Planning and Environment Act 1987

Bass Coast Planning Scheme

Amendment C179basc

Explanatory Report

Overview

This amendment represents a key implementation step in delivering strategically planned community infrastructure within the municipality. It gives effect to Council's long-term vision for a recreation precinct by transitioning land from a Farming Zone and Public Acquisition Overlay to the Public Park and Recreation Zone. In doing so, the amendment aligns the planning framework with the land's intended public purpose and facilitates the timely delivery of recreation, aquatic and community facilities to support population growth, liveability and regional visitation.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Wonthaggi	**Cowes**
76 McBride Avenue	91-97 Thompson Avenue
Monday to Friday	Monday to Friday
8.30am to 5pm	9am to 5pm

The amendment can also be inspected free of charge at the Department of Transport and Planning website at planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 5.00pm on XXXXXX.

A submission must be sent to:

Bass Coast Shire Council

Postal: PO Box 118, Wonthaggi VIC 3995

Email: strategic.planningadmin@basscoast.vic.gov.au

Panel hearing dates

Include for exhibited amendments and remove at adoption.

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: [insert directions hearing date]
- Panel hearing: [insert panel hearing date]

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Bass Coast Shire Council which is the planning authority for this Amendment.

The Amendment has been made at the request of the Bass Coast Shire Council.

Land affected by the amendment

The Amendment applies to the land in the Farming Zone (FZ) at the southwest corner of the intersection of Phillip Island and Ventnor Roads, Cowes, being Lot 1 PS 706350M and Res 1 PS 706350M.

The land comprises two large, regularly shaped parcels totalling 32.67 hectares.

It has a northern frontage to Ventnor Road of 808 metres and an eastern frontage to Phillip Island Road of 403.23 metres. The western portion of the site comprises the Hilton Chadwick Reserve.

The site is earmarked as the Phillip Island Recreation Reserve (the Reserve), with a Master Plan adopted for the site. The final Phillip Island Recreation Reserve Master Plan (the Master Plan) forms the basis and purpose for this amendment.

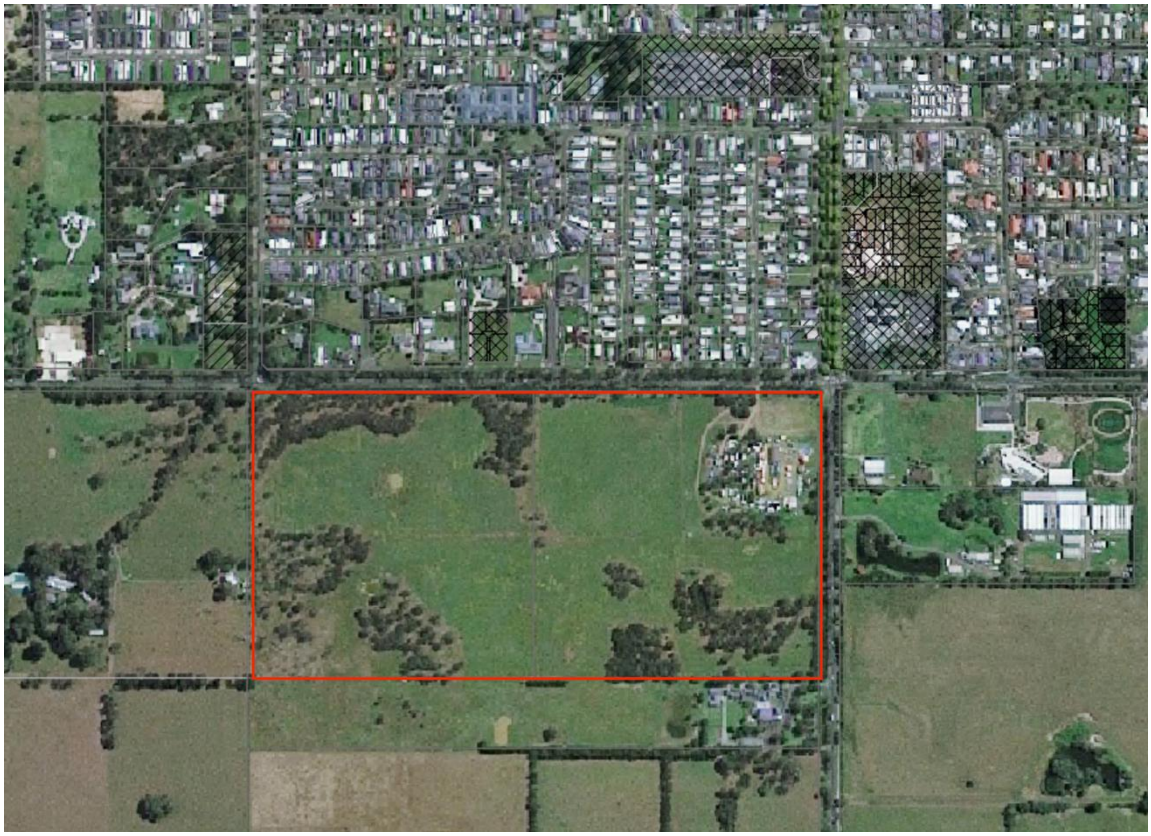


Figure 1: Land affected by the amendment

A mapping reference table is attached at Attachment A to this Explanatory Report.

What the amendment does

The amendment seeks to implement the Reserve Master Plan by rezoning the land from a Farming Zone (FZ) to a Public Park and Recreation Zone (PPRZ).

The Reserve has the purpose and function to meet the current and future sporting and recreation needs of Phillip Island and surrounding communities. A PPRZ will allow Council to appropriately develop and manage the Reserve for this purpose.

Facilities and spaces initially identified for the site include:

- Phillip Island Aquatic and Leisure Centre (including indoor sports courts)
- football and cricket ovals
- soccer pitches
- other multipurpose and flexible sports fields
- netball and tennis courts
- athletics facilities
- a skate park

- a playspace
- fenced off-leash dog park
- bushland areas with walking paths and picnic facilities

The amendment proposes to:

- Rezone land from the Farming Zone (FZ) to the Public Park and Recreation Zone (PPRZ).
- Remove the Public Acquisition Overlay (PAO) from the land.
- Amend the planning scheme maps at Clause 72.03 to reflect these changes.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to enable the delivery of a strategically identified recreation and community precinct that will meet the current and future needs of the Bass Coast community.

The municipality is experiencing ongoing population growth and increased visitation, which is placing pressure on existing recreation and community infrastructure. Strategic planning undertaken by Council has identified the need for a consolidated, purpose-built recreation precinct to provide indoor and outdoor sporting, aquatic and community facilities in an accessible and coordinated location.

The land is currently affected by a Public Acquisition Overlay (PAO), which has facilitated its identification and acquisition for a public purpose. The removal of the PAO reflects that:

- The land is no longer required to be reserved for acquisition, and
- The planning focus is transitioning from land assembly to implementation and development.

Rezoning the land to Public Park and Recreation Zone (PPRZ) is necessary to:

- Enable the development and ongoing use of the land for public recreation and community purposes.
- Align the zoning with Council ownership and the intended public use of the land.
- Provide a clear and appropriate statutory framework to guide the design, development and operation of the recreation precinct.
- Facilitate efficient delivery of community infrastructure, including the ability to secure funding and progress detailed design.

The amendment ensures that the planning scheme accurately reflects the current status and intended future use of the land, replacing a transitional acquisition control with a zone that supports long-term public use and management.

The amendment represents the logical and anticipated next step following land

acquisition and implements Council's strategic planning for community infrastructure. It is consistent with the Community Vision 2041 and the strategic directions of the Bass Coast Planning Scheme, which seek to enhance liveability, health and wellbeing, and ensure the timely provision of infrastructure to support a growing and changing community.

Overall, the amendment is required to translate long-term strategic planning into delivery, enabling the establishment of a significant community asset that will provide enduring social, economic and liveability benefits.

How does the amendment implement the objectives of planning in Victoria?

The amendment supports the objectives of planning in Victoria by:

- *Providing for the fair, orderly, economic and sustainable use of land*

  Transitions land from a rural/reserved state to an active community asset.

- *Securing a pleasant, efficient and safe environment*

  Enables delivery of high-quality recreation infrastructure to support community wellbeing.

- *Supporting infrastructure provision for community benefit*

  Facilitates timely delivery of recreation facilities aligned with growth.

- *Balancing present and future interests*

  Responds to increasing demand for recreation facilities driven by population growth and tourism.

How does the amendment address any environmental, social and economic effects?

Environmental effects

- The removal of the PAO has no adverse environmental impact.
- Future development will be subject to standard planning controls, including drainage and environmental management requirements.
- The use of land for public recreation is generally compatible with environmental objectives.

Social effects

- Strong positive social outcomes through:
  - Increased access to recreation and aquatic facilities
  - Improved health and wellbeing outcomes

    - Delivery of inclusive and accessible public infrastructure

Economic effects

- Supports construction and ongoing employment
- Enhances regional attractiveness and liveability
- Contributes to local tourism and economic activity

Does the amendment address climate change?

Yes. The amendment supports planning policy relating to climate change mitigation, adaptation and sustainable water management by enabling the delivery of a recreation precinct that can incorporate environmentally sustainable design and infrastructure outcomes.

The rezoning of land to PPRZ enables the delivery of a recreation precinct that can incorporate:

- Energy-efficient building design and opportunities for renewable energy generation (e.g. solar infrastructure associated with aquatic and indoor facilities).
- Urban greening and open space, which can assist in mitigating urban heat island effects and improving local microclimate conditions.
- Integrated water management, including water-sensitive urban design measures such as stormwater harvesting, reuse and efficient irrigation.
- Active transport connections, encouraging walking and cycling access to the precinct and reducing reliance on private vehicles.

The amendment itself does not introduce significant new greenhouse gas emissions and instead provides a framework to support sustainable design and infrastructure outcomes at the development stage.

Overall, the amendment responds positively to climate change by enabling a well-located, publicly accessible recreation precinct that can incorporate sustainable design, water management and climate resilience measures consistent with State and local policy directions.

Does the amendment address relevant bushfire risk?

The amendment does not introduce significant additional bushfire risk.

Rezoning the land to support the development of a Council managed Sporting Precinct would align with the principles of the *Design Guidelines – Settlement Planning at the Bushfire Interface* by providing a suitable form of low-threat open space at the settlement interface.

The guidelines identifies sports fields, hard surface areas (such as tennis and

basketball courts), and parking areas as acceptable outcomes within open space areas, subject to appropriate vegetation and landscape management. As the precinct would be managed by Council, there would be a high level of certainty regarding the ongoing management of vegetation and landscaping, consistent with the Guidelines recognition of public land management as a significant strength at the settlement interface.

The rezoning from Farming Zone (FZ) to Public Park and Recreation Zone (PPRZ) also ensures that the land is not used for residential development, instead providing for a public recreation use that is compatible with the bushfire interface and capable of being appropriately managed to minimise bushfire risk.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The Amendment has had regard to and complies with all the relevant Ministerial Directions, including the requirements of:

- Ministerial Direction No. 1 – Potentially contaminated land
- the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act);
- Ministerial Direction No. 9 – Metropolitan Planning Strategy;
- Ministerial Direction No. 11 – Strategic Assessment of Amendments; and
- Ministerial Direction No. 15 – The Planning Scheme Amendment Process.
- Ministerial direction No. 19 - On the preparation and content of amendments that may significantly impact the Environment, Amenity and Human Health

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment responds positively to the Planning Policy Framework with respect to settlement and urban growth and recreation and open space planning for existing and future communities.

The amendment supports:

- Settlement policies by locating community infrastructure in appropriate areas.
- Open space and recreation policies by improving access to facilities.
- Health and wellbeing objectives through active recreation opportunities.
- Regional growth planning by aligning infrastructure delivery with population growth.

The Amendment will assist to:

- Ensure sufficient development opportunities are available to meet the needs

of current and future Victorians (Clause 11.02-1S);
- Facilitate the fair, orderly, economic and sustainable use and development of urban areas (Clause 11.02-2S);
- Facilitate integrated place-based planning, including by supporting the specific direction for the planning of sites, places, neighbourhoods and towns, and considering distinctive needs of regional and local places (Clause 11.03-6S);
- Protect and enhance Victoria's biodiversity (Clause 12.01-1S);
- Create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity (Clause 15.01-1S)
- Encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination (Clause 17.04-1S).
- Support planning for the fairer distribution of and access to, social and cultural infrastructure (Clause 19.02-4S); and
- Provide for safe places for social interaction and for residents to gather (Clause 19.02-4L).

The relevant net community benefit and sustainable development considerations of the Bass Coast Planning Scheme (Clause 71.02) confirm the public benefit represented by the proposal exceeds the loss of productive land which might occur as an inherent consequence of the Amendment.

Is the amendment consistent with the delivery of the relevant housing target set out in the Planning Policy Framework?

The amendment facilitates the development of a recreation and community precinct on land that is not identified for residential development and is intended for public use. As such, it does not reduce the supply of land available for housing or undermine the capacity of the municipality to accommodate projected population growth.

Instead, the amendment supports the achievement of housing targets by enabling the timely delivery of supporting community infrastructure, which is critical to the creation of sustainable and liveable communities. Access to high-quality recreation and community facilities is an important component of housing growth areas and established communities, ensuring that population increases are supported by appropriate services and infrastructure.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Not applicable.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports and implements the Municipal Planning Strategy (MPS) by giving effect to Council's strategic directions relating to liveability, community infrastructure, and planned settlement outcomes.

The MPS identifies the need to plan for growing and changing communities, including the provision of accessible, high-quality recreation and community facilities. The amendment responds directly to these directions by facilitating the delivery of a strategically identified recreation precinct on land that has been earmarked and acquired for a public purpose.

The rezoning of the land from Farming Zone (FZ) to Public Park and Recreation Zone (PPRZ) implements the MPS by:

- Supporting the orderly development of land in accordance with its long-term intended use
- Delivering community infrastructure in appropriate and accessible locations
- Contributing to health, wellbeing and social inclusion outcomes through improved recreation opportunities
- Aligning land use controls with Council ownership and strategic intent

The amendment does not seek to change the strategic directions of the MPS.

However, more specifically the Amendment is a positive response to local policy in the MPS by:

- Supporting well-designed tourist development in identified locations, that respond to market demands, as well as the coastal and landscape character, and the environmental significance of the area (Clause 02.03-7);
- Encouraging diversity in tourist accommodation and attractions (Clause 02.03-7);
- Support the provision of a range of accessible educational, medical and community facilities (Clause 02.03-9);
- Support the provision of public open spaces that cater for a range of users and age groups and meet the needs of growing communities (Clause 02.03-9); and
- Encourage district and regional facilities and services to locate in Wonthaggi, Inverloch, Cowes, Grantville and San Remo (Clause 02.03-9).

Does the amendment make proper use of the Victoria Planning Provisions?

Yes.

The Public Park and Recreation Zone (PPRZ) is the most appropriate zone for publicly owned recreation land.

The removal of the PAO is appropriate where the land is no longer required to be reserved for acquisition and is transitioning to its intended use.

How does the amendment address the views of any relevant agency?

Bass Coast Shire is the relevant agency, planning authority and proponent in this matter, and its interests are presented and addressed by the Amendment. Given the public ownership and intended recreation use, no significant constraints to the amendment have been identified.

Following receipt of the Preliminary Site Investigation (PSI), Council consulted with the Environment Protection Authority (EPA) regarding the findings. Both Council and the EPA concluded that the site was had a low potential for contamination and that no significant environmental constraints had been identified in relation to the proposed Amendment.

Any other relevant or interested parties will be consulted as part of the amendment process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

Yes.

The amendment supports integrated transport and land use by:

- Locating recreation infrastructure in accessible areas
- Supporting active transport connections
- Improving local accessibility for the community

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

Not Applicable

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will have minimal impact on State and Council resources.

The development of the recreation precinct will be led by Council and is expected to be delivered in stages, subject to detailed design, funding and implementation planning. Funding arrangements will be determined by Council and may include a combination of Council resources and external funding opportunities.

Attachment A – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Cowes	Land bound by Phillip Island and Ventnor Roads, being Lot 1 and Res 1 PS 706350M	Bass Coast C179basc Map 26Zones Exhibition	49 Ventnor Road, Cowes	Rezone FZ to PPRZ	-	D-PAO