

14 August 2021

DELWP

Attn: Mia Davidson & Michael Everett

Cc: Lisa Neville, MP
Richard Wynne, MP
Stephanie Asher, Mayor CoGG,
Councillors Sullivan & Mason, COGG Bellarine Ward
Gareth Smith, CoGG Director of Planning & Economy

SUBMISSION ON THE DRAFT BELLARINE PENINSULA STATEMENT OF PLANNING POLICY

The Ocean Grove Community Association (OGCA) welcomes this opportunity to make the following submission to the Draft Bellarine Peninsula Statement of Planning Policy (SPP).

Overall Response

From an overall perspective, the OGCA very strongly supports the draft SPP, in particular its proposal to apply permanent protected settlement boundaries around all Bellarine Peninsula towns in their current location as shown in Council's Settlement Strategy and township Structure Plans. The following sections of this submission outline in further details our reasons for support of the Ocean Grove township boundaries as shown in the draft SPP.

OGCA is very pleased that the Government and our local member Lisa Neville are delivering on their promises that the Bellarine Peninsula's attractive rural landscape and significant environmental features would be protected from further outward growth of urban sprawl.

We believe protection of these areas is vital not only for the health and benefit of existing residents and our future generations, but also for the many hundreds of thousands of visitors to the Peninsula from Geelong and Melbourne, other regional areas, interstate and overseas. It is imperative that the qualities which attract residents and visitors alike continue to be protected and enhanced for all of the reasons outlined in the draft SPP and accompanying Background Paper.

Timely implementation of the SPP into the various Planning documents is a major concern. There is no implementation plan in the SPP. We believe the SPP should contain, at a minimum, an Outline Implementation Plan containing key actions to be undertaken, who is responsible to lead the action, the timeframe the action is to be completed and the resources to be allocated to each action. This is consistent with the State Government's Performance Based Planning approach. The current DELWP Draft Marine and Coastal Strategy contains examples of setting implementation plans (noting it does not include resource allocations).

Background

The OGCA has been actively involved in the DAL process since its inception and submitted a detailed submission to the Phase 2 consultation process. We are an active member of the Combined Bellarine Communities Association and we are broadly supportive of the detailed submissions of each of the Associations. We have undertaken liaison with representatives of a number of local community groups, including Geelong Field Naturalists, Friends of the Ocean Grove Nature Reserve and Bellarine Health Community Advisory Committee.

Our Association has actively participated in the process leading to the approval of COGG's Settlement Strategy and accompanying Amendment C395 to the Greater Geelong Planning Scheme including the independent Panel Hearing.

As part of its campaign to keep the Ocean Grove town settlement boundary unchanged, OGCA has undertaken an online "Enough is Enough" campaign which to date has attracted over 5,000 supporting signatures. We believe this very high level of response is a clear demonstration of widespread community support for the imposition of protected township settlement boundaries as being proposed in the draft SPP. Our "Enough is Enough" campaign remains ongoing and can be viewed online on OGCA's website ogca.com.au

Response to Draft Bellarine Peninsula Statement and Planning Policy

1. A Vision for the next 50 Years

OGCA supports the vision as set out in the draft Statement of Planning Policy.

2. Policy Domains

The Association supports the objectives of each of the policy domains and notes that they have been produced in response to previous stages of community consultation and further detailed technical studies undertaken for DELWP.

We consider the objectives and accompanying strategies will provide a strong framework for future decisions which will be made in relation to future use and development of land, both within the townships and surrounding permanent green break areas.

Our Association strongly supports the elevated level of importance provided to the protection of the Peninsula's landscape qualities both by its declaration as a Distinctive Area Landscape pursuant to the Planning and Environment Act and further reinforced by the excellent detailed landscape assessment carried out by Claire Scott. Our Association understands there is also considerable evidence of an important close relationship between natural features and community health as detailed in the submission to DELWP from Bellarine Health Community Advisory Committee which adds even further weight for the need to protect our existing green breaks.

The Association also strongly supports the draft SPP translation and interpretation of the Victoria Planning Provisions Clause 11.03-4S (Coastal Settlements) and the Government's policy on coastal settlements (Marine and Coastal Policy 2020) at a local level for the Bellarine and Ocean Grove. These provisions and policies which emphasise the need to identify settlement boundaries around coastal towns and protect and retain surrounding rural green breaks are being further strengthened in the draft SPP.

3. Settlement Boundaries

As previously indicated, OGCA has a long standing position that Ocean Grove's existing settlement boundaries should be retained (as shown in COGG's Settlement Strategy and Ocean Grove Structure Plan). We believe the draft SPP and accompanying Background Paper contain irrefutable planning justification that protected settlement boundaries should be applied at their current location.

We strongly refute the proposition being made by the Oakdene developers in July 2021 press releases that restricting the boundaries to their current location will lead to a housing affordability crisis. This issue was addressed in detail by the Council in the preparation of the Settlement Strategy and was the subject of extensive presentations to the Amendment C395 Panel hearing. It has been clearly rejected and provides no basis for expanding urban sprawl into areas of high quality landscape and environmental values.

For the time being there is more than 10 years supply of residentially zoned land still available for development within the township boundaries. However we must all recognise that in the medium to long term it will be physically impossible to accommodate never-ending growth in Ocean Grove or indeed anywhere on the Bellarine Peninsula without destroying many of its unique qualities the SPP is attempting to retain and enhance.

There are three distinct and different areas around the edge of Ocean Grove which we are aware have been and are likely to continue to be subject of strong land owner and/or developer interests in undertaking further green field development which warrant further comment as follows:-

a) *North and West of the Ocean Grove Nature Reserve*

The OGCA believes that any urban development to the north and west of the Nature Reserve is likely to result in adverse environmental and storm water drainage impacts both to the Reserve itself and throughout the wider area.

The farmland to the north and west of the Reserve functions as a 'biolink'; an important transit route linking habitats where native fauna can safely access food, water and shelter. These biolinks are essential in order to maintain the genetic diversity of flora and fauna in the OGNR and more broadly across the Bellarine. Any development will reduce the biolinks functionality which in turn will severely impact the diversity of the OGNR, reducing ecological connectivity and leading to fragmentation and degradation of both habitat and species populations.

The western side of Grubb Road provides excellent views of the rural countryside and the Oakdene Winery along the most highly trafficked and important entrance to Ocean Grove. As such, it forms a strong, recognizable and defensible boundary and in our view no greenfield residential development should be (or ever have been), contemplated in this area.

At the Amendment C395 Panel Hearing, Ms Wendy Duncan, a Wallington landowner who opposes development in this area, presented expert evidence by Dr. Guy Dutton and Mr Barry Lingham on the impact of any future development on the bird life and importance of protecting the wildlife corridors through the area north and west of the Reserve. Our Association supports these expert evidence submissions copies of which are attached to this submission for completeness.

Our Association is also aware of and supports the submissions which have been prepared by the Geelong Field Naturalists and Friends of the Ocean Grove Nature Reserve which clearly demonstrate the potential environmental and storm water impacts which would be caused by development in this area.

b) *North up to Bellarine Highway*

The Bellarine Highway is a major route for both tourists and residents accessing Ocean Grove, Point Lonsdale and Queenscliff. Between Leopold and Point Lonsdale it travels predominantly through scenic rural farm land apart from three urban intrusions (Mitre 10, Wallington Aged Care, and a new Service Station).

The OGCA believes it is important that the existing rural vistas along the Bellarine Highway be retained. We suggest that the areas identified as having important "Road Corridor Views" in the framework plan could be subject to further consideration by DELWP and the

Council of the need to apply Significant Landscape Overlay provisions in the Planning Scheme to ensure their protection.

c) East of Banks Road

Apart from the small area at the north east corner of Shell and Banks Roads referred to in the draft SPP, Banks Road has always been seen as the eastern boundary of Ocean Grove. Any encroachment into the green break between Ocean Grove and Point Lonsdale simply cannot be justified for all the reasons set out in the draft SPP and accompanying Background Paper which recognize the impacts on the area's landscape significance and characteristics and highly valued and sensitive environmental qualities.

The Association supports the proposal to pull back the existing boundary at the two locations at the Banks Road/Shell Road intersection and further south in Bonnyvale Road, for the reasons set out in the draft SPP.

4. Housing Change Areas

Whilst there is still over 10 years supply of undeveloped residentially zoned land to provide for considerable township growth, the OGCA acknowledges and supports the need to identify areas within the town which are capable of accommodating a greater proportion of the town's future growth. In identifying Substantial Change Areas, particularly in old Ocean Grove around the town centre, we believe it must be accompanied with strong and effective planning provisions and protections in the Planning Scheme to ensure new development proposals respond to the town's unique coastal character, the significant local heritage and historical aspects of old Ocean Grove, the environment and the landscape features.

We recognise substantially similar measures identifying Increased Housing Diversity Areas around the town centre are already encapsulated in the approved 2017 Ocean Grove Structure Plan which are reflected in existing planning scheme policies and provisions resulting in examples where good quality medium density developments have occurred around the town centre.

Our Association will be pleased to participate in any future review by DELWP and the Council to ensure that even greater attention is given to protecting and enhancing the town's coastal character as described in the Background Paper. One of the key characteristics of old Ocean Grove is its well documented mature tree canopies and we would submit that their on-going future protection also needs to continue to form an important component of planning provisions in Substantial Change and Incremental Change Areas.

In addition we are aware of a comprehensive and well researched submission by one of our residents Dr Ann Hodgkinson, PhD detailing the unique heritage significance of old Ocean

Grove which we believe warrants further detailed consideration by DELWP and CoGG Council officers to ensure appropriate protections are implemented.

5. Bellarine Peninsula Framework Plan

Our Association believes it is absolutely essential that the Bellarine Peninsula be planned in an integrated and consistent manner as an overall entity, which the proposed Framework Plan successfully achieves.

In particular, we support the hierarchy of settlements as described in the Framework Plan, the proposals to impose protected settlement boundaries around all Bellarine Peninsula towns and conserve and enhance State and regionally significant landscapes and environmental areas. We also recognize the future Green Break areas are likely to provide opportunities for future tourist related developments and farming activities which fit comfortably within the objectives we are trying to protect. The prospect of wider use of recycled water provided from the Indented Head sewage treatment plant potentially providing for greater intensification of agricultural uses should be further explored.

6. Enforceability

Our Association is aware of the submission by Bellarine Community Health and we share their concern in regard to the enforceability of the Statement of Planning Policy once it is approved. We anticipate that developers will continue to look for ways to allow them to circumvent the SPP and RPEs might intentionally or unintentionally stray from the intent of the policy and its requirements.

Next Steps

Having witnessed many of the developers' presentations to the City of Greater Geelong Settlement Strategy Amendment C395 Panel Hearing, we have little doubt that the landowners/developers will be making strong and comprehensive submissions to DELWP seeking to expand the township boundaries to enable further outward urban expansion to occur.

The OGCA is pleased that a decision has been taken that submissions not be referred to an Advisory Committee for independent assessment. An Advisory Committee would put all volunteer community organizations at a severe disadvantage being unable to match the virtually unlimited legal and expert resources of developers.

In our view, the comprehensive planning arguments presented in both the draft SPP and accompanying Background Paper present an overwhelming argument in support of the draft SPP.

In these circumstances, we would urge the Minister to proceed with the next steps to enable the final SPP to be approved and implemented.

Implementation

Our Association looks forward to working closely with DELWP and Council in the future to ensure the objectives of the approved SPP are achieved and where necessary, changes made to the Greater Geelong Planning Scheme to further enhance their implementation. However, we believe DELWP should provide a clear, publicly available, implementation plan and schedule which sets out key actions, who will be responsible for the action, the timeframes and the resourcing. Implementation will, we expect, include undertaking any further studies, preparation of the necessary planning scheme amendments and further community and landowner engagement and participation. RPE's should be provided with the additional resources to ensure the timely implementation of the desired outcomes of the SPP.

It would indeed be unfortunate if the excellent work which has been undertaken to date is jeopardized by a lack of implementation and in this regard we would request DELWP ensures adequate funding and resources are applied to this process.

As a final point, we believe that no further review of the SPP should be undertaken within the initial 10 year timeframe both because of the extremely comprehensive exercise undertaken to date and the likelihood that the actual implementation process may extend for a further couple of years.



Phil Edwards

Chairperson

Ocean Grove Community Association Inc

Attachments:

1. Expert Witness Statement by Dr Guy Dutson to CoGG Amendment C395 Panel
2. Expert Witness Statement by Mr Barry Lingham to CoGG Amendment C395 Panel