02) Physical Features and the environment could be extended to address issue
	<ul style="list-style-type: none"> Acknowledged in vision statement (21.04) and Strategic Framework Plans 	<ul style="list-style-type: none"> Vision statements could be re-ordered to be consistent with Draft VCS hierarchy of principles and expanded to make specific mention of marine environment
	<ul style="list-style-type: none"> Not directly addressed in (21.05-2) Natural Environment 	<ul style="list-style-type: none"> (21.05-2) Natural Environment objectives and strategies could be developed to address this issue

4 Planning Scheme Review

Table 4: Queenscliffe Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Integrated approach to land and water management	<ul style="list-style-type: none"> Not addressed in Municipal Profile (21.02) 	<ul style="list-style-type: none"> Address the issue in (21.02) Municipal Profile Physical Features and the Environment
	<ul style="list-style-type: none"> Not mentioned in Vision Statement (21.04) 	<ul style="list-style-type: none"> Vision statement could be re-ordered to be consistent with VCS hierarchy of principles and expanded to address integrated land and water management
	<ul style="list-style-type: none"> Not directly addressed in (21.05-2) Natural Environment 	<ul style="list-style-type: none"> Not directly addressed in (21.05-2) Natural Environment
Protection and Enhancement of Indigenous Vegetation	<ul style="list-style-type: none"> Addressed in (21.02) Municipal Profile Physical Features and the Environment 	<ul style="list-style-type: none"> Comments in (21.02) could be strengthened
	<ul style="list-style-type: none"> Not directly mentioned in vision statement (21.04) 	<ul style="list-style-type: none"> Vision statements could be re-ordered to be consistent with Draft VCS hierarchy of principles and expanded to make specific mention of marine environment and strengthened to address indigenous vegetation
	<ul style="list-style-type: none"> Addressed broadly in (21/05-2) Natural Environment – strategies. Acknowledged in implementation of overlays 	<ul style="list-style-type: none"> Objectives and strategies in (21.05-2) Environment could be strengthened to address this issue Appropriate acknowledgement in overlays

4 Planning Scheme Review

Table 4: Queenscliffe Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Defining Urban Development	<ul style="list-style-type: none"> Addressed in Municipal Profile (21.02) The Urban Areas 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Addressed in vision statement (21.04) 	<ul style="list-style-type: none"> Acknowledged in vision statement (21.04) and Strategic Framework Plans
	<ul style="list-style-type: none"> Addressed in (21.05-1) Settlement and (21.05-3) Living 	<ul style="list-style-type: none"> Appropriate
Land Use & Access Sustainability	<ul style="list-style-type: none"> Not addressed in (21.02) Municipal Profile 	<ul style="list-style-type: none"> Commentary could be included in (21.02) Municipal Profile about the role of the coastal areas
	<ul style="list-style-type: none"> Addressed in vision statement (21.04) 	<ul style="list-style-type: none"> Acknowledged in vision statement (21.04) and Strategic Framework Plans
	<ul style="list-style-type: none"> Not directly addressed in (21.05) 	<ul style="list-style-type: none"> Role of coastal areas, land use and access could be strengthened in (21.05-1) Settlement, (21.05-2) Environment and (21.05-3) Living – Leisure, Recreation and Open Space
Recreation and Tourism Opportunities	<ul style="list-style-type: none"> Addressed in (21.02) Municipal Profile Physical Features and the Environment and The Urban Areas 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Addressed in vision statement (21.04) with focus on recreation and open space 	<ul style="list-style-type: none"> Vision statements could be re-ordered to be consistent with Draft VCS hierarchy of principles and expanded to make specific mention of marine environment and strengthen statements to address tourism outcomes

4 Planning Scheme Review

Table 4: Queenscliffe Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
	<ul style="list-style-type: none"> ▪ Addressed in (21.05-4) Economic Development – Tourism 	<ul style="list-style-type: none"> ▪ Appropriate
Coastal Character	<ul style="list-style-type: none"> ▪ Addressed in (21.02) Municipal Profile The Urban Areas and Development of the Towns ▪ Addressed in vision statement (21.04) ▪ Addressed in (21.05-2) Environment – Heritage Conservation and Urban Character 	<ul style="list-style-type: none"> ▪ Commentary in Municipal Profile could be strengthened to include findings from urban character study ▪ Acknowledged in vision statement (21.04) and Strategic Framework Plans ▪ Appropriate – updated to include the findings of the urban character study

4 Planning Scheme Review

Table 5: Surf Coast Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Protection and Enhancement of significant values	<ul style="list-style-type: none"> ▪ Acknowledged broadly in vision and mission (21.02-2) ▪ Acknowledged in (21.03-3) Key Objectives ▪ Addressed in (21.04-1) Environment and Landscape ▪ Addressed in (21.05) Environment Strategy in (21.05-2) Vegetation and Biodiversity and (21.05-3) Coastal, intertidal and marine environments and (21.06) Landscape and Culture Strategy 	<ul style="list-style-type: none"> ▪ Commentary in (21.03-3) Key Objectives could be expanded to express coastal environment as encompassing terrestrial, marine and estuarine areas. ▪ Commentary in (21.04-4) could be strengthened to address marine and estuarine areas ▪ Good cross referencing to strategies ▪ Implementation actions in (21.05-3) could be strengthened to address strategies in detail or cross reference to other policy ▪ No direction given as to how implemented through overlays
Sustainable use of natural resources	<ul style="list-style-type: none"> ▪ Not directly dealt with in vision and mission (21.02-1, 21.02-2) or (21.03-3) Key Objectives ▪ Not directly addressed in (21.04-1) Environment and Landscape ▪ Not directly addressed in (21.05-3) Coastal, intertidal and marine environments 	<ul style="list-style-type: none"> ▪ Issue should be addressed in the vision mission and key objectives ▪ Commentary could be expanded in (21.04-1) Environment and Landscape to address sustainable use of natural resources, particularly in marine and estuarine areas ▪ (21.05-3) Objectives strategies and implementation actions should be reviewed to strengthen the outcomes for sustainable use of natural resources

4 Planning Scheme Review

Table 5: Surf Coast Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Integrated approach to land and water management	<ul style="list-style-type: none"> Not directly dealt with in vision and mission (21.02-1, 21.02-2)) or (21.03-3) Key Objectives 	<ul style="list-style-type: none"> Issue should be addressed in the vision mission and key objectives
	<ul style="list-style-type: none"> Addressed broadly in (21.04-1) Environment and Landscape as issues to consider 	<ul style="list-style-type: none"> The need for an integrated approach to land and water management could be more clearly articulated in (21.04-1) Environment and Landscape
	<ul style="list-style-type: none"> Addressed in (21.05) Environment Strategy (21.05-3) Coastal, intertidal and marine environments and (21.05-4) Streams and wetlands 	<ul style="list-style-type: none"> Strategies and implementation actions could be better articulated and defined for management outcomes in (21.05-3) Coastal, intertidal and marine environments
Protection and Enhancement of Indigenous Vegetation	<ul style="list-style-type: none"> Not directly dealt with in vision and mission (21.02-1, 21.02-2)) or (21.03-3) Key Objectives 	<ul style="list-style-type: none"> Issue should be addressed in the vision mission and key objectives
	<ul style="list-style-type: none"> Addressed broadly in (21.04-1) Environment and Landscape as issues to consider 	<ul style="list-style-type: none"> Appropriate but areas of key priority should be nominated in (21.04-1) and linked to (21.06)
	<ul style="list-style-type: none"> Addressed in (21.06) Landscape and Culture Strategy and in (22.01) Coastal Development Policy 	
	<ul style="list-style-type: none"> Addressed in (21.05) Environment Strategy, (21.05-2) Vegetation and Biodiversity in objectives, strategies and implementation actions 	<ul style="list-style-type: none"> Actions should be reviewed in (21.05-2) to consider the need for overlays as implementation mechanisms or greater cross referencing to (21.06) Landscape and Culture Strategy

4 Planning Scheme Review

Table 5: Surf Coast Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
	<ul style="list-style-type: none"> Coastal Development policy in (22.01) addressed issue in detail for urban centres 	<ul style="list-style-type: none"> Appropriate
Defining Urban Development	<ul style="list-style-type: none"> Not directly dealt with in vision and mission (21.02-1, 21.02-2)) or (21.03-3) Key Objectives Acknowledged in (21.03-3) Key Objectives – Best of All Worlds and Planning 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Addressed in (21.04-2) Housing and Settlement and in strategic framework for townships 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Addressed in (21.08) Tourism Strategy individual township strategies in (21.10) to (21.17) 	<ul style="list-style-type: none"> Appropriate but could have better cross referencing between policies
Land Use & Access Sustainability	<ul style="list-style-type: none"> Not directly dealt with in vision and mission (21.02-1, 21.02-2)) or (21.03-3) Key Objectives 	<ul style="list-style-type: none"> Not directly dealt with in vision and mission (21.02-1, 21.02-2)) or (21.03-3) Key Objectives but could be clarified to address role of coastal areas
	<ul style="list-style-type: none"> Addressed in (21.04-2) Housing and Settlement and in strategic framework for townships and (21.08) Tourism Strategy 	<ul style="list-style-type: none"> Appropriate but could do with some cross referencing strategy
	<ul style="list-style-type: none"> Acknowledge in (21.08) Tourism Strategy and strategies for individual townships 	<ul style="list-style-type: none"> Appropriate

4 Planning Scheme Review

Table 5: Surf Coast Planning Scheme – Coastal Issues Gap Analysis

	Existing	Comments
Recreation and Tourism Opportunities	<ul style="list-style-type: none"> Acknowledged in (21.03-3) Key Objectives – Tourism 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Acknowledged in (21.04-1) The Tourism Sub-Economy and (21.06-4) Leisure, Arts and Public Open Space 	<ul style="list-style-type: none"> Appropriate but need better cross referencing between policies
	<ul style="list-style-type: none"> Addressed in (21.08) Tourism Strategy and in strategies for individual townships 	<ul style="list-style-type: none"> Appropriate but could have some cross referencing to other settlement policies
Coastal Character	<ul style="list-style-type: none"> Acknowledged in (21.03-3) Key Objectives Surf Coast Design 	<ul style="list-style-type: none"> Appropriate
	<ul style="list-style-type: none"> Not directly acknowledged in Strategic Framework in (21.04) but cross referenced to Landscape and Culture Strategy (21.06) 	<ul style="list-style-type: none"> Commentary in (21.04) Environment and Landscape and (21.04-3) Housing and Settlement could more directly articulate coastal character issues to link with more detailed strategies and policies in Clauses 21 and 22
	<ul style="list-style-type: none"> Addressed in (21.06) Landscape and Culture Strategy and strategies for individual townships and in Clause (22.01) Coastal Development Policy 	<ul style="list-style-type: none"> Appropriate

5 Planning Scheme Boundary Issues

5 Planning Scheme Boundary Issues

5.1 Introduction

The consideration of the planning scheme boundary issue involved an assessment of the need for and implications of extending planning boundaries to include intertidal and marine environments. It included defining the need to extend planning controls offshore, the distance offshore that planning controls should extend, the appropriate zone and overlay content that should be applied to this area, and any coordinating mechanisms required to implement these planning controls.

5.2 Context

The initial Victorian Coastal Strategy contained (among other things) an objective to “integrate planning and approval processes in the coastal and marine environment.”

Issues identified for consideration included:

Extension of coastal municipal boundaries into the water (ideally up to 600m from high water mark) to enable legal enforcement of existing statutory powers (eg Health Act 1958, Litter Act 1987, Local Government Act 1989) will be investigated. This is not to duplicate existing legislated responsibilities such as for oil spills, port management, vessel operating rules and commercial fishing.

The uniform application of planning schemes over coastal waters and bays will be encouraged to ensure uses and development are dealt with under the Planning and Environment Act 1987.

The Victorian Coastal Strategy 2002 (VCS) in the Built Environment & Coastal Infrastructure theme maintains the objective of integrating planning and approval process and nominates on the following actions to achieve the objectives:

Coastal land – public and private

Lead Agent: Department of Natural Resources and Environment in partnership with Department of Infrastructure, Local Government.

5.1.1 Opportunities will be actively sought to improve and better integrate the processes and objectives of the Coastal Management Act 1995 with the Planning and Environment Act 1987, with a view to eliminating duplications in development approvals.

5.1.2 Opportunities to implement agreed recommendations from the Coastal and Marine Planning Programs will be actively pursued.

The marine environment

Lead Agent: Department of Infrastructure in partnership with Local Government, Department of Natural Resources and Environment

5.1.3 Consistent coastal planning scheme boundaries in the marine environment will be pursued subject to consultation (notionally 600m from high water mark) to establish a planning framework for use and development in the near shore and marine environment.

5 Planning Scheme Boundary Issues

In addition, the Victorian Coastal Strategy seeks to “provide direction for the location and scale of use and development on the coast” and some of the actions identified to achieve this include:

- 5.2.1 *Opportunities will be actively sought to ensure that Municipal Strategic Statements take account of the special nature and character of the coast and the characteristics and role of the coastal cities, towns, villages and bayside suburbs.*
- 5.2.2 *The essential character of coastal settlements, undisturbed areas between settlements and the developed populated coast will be protected through mechanisms such as the development of local guidelines and planning scheme overlays, for the siting and design of structures on the coast.*
- 5.2.4 *Planning schemes will be the primary tool used to avoid proliferation of development outside existing settlements and in the vicinity of free standing major visitor centres or resorts and inappropriate development within existing settlements.*
- 5.2.6 *Excluding the urban settlements around Port Phillip, appropriate areas for coastal developments will be confined to activity and recreation nodes within existing settlements defined with the community having regard to the criteria outlined in Figure 8 (of the VCS).*

Achieving consistency in coastal planning scheme boundaries is clearly an action identified to assist in integrating planning and approval processes in the near shore and marine environment. The benefits of this outcome are greater co-ordination of the roles and responsibilities of agencies who are landowners, planners, managers and regulators. The planning scheme is one tool where the approval process can be co-ordinated in a robust framework provided by the Planning and Environment Act 1987.

5.3 Current Planning Scheme Boundaries on Central West Coast

At present there is no consistency on the extent of the planning scheme boundaries for the four municipalities of the Central West region. Within the Port Phillip Bay area, the Greater Geelong and Queenscliffe planning scheme boundaries extend beyond the municipal boundary for a distance of 600 metres from the low water mark. However, once outside the bay confines, the extent of the planning scheme boundaries appears (from the scheme maps) to be zero at Queenscliffe and only 100 metres at Greater Geelong. The Surf Coast planning scheme boundary extends for a distance of 600 metres from the low water mark. The Colac-Otway planning scheme boundary is co-incident with the municipal boundary and extends to low water mark, with the exception being an extension seaward to include the area of Apollo Bay Harbour between the land and the breakwater.

In other words, there is presently no consistency at all along the coast with respect to planning scheme boundaries with variations ranging from 600m from the low water

5 Planning Scheme Boundary Issues

mark in the Lonsdale Bay part of Queenscliffe; to zero along the Queenscliffe exposed coast; to approximately 100m (scaled) along the Greater Geelong exposed coast; to 600m from low water at Surf Coast; to zero at Colac Otway with one exception.

5.4 Legislative Basis

The primary legislative basis governing planning along the outer coast of Victoria is the Planning and Environment Act 1987 and the Coastal Management Act 1995.

The Planning and Environment Act establishes a framework for planning the use, development and protection of land in Victoria in the present and long term interests of all Victorians.

The Act sets up a system for planning which is based on municipal planning schemes. These municipal planning schemes include state, regional and local policies (including the municipal strategic statement), and relevant zones and overlays from the Victoria Planning provisions.

The Coastal Management Act establishes the Victorian Coastal Council and Regional Coastal Boards; provides for coordinated strategic planning and management of the Victorian Coast; provides for the preparation and implementation of management plans for coastal crown land and provides for a coordinated approach to approvals for the use and development of coastal crown land.

The Coastal Management Act, therefore is a more specific piece of legislation relating to strategic planning and management of the coast and use and development of coastal crown land. It does not of itself provide for development control over private land, however it does provide for strategic planning of private land along the coast. Under the Coastal Management Act 1995, any use or development of the seabed requires a Coastal Management Consent from the Minister of Conservation. This consent does not require consideration of impacts on adjoining land.

To take advantage of the planning framework and approvals processes under the Planning and Environment Act, it is necessary for the strategy and plans, under the Coastal Management Act, to be incorporated, as appropriate, into the policies in planning schemes. This will ensure that coastal management issues are considered in most planning decisions for both public and private land. The only limitations are where an Order in Council provides that a Minister is exempt from planning schemes; a provision of a planning scheme is inconsistent with a permanent reservation; or, the planning scheme itself provides an exemption.

The processes for consent for use and development of private and public land are well established under the Planning and Environment Act. This also extends to the processes for community involvement in the decision making afforded by third party appeal provisions. In comparison, the processes for community involvement in a consent under the Coastal Management Act are not as well structured. This is particularly the case where there is no consent required which provides a linkage to the established processes under that Act.

5 Planning Scheme Boundary Issues

In effect, the operation of the consent process under the Coastal Management Act in isolation from that of the Planning and Environment Act provides a significantly less transparent and structured consent process. On one view, it could be suggested that there is a need to ensure a linkage between the jurisdiction of the two Acts in order to achieve sound processes for consent for use and development on Crown Land along the coast. It also provides a mechanism whereby the approval agencies can coordinate their strategic outcomes through the decision making process.

The contrary view that has been offered by Council representatives in this study is that the dual processes can result in overlap and confusion in terms of responsibilities. It is considered that to some extent this is a reflection of the lack of clear articulation of roles and responsibilities that seems to prevail concerning planning and management along the coast. Through the CMPP projects for south west, central west and Port Phillip Bay this has found to be symptomatic of concerns expressed by planners and land managers. The CMPP projects for Port Phillip Bay and the outer western coast have clearly called for a greater level of consistency in approaches to planning and management and improved coordination and integration of outcomes being sought for both public and private land.

It should be noted that the Planning and Environment Act also provides the ability to link with the Environment Effects Act 1978. In the case where a development project requires a comprehensive level of environmental impact assessment, there is the opportunity to coordinate the assessment and approvals processes. This linkage does not exist with the Coastal Management Act. The importance of this linkage is likely to become more significant with the reforms being initiated to the environmental impact assessment process. The resultant outcomes are likely to be a requirement for greater levels of environmental impact assessment in a transparent decision making process. This sits more comfortably in the framework of the Planning and Environment Act than it does under the Coastal Management Act.

5.5 Other Regions

There are currently two complementary studies which addressed the issue of the limit of the planning scheme boundaries, one for Port Phillip Bay and the second for the South West Coast.

Port Phillip Bay

As part of the Port Phillip CMPP the Association of Bayside Municipalities (ABM) has now released the *Extension of Planning Scheme Boundaries in Port Phillip Bay* report (PRB Consulting, August 2001) which analysed a variety of options for the ten municipalities around Port Phillip Bay ranging from leaving the present inconsistent regime in place to preparing a new planning scheme for the Bay with the Minister for Planning as the planning authority. Ultimately, the preferred option was to extend all ten municipal planning scheme boundaries into the bay a set distance of 600 metres seaward. The distance of 600 metres was adopted as it had existed for over twenty years since the introduction of the Port Phillip Authority and it was consistent with a number of the existing planning scheme boundaries of bayside municipalities.

5 Planning Scheme Boundary Issues

In Port Phillip Bay, the following table shows the uses and development that councils wish to control and why they want the control.

Use or development	Reason for the control
Piers and jetties (including developments thereon)	Consideration of appropriate use, design, heritage or on-shore impacts
Floating apartments	Off-shore and on-shore impacts
Pontoons and moorings	Environmental and on-shore impacts
Floating structures (permanently moored or moored seasonally)	On-shore impacts
Dredging	Environmental impact, on-shore impacts and amenity
Use of watercraft *	On-shore impacts, amenity and safety
Off-shore development	Environmental impact, on-shore impacts and amenity
Marinas and boat harbours	Environmental impact, on-shore impacts and amenity
Sand and shell grit removal	Avoid jurisdictional issues
Extensions of land based activities into water	Compatibility with land-based planning
Reclamation and filling	Environmental impact
Brothel	Lakes Entrance example
Boat ramps	Environmental impact, on-shore impacts and amenity
Private jetties	Environmental impact, on-shore impacts and amenity
Heritage structures	Consideration of heritage issues

* May not be a use or development with the meaning of the *Planning and Environment Act 1987*.

Source: PRB Consulting August 2001

It is evident from the Port Phillip Bay study that the key reasons for wanting control over use or development in the near shore environment is to ensure an appropriate level of environmental impact assessment and consideration of the associated onshore impacts that ultimately arise.

The Port Phillip Bay study also considered the issue of resourcing that extension of the planning scheme boundary might raise.

The councils that currently exercise control over the Bay did not consider it to be a significant resourcing issue in the overall number of permits dealt with. Most indicate two to three applications a year arise under these controls. One council noted that extending the planning scheme is different to extending the municipal boundary, and that if the municipal boundary was extended the resource implications could be very significant. The councils that did not have planning schemes covering all of the waters abutting their municipalities did not see significant resource issues arising if the planning schemes were extended over the Bay.

5 Planning Scheme Boundary Issues

The extension of planning schemes to a consistent 600 m boundary was recommended in the coastal Councils around Port Phillip Bay in order to achieve an integrated approach to planning at the public / private interface.

South West Coast

By contrast a study on the south west coast undertook a similar analysis and found no need for an extended planning area. The Western Coastal Board Final Report (Draft – February 2001 – Connell Wagner Pty Ltd) noted:

The benefits of extending the planning scheme and/ or municipal boundaries would include increased control for Council in terms of planning in coastal bays and waters. When considered across the four municipalities, benefits could arise in terms of the potential to increase regional consistency of management of activities within this area. The main disadvantage of extension of the boundaries would include potential duplication and confusion between management responsibilities for the area seaward of the high water mark as there are currently numerous parties with a role in the management of this area.

Discussions with Councils in relation to this issue indicated that there was generally minimal support for the extension of either the planning scheme or municipal boundaries. While Councils generally considered that benefits could arise in terms of increased control and management, there was concern expressed that Councils had inadequate resources and expertise to effectively undertake planning in this area and that the State government agencies would be better placed to retain a management role. The Department of Infrastructure (DOI) indicated that the issue of extending planning scheme and/or municipal boundaries had been under consideration for a number of years but that the Department had no definitive position on the issue. DOI indicated that it would be unlikely to support a recommendation that required Councils to undertake extension of the boundaries if Councils themselves did not support such a move.

Given the general reluctance by Councils to support extension of boundaries, it is not recommended as part of this study that planning scheme or municipal boundaries be extended seaward. This recommendation is supported by the conclusions reached earlier regarding the relatively low level of development pressure within the region and the generally good effectiveness of existing planning controls.

It is noted that the South West Coast study appears to be fairly limited in the consideration of boundary issues. It also considered both extension of planning scheme boundary along with the municipal boundary and this is likely to have raised concerns by the Councils and may have biased the planning boundary outcomes. The analysis or investigations do not appear to consider the working relationship between the governing legislative elements as outlined above in this study. The study also does not consider or identify the range of uses that Councils might wish to control along the coastal intertidal area. This is particularly surprising given the

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attention of the coastal area for energy resource developments and opportunities that are proposed both onshore and offshore.

It is suggested that the extent of analysis undertaken is not sufficient to have reached the conclusion that the planning scheme boundary not be extended into the marine environment.

5.6 Consultation and Assessment

A similar level of consultation and assessment has been conducted with respect to the Central West Coast area. Discussions have taken place with representatives of Queenscliffe, Greater Geelong, Colac-Otway and Surf Coast Councils as well as with officers of the Central West Coast, DOI, NRE and Parks Victoria.

As with Port Phillip, typical activities which have or may arise in either the marine or terrestrial coastal environment include:

- Piers and jetties
- pontoons and moorings
- Floating structures
- Marinas and boat harbours
- Boat ramps
- Re-use (usually commercial) of existing structures such as pavilions, change sheds etc
- New land based structures including pavilions, kiosks etc
- Aquaculture
- Offshore reefs
- Alterations to natural landforms
- Sand and shell grit removal
- Heritage structures such as shipwrecks
- Alternative energy developments.

Realistically however, it is those activities which involve the commercial use of existing structures or the design of new land based structures which are most likely to occur. Unlike the sheltered waters of Port Phillip Bay, the prospects of things such as a marina or boat harbour are much less likely. The opportunities for other activities are likely to arise as increased pressure for development along the coast continues.

Overwhelmingly, there was a call for local government to have a consistent level of control within the region for at least 600 metres offshore. This would typically give Council planning control over the recurrent activities which are likely to occur especially building design and commercial use/re-use. Only Colac-Otway resisted such an extension for reasons similar to those Councils further to the west in that they are satisfied that there is already a sufficient level of control exercised by NRE.

Colac Otway question the extent of development that is likely beyond the low water line in the Shire other than in Apollo Bay Harbour, which is already included in the planning scheme. If development did occur the Shire believes that it should be left to the scrutiny and expertise of State agencies as currently exists. This position

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appears to contrast somewhat with policy statements in the various components of the Strategic Development Master Plan. In particular, the implementation of Skene's Creek to Marengo Coastal Action Plan calls for protection of sensitive coastal and intertidal zones from development pressure and further the protection of Little Henty reef area. Development opportunities at Apollo Bay Harbour are also identified and although this area is protected by the planning scheme, the surrounding marine environment is not afforded such protection. Development impacts off site should be considered in the planning framework through the planning scheme. The extension of the planning scheme boundary would in fact assist in implementation of the various elements of the Master Plan. Council officers also raise the issue of resultant increase in resources needed to deal with and process applications for consent under the extended planning scheme.

Extension of the planning scheme boundary has already ensured in the Surf Coast Shire. The planning officers have indicated that this has not resulted in confusion about roles, nor has it resulted in a significant increase in applications and hence a requirement for additional resources.

In the case of Greater Geelong and Queenscliff, extension of the planning scheme boundary would provide consistency with the boundary of the two schemes in Port Phillip Bay. In Queenscliff it would provide greater certainty for planning controls which affected the entrance to Port Phillip Bay and would then capture major development proposals such as the planned deepening of the channel that will no doubt have impacts on the outer coast as well as Port Phillip Bay.

Along the Barwon Coast, extension of the planning scheme to 600 m would afford additional planning controls for protection for the near shore coast which contains recognised shell fish habitat and important estuaric areas at Buckleys Bay. For example, any further expansion of the Black Rock Treatment plant that involved offshore outfall would be captured by extended planning controls. It would also provide an opportunity to implement overlays in the planning scheme to raise awareness about the adjacent marine resources in the near shore zone.

NRE made the point that they already responsibly exercise a relevant level of control and that there is the prospects of duplication and confusion if local government exercises planning control.

However, Council's remain concerned that in terms of both use and development they would like to be formally within the approval "loop" so that they can consider an application against the strategic aspects of their planning scheme as well as some of the detailed design criteria. For instance, Surf Coast has detailed design guidelines relating to development along coastal areas. While they acknowledge that the present NRE regime and officers have had careful regard to such matters, this may not be the case forever. They want to see a more regulated environment with the local Council having a clear role to play.

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5.7 Zones and Overlays

It is not the purpose of this analysis to address appropriate zones or overlays however it seems clear that the Public Conservation and Resource Zone (PCRZ) is the typical control placed on the marine environment; while the Public Parks and Recreation Zone (PPRZ) is applied to the coastal areas. An appropriate “development” type overlay would be the Design and Development Overlay (DDO) which would enable things such as the Surf Coast Design Guidelines to be “collapsed” into the DDO schedule to provide a transparent one stop shop. It is noted that DNRE resist the need for any overlays over the PPRZ or PCRZ again on the basis that they are already responsibly considering and addressing all relevant issues. This also is consistent with NRE’s general view on exemptions for public land managers that exist in the PPR2 and PCR2 zones.

The issue of exemptions for public land managers in zones and overlays was considered in the Port Phillip Bay project. The key discussion and outcomes are as follows from the PBR Consulting August 2001 report.

The public land zones applying to Port Phillip Bay contain exemptions from planning permits for use and development carried out by or on behalf of public land authorities. These exemptions could extend to third parties carrying out activities under lease or licence granted under the legislation for the public land authority.

Many of the activities which the councils wish to control under the planning scheme, would be exempted from the operation of the zones by these provisions.

These exemptions operate by reference to the organisation carrying out the use or development rather than to the impacts of the development.

Options for overcoming the exemptions:

Option 1 — Do nothing

The current exemptions in the zones remain and councils can only control development under an overlay.

Option 2 — Remove the current exemptions

Public authorities would need planning permits for use and development, other than maintenance. This could raise jurisdictional issues with local government regulating state government activity.

Option 3 — Modify the exemption so that public authorities are exempt only where the use or development is consistent with policies in the planning scheme

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This option would require a policy for Port Phillip Bay to be prepared, possibly through a coastal action plan, and appropriate elements of the coastal action plan included as policies into the planning schemes. This option is most likely to achieve integrated coastal management.

This raises similar issues for extension of planning schemes and in turn application of zones and overlays for the outer coast in general and for the Central West coast. It is suggested that similar to Port Phillip Bay, coastal strategic policy undertaken by Councils or NRE under either the Planning and Environment Act or the Coastal Management Act could be incorporated into the coastal planning schemes and form the basis for exemptions. In this way, the strategic planning outcomes for this coast would be clearly articulated and integrated into the planning scheme. This outcome is clearly an objective promoted by the Victorian Coastal Strategy. The call for this integration of coastal policies by land managers for the near shore area is also made clear in the Port Phillip CMPP.

In the Central West region, key strategies which need to be given effect to include the Regional CAP, and Estuaries CAP along with other local strategic plans such as the Colac Otway Strategic Development Master Plan. In addition, the Victorian Coastal Strategy and associated Siting and Design Guidelines for Structures on the Victorian Coast also need to be implemented through the planning schemes. The Victorian Coastal Strategy is clearly intended to ensure greater integration of planning for the coast in both the land and marine environment.

5.8 Summary

In varying degrees, all four Councils are likely to experience increased levels of activity within the marine and terrestrial environment along the Central West Coast. The region is in close proximity to the metropolitan area and is increasingly the focus of residential, recreation and tourism activity. As has been concluded within the Port Phillip Bay area, there is merit in having a consistent approach to the planning scheme boundaries along the region.

The Victorian Coastal Strategy expresses as state policy for coastal public and private land desired outcomes which include:

- Improving and better integrating the processes and objectives of the Coastal Management Act and the Planning and Environment Act with a view to eliminating duplications in development applications.
- Implementing agreed recommendations from CMPPs.
- Pursuing consistent coastal planning scheme boundaries in the marine environment.

Extension of planning scheme boundaries (notionally 600 m from high water mark) is the third of these stated outcomes which is the mechanism that will assist to achieve the other two outcomes.

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There are benefits to be gained from extension of the boundaries throughout the Central West coast and these include:

- Opportunities to integrate strategic planning of all land managers into the planning scheme and providing a comprehensive and coordinated framework for use and development in the near shore and marine environment.
- Opportunities to ensure that there is a robust constant framework for use and development that provides for community input into decision making.
- Strengthening the linkages between the Planning and Environment Act, Coastal Management Act and Environment Effects Act in light of reforms that are forthcoming in relation to environmental impact assessment.
- Providing a formal framework for municipal Councils to be involved in the decision making of public land managers in relation to development in the near short and marine environment.
- Providing opportunities for introduction of a planning framework that gives greater protection to the land / water interface as expressed in plans such as the Estuaries CAP and the Central West Regional CAP.
- Enables planning authorities to assess impacts of land based activities upon the marine environment and vice versa.

As outlined earlier, Surf Coast Shire has already extended its planning scheme boundary to 600 m. Extension of Greater Geelong and Queenscliff is logical in achieving consistency of the boundary of these two schemes as applied to Port Phillip Bay. Extension of Colac Otway would provide further protection of the coastal environment consistent with the balance of this region.

Having regard to the state policy context and issues at both an local and regional level, it is recommended that the planning scheme boundaries in the Central West region be extended to 600 m from high water mark.

6 Conclusion

6 Conclusion

The Coastal Planning Scheme Review has identified a range of common issues for the four Municipal Councils in the Central West region, NRE, Parks Victoria and the Western Coastal Board in relation to coastal and marine planning and management.

The identification of key regional issues provided a basis for the development of a regional strategic statement or directions that comprises a policy “preamble” and objectives. This has formed the basis of objectives for the Central West Regional CAP.

There is a need to ensure that the four planning schemes are amended to incorporate the strategic statements and objectives. This is best achieved through the insertion of policy that gives effect to the regional CAP. Each of the planning schemes present different opportunities for insertion of an appropriate policy statement in the LPPF.

There is scope to enhance all four planning schemes in terms of the manner in which they address coastal planning and management issues. The Colac Otway and Queenscliffe planning schemes require more extensive enhancement of the policy basis for coastal issues than Surf Coast and Greater Geelong.

Improvements to the four planning schemes should take into account the “model” for coastal issues that has been developed in the Port Phillip CMPP and is directly relevant to the Central West planning schemes. It is recommended that each Council undertake a detailed review of their planning schemes to examine how coastal issues are addressed and the extent of integration that is needed across policy themes. The enhancement of planning schemes also needs to include the incorporation of strategic planning undertaken by public land managers for coastal areas that is currently not acknowledged or given effect to in the planning schemes.

The boundaries of the planning schemes in the Central West region should be amended to extent out 600 metres seaward. This would achieve consistency in boundary areas and also provide a planning control regime for the nearshore marine environment. It would also be consistent with the actions recommended in the existing and Draft Victorian Coastal Strategy.