Aireys Inlet to Eastern View Neighbourhood Character Study & Vegetation Assessment

November 2004

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Executive Summary

This Study encompasses land within the four settlements of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View. It has established that the towns each have a low density character, with a dominance of vegetation over the built environment and informal relationship between private and public realms contributing highly to this character. The Study found that although there are some variations in character across different precincts in the towns, mainly associated with the degree of disturbance to the indigenous vegetation cover, many character elements are common to all of the Study area. Key factors influencing this are:

- A low density of built development, with vegetation around buildings often screening them from the street and adjoining properties. Where there is less vegetation cover, buildings are well separated.
- A lack of solid front and side boundary fencing and lack of definition between boundaries of public and private land.
- A number of unmade gravel roads with informal kerbs and vegetated roadsides.
- A low profile building height, with houses generally not exceeding two storeys.

The assessment of community perceptions conducted by Dr Ray Green for the purpose of the Study found that views of natural features such as the ocean, coastline and areas of indigenous bush are highly contributory to the character of the Study area, and that buildings considered incompatible with this character exhibit the following attributes:

- ‘Boxy’ and bulky forms
- Vertical orientation that oppose the dominant lines of the landscape
- Tall buildings
- High walls fronting the street with little surface articulation
- A ‘Hotch-potch’ mix of colours, materials, designs, roof types and window forms
- Large scale of building form relative to the size of the allotment
- Lack of vegetative screening

A vegetation assessment conducted by Mark Trengove confirms that the vegetation cover throughout the Study area is mixed, with some areas of quite intact indigenous vegetation, and areas where the indigenous tree canopy is intact but the understorey vegetation is more disturbed. The central part of Aireys Inlet was found to have the lowest tree canopy cover, with a higher level of exotic species and environmental weeds. A priority identified in the Study is to place emphasis on re-establishing the indigenous vegetation cover in these areas. Changes are also recommended to more effectively protect the habitat of the threatened Rufous Bristlebird.

The Planning Scheme has been reviewed taking into account the findings of the Study, with the following key recommendations that:

- A Neighbourhood Character Overlay (NCO) and a Design and Development Overlay (DDO) replace the Significant Landscape Overlay (SLO) across the study area, to better incorporate changes recommended by the Study.
- A DDO be applied over land zoned ERZ on either side of the Painkalac Creek, including properties on Bimbadeen Drive and Bambra Road, to protect the scenic values of the valley.
- An Environmental Significance Overlay be applied to vegetation across the study area, with different schedules reflecting the conservation significance of the vegetation.
- A permit be required for all buildings and works in central Aireys Inlet - reflecting controls elsewhere in the towns and more effectively controlling building materials and colours, siting and boundary setbacks. Importantly, it would provide an effective means of requiring new landscaping on development sites to increase the vegetation cover.

- The minimum subdivision lot size and maximum development density in central Aireys Inlet be changed to 1:550m² - increased from the present 1:450m², but decreased along Bambra Road where it is presently 1:800m².
- The minimum lot size and maximum development density in northern Aireys Inlet and around the Split Point lighthouse be increased from 1:800m² to 1:1000m², reflecting the current minimum lot size in Fairhaven and Moggs Creek.
- The maximum permitted site coverage for buildings be reduced from 35% to 30%.
- The maximum permitted hard surface area be reduced from 50% to 40%.
- The maximum permitted building size (ie plot ratio) be reduced from 0.5 to 0.4.
- The principles of 'Surf Coast Style' continue to be used to discourage suburban forms of development and bulky buildings with unarticulated blank walls.
- A permit be required for solid side boundary fencing in central Aireys Inlet, with paling fences discouraged in favour of post and wire fences - reflecting provisions in the balance of the settlements.
- The requirement to establish habitation envelopes across the study area be removed.
- The proposed overlay schedules applying across the study area and land surrounding the settlements continue to be reviewed, as part of a wider review of biodiversity protection within the Shire to ensure that the habitat of the Rufous Bristlebird, Merran's Sun Orchid and other threatened flora and fauna is appropriately protected.
- A Design and Development Overlay be applied to the two commercial centres in Aireys Inlet following finalisation of the 'Aireys Inlet Urban Design Framework'.
- Priority be given to proactive enforcement of planning provisions.

Other recommendations unrelated to the Planning Scheme include:

- Maintaining an informal appearance of road surfaces and naturestrips in public streets and new subdivisions.
- Educating both existing and new residents of the environmental values of the settlements, environmental weeds, and preferred indigenous planting (ie *Surf Coast Shire's Indigenous Planting Guide, 2003*).
- Giving consideration to prohibiting the planting of environmental weeds by way of a local law.

The Surf Coast Planning Scheme, the Victorian Coastal Strategy (2002) and the Great Ocean Road Region Landscape Assessment Study (2003) all state that future residential development on the coast should be focused in growth centres such as Torquay in order to preserve the low density character of the smaller settlements and to reflect the environmental sensitivities of those towns. The outcomes of this Study will implement this strategic direction and strengthen the capacity of planning controls to more appropriately guide development in the Aireys Inlet to Eastern View area.

1. Background

What is Neighbourhood Character?

Neighbourhood character is described in the Victorian Planning Provisions (VPP) Practice Note as being:

> *"..Essentially the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution. It is the cumulative impact of all these contributions that establishes neighbourhood character. The key to understanding character is being able to describe how the features of an area come together to give that area its own particular character."*

In the Surf Coast Shire, neighbourhood character is derived from more than just the built form with its natural, demographic and social characteristics being important in terms of shaping its character.

Why a Neighbourhood Character Study in Aireys Inlet to Eastern View?

The Study area includes four settlements – Aireys Inlet, Fairhaven, Moggs Creek and Eastern View. The townships are contained by dense bushland and spectacular coastline, and due to the close proximity to Geelong and Melbourne, are an increasingly attractive destination for surfers, tourists and non-permanent residents. This trend is acknowledged in the Victorian Coastal Strategy (Victorian Coastal Council, 2002) which identifies that coastal areas like Aireys Inlet to Eastern View are under pressure to increase housing densities due to demographic change (P13), and that this is reflected in the rapid growth of property prices in coastal towns compared to non-coastal locations.

There have been negative perceptions from some parts of the community about the impact of increased development on the unique coastal character of Aireys Inlet to Eastern View. In particular concern has been expressed in relation to subdivision of land for medium density development, loss of vegetation cover, and the replacement of small holiday homes with more dominant, bulkier houses. The Victorian Coastal Strategy provides an important context for consideration of neighbourhood character in Aireys Inlet to Eastern View, containing a vision that:

> "*Coastal villages will retain their seaside and village character*"
>
> and that:
>
> *"Townships will no longer grow like 'topsy turvy'. They will be recognisably coastal in character and grow within planning frameworks which respect the environments within which they're built" (P6).*

An objective is stated in the Strategy as being:

> *"To ensure that any future built form is sensitively located, ecologically sound and respects visually sensitive landscapes so that loss of habitat, loss of amenity and potential erosion is minimised" (P38).*

The Strategy encourages local government to ensure that Municipal Strategic Statements (MSS) take account of the special nature and character of coastal towns, and protect their character through mechanisms such as local guidelines and planning scheme overlays.

Unlike other coastal settlements such as Torquay, the area from Aireys Inlet to Eastern View has natural barriers to outwards expansion due to abutting crown land on three sides and the ocean to the south-east, and has retained a largely indigenous vegetation cover. The Aireys Inlet to Eastern View Strategy in the Surf Coast Planning Scheme (Clause 21.13) states that the present boundaries of the townships will remain unaltered due to the high level of fire risk, limitations in the supply of reticulated services, and the high environmental value and sensitivity of the bushland.

The purpose of this study is to determine how best to manage change so that valued aspects of the character are protected and enhanced, and undervalued or de-valued areas are modified and improved. The Council introduced a suite of new controls for Aireys Inlet to Eastern View with the new VPP format Planning Scheme in October 2000, covering aspects of development not previously addressed by the Scheme such as fencing and vegetation removal. Other policies concerning development density, site coverage and external building colours were revised and included in the Planning Scheme. The Neighbourhood Character Study provides an opportunity to review these controls after 3 years of operation.

Objectives

The objectives of the study are to:

- Maintain and enhance the distinctive coastal character and features of the Aireys Inlet, Fairhaven, Moggs Creek and Eastern View townships. This will involve consideration of homogenous characteristics and areas of diversity across the townships.
- Provide greater certainty for the community and the development industry in terms of what development, and development attributes, may be compatible with the character of different areas and neighbourhoods within the towns.
- Establish a systematic methodology for the ongoing monitoring of planning decisions and review of planning controls to achieve the above objectives.

Specifically, the Study involves the:

- Identification and assessment of neighbourhood character within the townships.
- Preparation of precinct descriptions.
- Mapping of vegetation types and significance across the towns.
- Preparation of a list of indigenous plants suitable for the towns (ie Surf Coast Shire Indigenous Planting Guide, 2003).
- Review of development controls in the Surf Coast Planning Scheme as they relate to the outputs of the Study.
- Recommendation of measures for implementation

The Study relates to the area within the township boundaries and private land immediately abutting them, and focuses on residential zoned land and some land zoned Environmental Rural, but does not specifically include commercial areas. An aerial view of the study area is shown on **Map 2** (page 9).

2. Methodology

Neighbourhood character studies have traditionally been undertaken by professionals through data collection and analysis. The approach taken in this Study and that undertaken for Anglesea and Torquay/Jan Juc differs in that as well as conducting a physical analysis of character elements, it taps into the community's perception of their neighbourhood. The following is a brief description of the process followed in the Study.

Community Reference Group

A newsletter explaining the Study was sent to landowners at the outset, inviting them to participate on a Community Reference Group (CRG) which would have the dual purpose of providing feedback to the Shire on different tasks being undertaken as part of the Study, as well as feeding information to and educating the wider community on the project. Following receipt of nominations, Council appointed twelve community representatives. The Reference Group met three times during the Study and its feedback has been incorporated into this report.

Community Perceptions Analysis

Dr. Ray Green, Head of Landscape Architecture, Faculty of Architecture, Building and Planning, University of Melbourne, was engaged to undertake a study of community perceptions of neighbourhood character based on his research into town character in other nearby coastal towns Lorne, Apollo Bay, Anglesea and Torquay/Jan Juc, using a perceptually based town character assessment methodology he has developed through past research. The aim of this additional step was to help understand how members of the local community define the character of their neighbourhoods, in terms of both environmental and built form features. This information, despite having been collected from a fairly small sample base, was considered adequate to augment the data collection of the townships' physical features carried out by Council officers.

The methodology and results of community perceptions analysis are summarised in a report by Dr. Green titled "*A Study of Resident Perceptions of Neighbourhood Character: Aireys Inlet to Eastern View (September 2003*)" which is attached as **Appendix 1**. The key outcomes are discussed in Chapter 3. This Study, as well as contributions from the Reference Group, has informed the Study as to elements of "*preferred character*" that planning controls should seek to achieve.

Vegetation Assessment

Mark Trengove of Geelong Indigenous Nurseries was engaged to:

- Identify and classify vegetation communities within the town;
- Identify the conservation significance of the vegetation communities and any significant plant species; and
- Make recommendations on the protection of significant vegetation communities or particular species.

A report by Mr Trengove titled: "*Aireys Inlet to Eastern View Neighbourhood Character Study: Vegetation Report"* (2003) outlines the methodology and results of the work and is attached as **Appendix 2**. The results are discussed in Chapters 4 and 6.

The draft '*Biodiversity Action Planning - Landscape Plan for Zone 3, Gherang, Otway Plain Bioregion*' (BAP) produced by the Department of Sustainability and Environment in 2003, provides a recent set of priorities for biodiversity conservation in the Study area, complementing survey work undertaken by Mark Trengove in respect of vegetation. Priorities identified in the draft BAP have been used in developing an appropriate planning response to vegetation in the Study area.

Surf Coast Shire Indigenous Planting Guide, 2003

Surf Coast Shire officers have produced the *Surf Coast Shire Indigenous Planting Guide*, 2003, for urban coastal areas within the Surf Coast Shire. The study area is contained within Precinct 2 – 'Anglesea District' and provides a list of plant species that are indigenous to the area for the purpose of assisting landowners to select plant species which are complimentary to the indigenous environment.

A draft copy of the plant list was circulated to the local community group ANGAIR, which had substantial input into the selection of species based on local knowledge of the flora in the area. A copy of the Plant List is appended at **Appendix 3**.

Precinct Description and Analysis

Isis Planning, Land Use Planning Consultant's have undertaken the task of identifying from physical survey the existing characteristics of the built form and natural features within the town. Each street within the town has been surveyed and the data recorded in a spreadsheet. Details of the features surveyed and collected data are attached as **Appendix 4**. The data has been analysed to determine areas where these characteristics are common and/or vary from one another. The results of this analysis are shown on **Maps 1 and 2**, with detailed Precinct Descriptions attached as **Appendix 5**.

Study Report

The Study report draws together the work undertaken by the consultants Mark Trengove, Dr. Ray Green and Isis Planning, with the following chapters analysing the key features that have been identified as being important to the character of Aireys Inlet to Eastern View.

In Chapter 6, development controls in the Planning Scheme are reviewed taking into account the preferred character outcomes identified, assisted by a detailed examination of case study developments. Developments chosen as case studies were drawn from those rated as being incompatible with character at the community workshop held as part of the perception analysis exercise, as well as other developments selected by Shire officers which exhibit similar characteristics. Case studies have given added capacity to make a link between current planning tools and the character outcomes which result from them – refer **Appendix 6**.

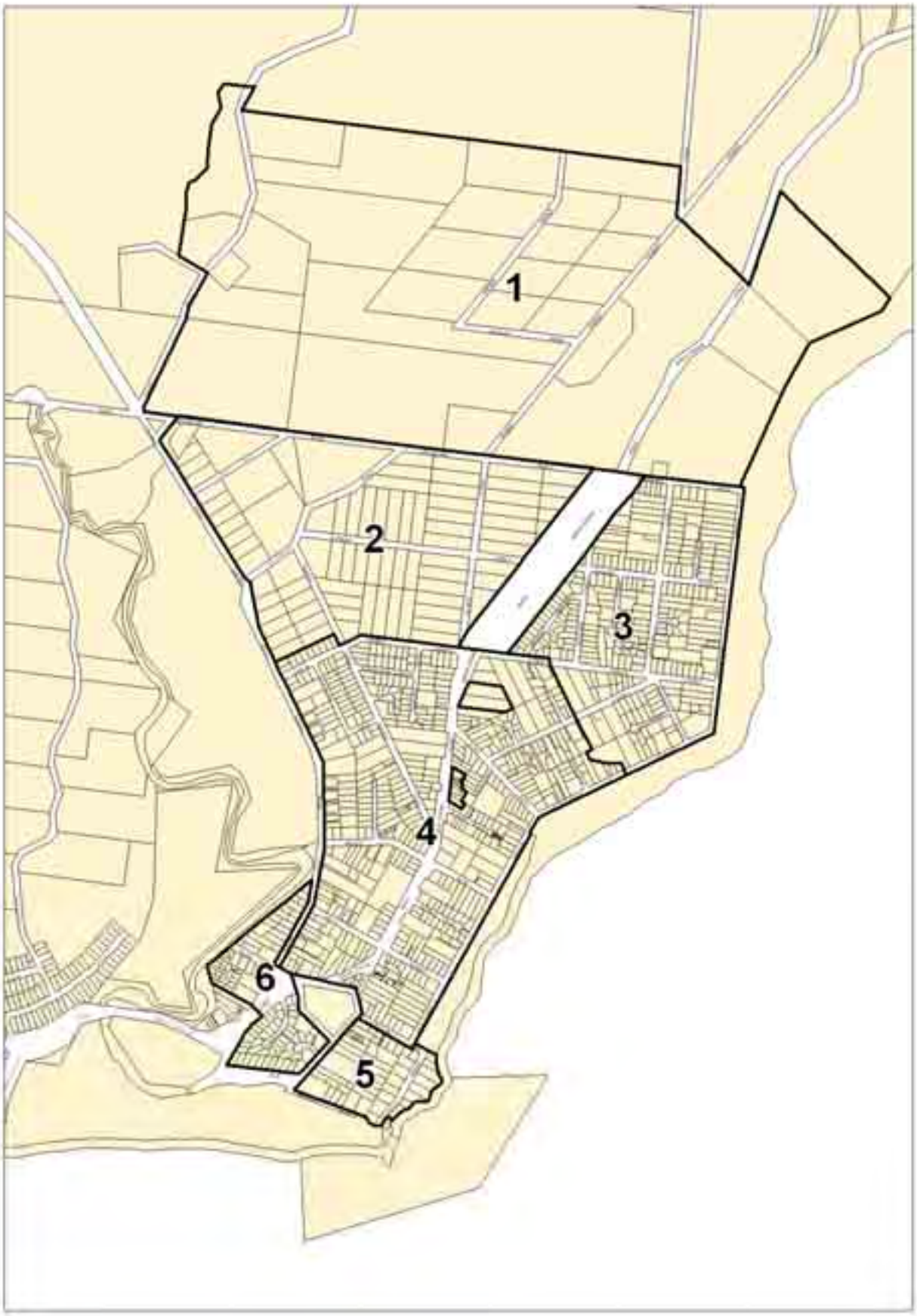
Public Exhibition of the Draft Study

The draft study was exhibited for a six week period between April and June and received twenty-two written submissions. A workshop during the exhibition period attracted approximately 85 people. Formal feedback to the Study was mixed, with a number of submitters supporting the proposed changes, and a number opposed to some aspects. The main concerns were in relation to;

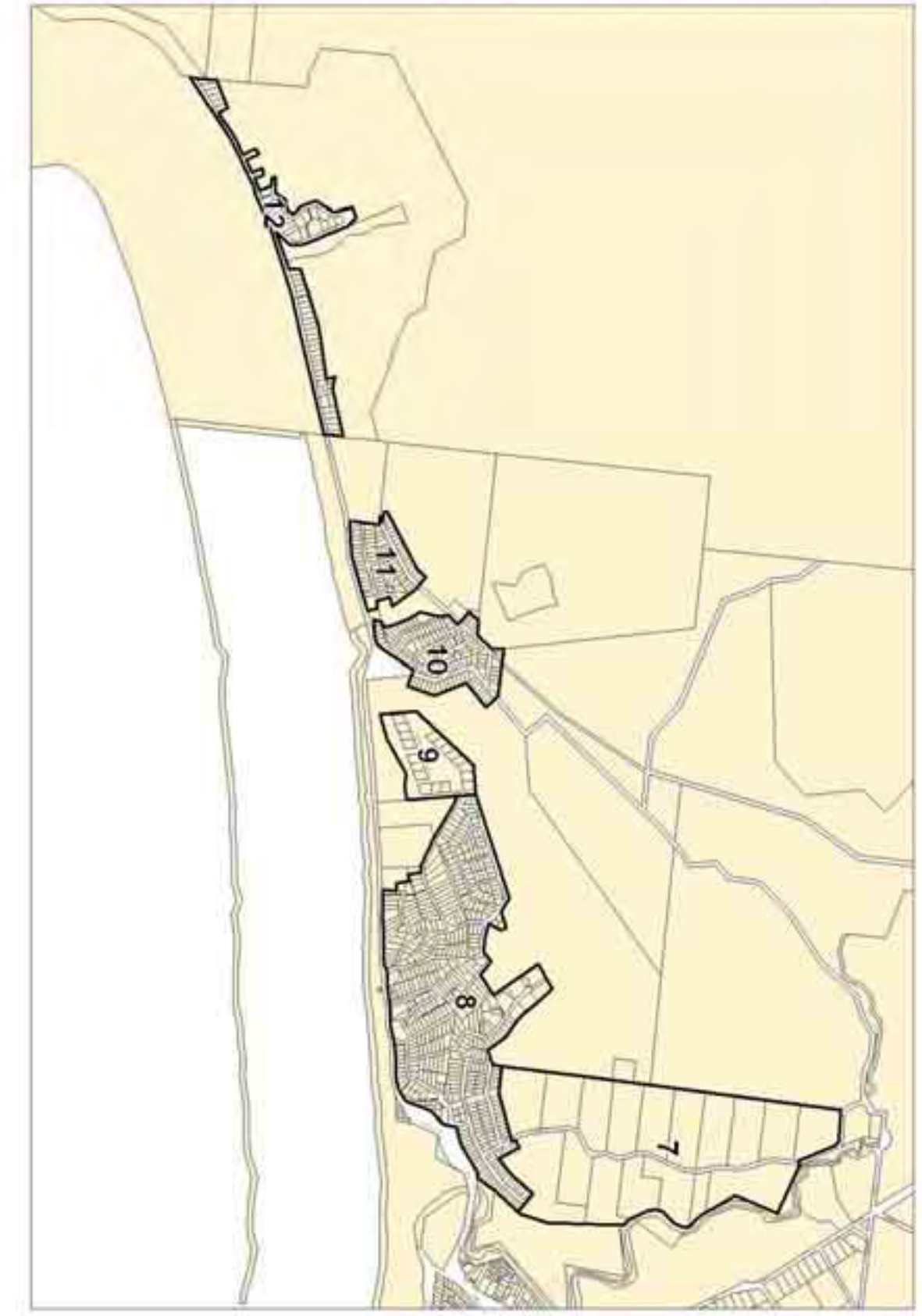
- recommended changes to permit requirements in central Aireys Inlet;
- increased minimum subdivision lot sizes;
- reduced building size;
- requirements for re-vegetation of lots with low vegetation cover,
- maintenance of diverse building designs; and
- representativeness of community consultation used to support the Study's findings.

Despite some specific criticisms about various elements and opposition from a few submitters, there appeared to be broad community acceptance of the Study findings, and the Study was adopted by the Council at its meeting on 16 November, 2004 with minor changes.

Map 1a
Neighbourhood Character Precincts – Aireys Inlet
(Street Layout)



Map 1b
Neighbourhood Character Precincts – Fairhaven to Eastern View
(Street Layout)



Map 2a
Neighbourhood Character Precincts – Aireys Inlet
(Aerial Photo)

Map 2b
Neighbourhood Character Precincts – Fairhaven to Eastern View
(Aerial Photo)

3. Assessment of Key Character Elements

The assessment of physical attributes has identified twelve precincts across Aireys Inlet, Fairhaven, Moggs Creek and Eastern View where the existing character varies to some degree, as shown on **Maps 1 and 2** (pages 7 – 10). Each of the towns has a low density built environment however, with common character elements that make it difficult to distinguish clearly defined areas, particularly in relation to the dominance of indigenous vegetation cover over the built environment, and informal relationship between private and public land. Many features such as vegetated streets, lack of formal front and side boundary fencing, gravel roads, single and two storey buildings and a mixture of older and more modern buildings are common across the Study area.

It is the variation in lot size and vegetation cover that is the primary contributor to variations in character from one area to another, with the central part of Aireys Inlet having a more open vegetated character compared to the larger lots in the outer areas to the north which have a higher degree of indigenous tree canopy. Similarly, the central part of Fairhaven and western side of Moggs Creek have a more open character due to the lower vegetation cover compared to the more highly vegetated areas of Eastern View, eastern Moggs Creek and the northern parts of Fairhaven. Buildings are more prominent in the landscape in Fairhaven, parts of Moggs Creek and Eastern View at the southern edge due to the lower, heathland vegetation and steep slope.

The outcomes of Dr Green's community perception analysis are consistent with the physical assessment, in that they identify some differences in existing character between parts of the Study area. Dr Green found however that the characteristics of development perceived by the community to be consistent with or detracting from the local character are similar throughout the Study area. The ***preferred character*** therefore, is relatively consistent across the four towns despite variations in ***existing*** character. The following is a discussion of the key character elements.

Vegetation

Vegetation, and its relationship with the built environment, is a key component of the coastal character for all of the Study area, both at the localised level and from a broader landscape perspective as outlined below.

Low Density Development in a Vegetated Environment

Vegetation cover is highest in Precincts 1 and 2 north of Aireys Inlet, 7 and 9 west of Painkalac Creek, at Timbarra Cluster, and in Precinct 12 (Eastern View). These areas show an intact indigenous tree canopy, and relatively intact understorey. This corresponds with the sparse development in those precincts due to the large lot sizes and largely Environmental Rural zoning (Timbarra is zoned Low Density Residential). The height of vegetation at Eastern View, Timbarra Cluster and parts of Moggs Creek and Fairhaven is lower than in other precincts, with a high degree of stunted growth due to exposure to coastal winds and predominance of heathland vegetation as opposed to higher canopy tree species.

Intact indigenous vegetation cover due to large lots and low levels of past disturbance

Stunted vegetation at Timbarra Cluster

There is a consistent indigenous tree cover in Precincts 3 (Aireys Inlet North-East) and Precinct 10 (Moggs Creek East), however the understorey is more disturbed due to the more intense residential development that has occurred in those areas, with smaller lots (in relative terms) and a Residential 1 zoning.

Consistent vegetation cover in North Aireys Inlet

A sparser vegetation cover exists in Precincts 8 (Fairhaven) and 11 (Moggs Creek West), with the lowest vegetation cover being in the main part of Aireys Inlet (Precincts 4, 5 and 6) where there is some indigenous tree and shrub species, but a high degree of non indigenous native and exotic planting as opposed to the more indigenous vegetation in other precincts. This reflects the past clearing of vegetation in Aireys Inlet for rural activities, with indigenous vegetation predominantly being regrowth since residential development of the area. Buildings in these precincts are thus more visible at a street level as there is less screening vegetation, with many sites cleared of vegetation entirely.

More sparse vegetation cover in central Aireys Inlet

Although there are variations in the extent of vegetation cover across the Study area, the perceptual analysis conducted by Dr Green confirms that property owners in all precincts consider indigenous vegetation, and the use of vegetation to screen buildings, to be the most important element in determining whether development is compatible with the local character.

The existence of indigenous vegetation in road reserves, and the proximity of many residential areas to public land is important in creating the sense of a natural bush environment, even where there is a lower cover of vegetation relative to other areas. Natural environments and historic built features were found to be highly supportive of town and neighbourhood character in the perceptual analysis, with features such as the Painkalac Creek and valley, beaches, the Inlet, coastal cliffs, the cliff walk, forested hills and the Sanctuary wetlands being rated as the most in character.

Dr Green concludes that:

> *"…what the findings of this study do suggest is that natural environments and associated features and views of natural features, specifically the beach, Painkalac Creek and its valley, and the many areas and types of indigenous vegetation found throughout the town should be given high priority in terms of conservation if desirable local character is to be maintained in the face of containing development pressures. Any development that results in disturbance to these features should be discouraged through appropriate planning controls and environmental management strategies.* "
>
> and
>
> "*…in considering new development in areas containing indigenous vegetation, every effort should be made to minimise destruction of site vegetation. In addition, the landscape design of new residential development, particularly in the context of existing indigenous vegetation, should be such that the built form appears to blend into the landscape setting. This can be achieved through retention of existing vegetation and the use of suitable plant types and naturalistic planting arrangements in modified landscapes*" (Green, 2003, P24).

Developments perceived by the community as being highly compatible with the local character are those that had retained or planted indigenous vegetation within generous setback areas and are predominantly screened from the street. The photos that rated least compatible with local character show buildings with little space between them, lack of vegetation around them and parts of the buildings protruding above the vegetation canopy. This is particularly emphasised where private property is located adjacent to land with environmental significance.

Houses surrounded by vegetation are consistent with the preferred character

Buildings with large footprints do not allow adequate area for vegetation around buildings

Notwithstanding the extent of vegetation cover in different precincts, there is generally a feeling of space around buildings that contributes highly to a low density coastal character of each of the towns. Other features such as a lack of formal front boundary fencing, low use of solid boundary fencing, small building footprints and scale of development and natural/earthy building colours further contribute to the sense of being in a natural environment as opposed to more traditional urban areas.

It is therefore important that future development across all precincts is responsive to this by firstly retaining existing native vegetation, particularly indigenous vegetation, and secondly allowing for the planting of new vegetation that will assist in the medium term to make development more recessive in the landscape and achieve a 'net gain' in vegetation cover. Emphasis should be placed on increasing the vegetation cover on sites in areas that currently have a low tree canopy cover such as central Aireys Inlet.

Priority to revegetate lots with a low vegetation cover

The size of an allotment, as well as the footprint of a building on the lot, is the most significant determinant of the capacity for a site to retain existing vegetation and to accommodate sufficient new vegetation to frame and/or screen development. This is evident in north Aireys Inlet, Fairhaven, Moggs Creek and in some respects Eastern View (Precincts 3, 8, 9, 10, 11 and 12) where large lot sizes have been maintained, contributing to a higher level of retention of remnant vegetation. Even in areas where the canopy cover is relatively sparse and of a low height, the large lot sizes and small building footprints contribute significantly to the low density built character.

Footprint doesn't provide for vegetation to integrate this multi-dwelling development with the landscape

Landscape Significance

Large expanses of the Study area are visible from the public realm due to the sloping topography, particularly along the Painkalac Creek and Great Ocean Road which meanders through the townships. Key vistas from public vantage points that have become evident from the physical survey of the Study area include:

1. *Urquarts Bluff to Lighthouse* – distant views of the Split Point Lighthouse and more elevated parts of Aireys Inlet on the southern side of the Great Ocean Road are visible from the Great Ocean Road to the east of the town. The view is predominantly of a vegetated coastline with the tops of some buildings visible.

2. *Painkalac Creek valley* – views from either side of the Painkalac Creek of the forested hills on the western side and of the Aireys Inlet township on the eastern side, with the creek flats in between. Houses are more dominant on the eastern side due to the more intense residential development and more sparse vegetation canopy.

3. *Split Point Lighthouse* – the lighthouse and associated historic buildings are important elements in the landscape and can be viewed from many vantage points including elevated parts of Fairhaven and Aireys Inlet, as well as more distant views from Moggs Creek and Eastern View. An intact tree canopy surrounding the lighthouse emphasises the building within the wider landscape.

4. *Aireys Inlet Cliffs* – the cliffs that extend along the Aireys Inlet coastline are visible from numerous viewing points throughout the town, particularly in the area adjacent to the Foreshore in northern Aireys Inlet.

5. *Fairhaven - Eastern View coastline and hinterland* – vistas from both directions along the Great Ocean Road between Eastern View and Fairhaven include a steep escarpment at the southern edge of Fairhaven, and stretches of low level heathland surrounding Moggs Creek and Eastern View. Distant views of the coastline are enjoyed from lookouts west of Eastern View.

6. *Inlet mouth to Painkalac Creek* – views from the beach of the Creek and valley to the north.

As well as views from public land, many of these views are enjoyed from dwellings on private land and from road reserves within the townships where they are elevated. Dwellings within the towns also often enjoy distant views of the wooded hinterland from elevated positions.

A key feature of the landscape views is that much of the townships appear well vegetated. For the most part, views of land within the townships are of vegetation interspersed with the tops of buildings visible in front of a tree canopy back drop. An exception to this is parts of central Aireys Inlet (Precinct 4), Aireys Inlet Lower (Precinct 6), Moggs Creek West (Precinct 11) and Fairhaven (Precinct 8) where the coverage of vegetation is most sparse and buildings are more visible. There are a number of buildings in Fairhaven and Moggs Creek particularly that are sited on ridgelines or slopes with low vegetation height and are therefore particularly dominant in the landscape. Although the height of the vegetation canopy is relatively low in Moggs Creek and Eastern View and buildings are more dominant, the buildings are viewed within a vegetated landscape context.

Buildings dominant on ridges without a vegetated backdrop & where vegetation height is low

As noted above, the perceptual analysis of Dr Green identifies that landscape views within the Study area are highly valued by the community. These findings reinforce the importance of indigenous vegetation, and canopy trees in particular, to the visual character of the towns, and the need to minimise vegetation removal and control the size, height and siting of buildings in order to avoid increased visibility of built form in the natural landscape.

Importance of Indigenous Vegetation

Messmate Stringybark Woodland vegetation

Non-indigenous native and exotic forms of vegetation exist across most of the residential precincts (Precincts 3-6, 8 and 10-11) to varied degrees, mainly as understorey within an indigenous tree cover, and are more dominant in Precincts 4-6 where the overall tree canopy cover is more sparse. It is the indigenous vegetation however that contributes most strongly to the vegetated character of the towns. This is reflected in the community perception analysis, which found that there is a high correlation between the ***aesthetic*** landscape value of indigenous vegetation, and the ***environmental*** value of that vegetation.

Indigenous vegetation within naturally occurring forms, including mature Grass Trees in an intact Messmate Stringybark Woodland, the Painkalac Creek wetlands and heathlands with flowering orchids were rated highly in terms of compatibility with character. Likewise, exotic vegetation including environmental weeds such as pampas grass, agapanthus, pine and cypress trees are identified as detracting from the character of the Study area. However, there are two instances where exotic trees require further investigation before any outcome regarding their social significance can be determined. The heritage significance of the cypress trees located on the Great Ocean Road in Eastern View, and the Norfolk pines located within the Angahook House estate, require further investigation as part of Council's Heritage Study. Non indigenous native species such as 'Melaleuca sp' and 'Hakea sp' are prevalent in Aireys Inlet particularly, and therefore add to the vegetated character. However, these species are known

environmental weeds, and as such, their gradual removal and replacement with indigenous species should be encouraged.

Planning controls should therefore control the removal of all indigenous vegetation and native trees that contribute to the vegetated character in central Aireys Inlet, giving priority to the retention of, and planting of **indigenous** vegetation with any new development. Exotic vegetation should be discouraged and in particular environmental weeds should be specifically discouraged due to their threat to the environmental value of the indigenous vegetation (refer Chapter 4). Education of both existing and future land owners on environmental weeds and preferred species for new planting should be given priority in order to complement regulatory mechanisms.

The indigenous vegetation on private land identified on **Map 4** (page 31) not only has high aesthetic value, but has a rating of Local to High State conservation significance (refer 'Vegetation Assessment' at Chapter 4).

Summary

A clear conclusion of this Study is that the low density of built form and high vegetation cover over much of the townships is highly contributory to their character. The need to retain and enhance existing vegetation cover, including the dominant overstorey species of Messmate Stringybark, Ironbark, Moonah and Drooping Sheoke, is most important to retaining the character of the towns not just at a street level, but from a broader landscape perspective as well. Application of overlay controls that require a planning permit for removal of indigenous vegetation, including some native vegetation is justified on this basis. The site coverage of buildings and hard surfaces should be limited to ensure that space is retained around buildings and adequate area is retained for retention/establishment of a tree canopy and understorey cover. To achieve these outcomes it will also be important that lots created by subdivision and/or medium density development are of a size that is respectful of the existing pattern of large lots and has adequate area to accommodate a building and vegetation around it.

Although a permit is required for all buildings and works in Eastern View, Moggs Creek and Fairhaven under the current controls, single dwellings not exceeding 5m height and other criteria do not require a permit within the central parts of Aireys Inlet, and thus no opportunity exists to require re-vegetation of sites with a sparse vegetation cover. Permit requirements for all buildings and works in Aireys Inlet would provide consistency across the Study area and more effectively implement preferred character objectives.

Recommendations (Vegetation):

- Permit requirements to remove native vegetation should be retained across the Study area and broadened to include the indigenous understorey species.
- Retention and enhancement of the existing indigenous vegetation cover should be a foremost objective but requiring the planting of new indigenous vegetation where vegetation removal is unavoidable.
- Sites in areas of low tree canopy cover should be revegetated with indigenous tree and understorey species as development occurs, even if vegetation is not being removed – a permit for all buildings and works throughout the Study area will be required in order to achieve this.
- The footprint of both buildings and hard surfaces should be controlled to retain space between buildings, maximise areas available for growth of vegetation and screening of buildings.
- Lots created by subdivision and/or site areas for multi-dwelling developments should be of a size that maintains adequate area to retain existing indigenous vegetation and allow space to be maintained around buildings and the planting of new vegetation that will enhance the vegetation cover and integrate buildings with the landscape (see Chapter 6). Larger subdivision lot sizes and/or lesser densities of development should be applied at Moggs Creek and Fairhaven, and the northern part of Aireys Inlet to reflect the higher indigenous vegetation cover and low densities of development in those locations.

- The siting of buildings, infrastructure, driveways and the like should be controlled across the Study area to ensure that buildings have least impact on the root systems of indigenous vegetation.
- Priority should be given to education of landowners on environmental weeds and preferred indigenous planting, as well as increased resourcing for enforcement of conditions of permits that require vegetation to be retained and/or planted.
- Street planting schemes should be developed and implemented for areas of low vegetation canopy to complement strategies applied to private land in the Planning Scheme.

Building Form

Style/Materials

There is a considerable variation in the age and style of housing across the Study area. Notwithstanding some isolated examples of more 'suburban' forms of building (such as the traditional use of face brickwork and tile roofs) in Precincts 3, 4 and 6, the dominant building form across all precincts is timber cladding with colourbond roofs. Some less dominant forms of wall cladding used in modern dwellings include colourbond, rendered blockwork and harditex. The low occurrence of typical urban building forms is a key feature contributing to the coastal as opposed to suburban character of the townships. This is reinforced by the community perception analysis of Dr. Green, where photos that rated lowest in terms of compatibility with local character across all precincts comprised typical suburban forms.

Timber cladding and colourbond roof characteristic of housing in the Study area

To preserve and enhance this character, emphasis should be placed on the integration of buildings with the landscape, the materials and colours that are used, the height, setback and the size and articulation of the building. More than building style, these elements will most often be deciding factors on whether a development is compatible (this is discussed in detail below). 'Suburban' looking houses using face brickwork and tile roofs with sealed surfaces surrounding the building should be discouraged, and land owners encouraged to use timber and other light-weight and contemporary building materials.

Traditional use of brickwork and tiles is discouraged

The Surf Coast Design and Colours policy in the Planning Scheme (Clause 22.05) refers to a range of preferred design principles titled 'Surf Coast Style'. This policy is consistent with the preferred character described above, and is an appropriate tool for assessment of development proposals, but only applies when a planning permit is required. Given the significance of building appearance to the character of the area, planning consideration of all buildings and works is warranted throughout the Study area.

Modern dwelling consistent with preferred character

As noted in the previous section, single dwellings not exceeding 5m height and other criteria, presently do not require a permit within the central parts of Aireys Inlet, and thus no opportunity exists to influence the building design in that circumstance. Again, permit requirements for all buildings and works in Aireys Inlet would provide consistency across the Study area and more effectively allow consideration of the appearance of single dwellings in that town. Emphasis should continue to be placed on education concerning Surf Coast Style principles.

Building Bulk, Massing and Articulation

Dr. Green's analysis of community perceptions identifies that the significant bulk and lack of articulation of some buildings is a significant factor in making them detract from the local character. A number of the buildings considered by residents to be incompatible with the character of the area (across all precincts), demonstrate characteristics that include:

- 'boxy' and bulky forms
- vertical orientation of buildings that oppose the dominant lines of the landscape
- tall buildings
- high walls fronting the street with little surface articulation
- 'hotch-potch' mix of colours, materials, designs, roof types and window forms
- large scale of building form relative to the size of the allotment
- lack of vegetative screening

To ensure that future development is complementary to the preferred character, sizeable buildings should be limited to larger allotments where they can be more effectively screened from the street and surrounding properties by vegetation. Where buildings are visible in the landscape, they should be designed to minimise the building bulk, with floor levels stepped to follow the topography on steeper lots. In Eastern View, buildings should have a horizontal, as opposed to a vertical, relationship with a site in order to make them recede into the landscape more effectively (although this measure in itself does not mean a building will not be bulky). The scale and bulk of developments on smaller lots in particular should be minimised, with emphasis where buildings do not sit within a vegetated canopy and will be prominent in the landscape. Limits to the coverage of a site with buildings, and to the floor area of multi-storey buildings (ie plot ratio) relative to site area, in conjunction with other performance criteria are considered necessary tools to ensure that the visual impact of buildings are minimised.

'Boxy' building facades

Large house dominant on a small site

Bulky building forms

The form of buildings, particularly where they exceed one storey in height, should be controlled to ensure that buildings are well articulated and large areas of blank walls are avoided. The principles outlined in the Surf Coast Style and Colours Policy provide a good policy basis for consideration of applications in respect of building design, bulk and articulation. Again, education of land owners to encourage the use of Surf Coast Style principles should be given priority.

External Building Colours

Dwellings exhibit varied external colour schemes, with no distinct pattern identified, except that for the most part buildings are constructed of subdued or natural tones. Dr. Green's conclusion from the community perception analysis is that the community perceives buildings in warm, earthy, muted and natural tones that blend with the surroundings and make structures recede to be compatible with local character as opposed to bright and/or contrasting colours that make buildings stand out. Future development should be encouraged to incorporate colour schemes that are consistent with this assessment.

Because of the varied topography and exposure of many dwellings within broader landscapes, roof colours should be subdued and non-reflective to avoid glare and assist buildings to blend with surrounding vegetation. Roof colours are further discussed elsewhere in respect of views.

Natural colours blend buildings with the landscape

Building contrast starkly with surrounding environment

Recommendation (Building Form):

- Planning permits should be required for all buildings and works in the Study area.
- Apply the principles of Surf Coast Style as an assessment tool for development applications and widely circulate the Surf Coast Style Guide as an educative tool.
- Use a combination of plot ratio, building and hard surfaces site coverage provisions to control the size of buildings relative to land size - refer to Chapter 6.
- Require details of the colour schemes for dwellings to be submitted for approval and encourage walls to be in warm, earthy, muted and natural tones that blend with the surroundings.
- Require roofs colours to be non-reflective within the range contained in the *Subdued Colours Palette 2002.*

Building Height

Building height throughout the townships varies from one to three storeys, with a predominance of single storey buildings in Precincts 1, 2 and 3 and a higher proportion of multi-storey dwellings in Fairhaven, Eastern View and parts of Moggs Creek. For the most part however, where buildings are of two storeys, the height is relatively consistent, being 7.5m or lower - reflecting the long standing policy of limiting height to no more than 7.5m. In many parts of the Study area, this results in buildings that are either at or below the height of the prevailing tree canopy, or marginally above it, particularly where buildings are sited on sloping land. Buildings are more exposed and prominent in areas of low vegetation cover and on ridgelines.

Three storey buildings are not consistent with the low scale character

The analysis of community perceptions indicates that the community does not perceive two storey development itself as detracting from the neighbourhood character, rather it is the visual impact of large sized dwellings which present as being out of scale with the site and surrounding area that is considered incompatible with local

character. The site and neighbourhood context in which the building is located is therefore the key to determining the appropriate building height.

To ensure the height of future development does not adversely affect the low density character, dwellings should generally be limited to two storeys and a maximum height that is consistent with the prevailing height of two storey development (ie 7.5m). A lower height may be more appropriate in circumstances where the site is visually prominent when viewed from the public realm, it assists in achieving a sharing of views with adjoining properties, the prevailing tree canopy height is low or the design of the building creates a sense of bulk (building bulk is discussed separately above).
A lower building height is warranted for instance, along the band of properties in Inlet Crescent opposite the Painkalac Creek, where the predominant height of existing buildings and vegetation is single storey, and where future two storey development has potential to significantly affect the visual amenity of the Creek from the mouth of the estuary and the beach.

A lower height justified around the lighthouse to limit visual intrusion on viewlines

Low buildings and vegetation in Inlet Crescent – warrants lower building height than 7.5m.

In locations such as Eastern View and along the Great Ocean Road in Fairhaven and Moggs creek, buildings may need to be stepped in design to follow the slope and minimise the prominence of the building.

Building that does not respond to the topography

Horizontal form that is stepped down the slope reduces the prominence of the building

Recommendation (Building Height):

- Buildings should not exceed two storeys, and building height should be limited to no more than 7.5m as at present. A lower height may be warranted in some circumstances to meet the broader landscape character objectives, particularly along Inlet Crescent opposite the Painkalac Creek and adjacent to the lighthouse.
- Buildings on steep lots where buildings would be prominent should be stepped in design to follow the slope.

Building Setbacks

Front setbacks

Dwellings throughout the Study area have a variety of setbacks from the road, with no discernible differences between precincts except that setbacks are generally increased in areas such as Fairhaven where the lots are larger. The exception is Eastern View, where despite the large lots, buildings are often constructed with minimal setback to the front boundary due to the steepness of the slope and sensitivity of the vegetation. Where the land is relatively steep and provides for expansive ocean views (eg Banool, Werona, Birralee and Yandanah Roads in Fairhaven), dwellings are generally constructed either at the rear or front of the allotment in consistent lines in order to maximise the views.

Setbacks generally provide for vegetation that screens buildings in part from the street

Buildings in Fairhaven sited consistently to achieve a sharing of views

Lack of setback increases a building's prominence

A lack of front fencing and retention and enhancement of vegetation around buildings in most areas enhances the feeling of space between buildings and the road. Dr. Green's report revealed that developments that were constructed close to the front boundary, particularly those with little if any vegetated screening, were rated most out of character, while those that were setback from the street and screened were rated more in character with the precinct. It will be important for future maintenance of the low-density character of the towns that new development respects the prevailing setback of a street, and allows for retention and enhancement of vegetation that screens buildings from the street. There will often be a range of factors that contribute to siting of the building, including potential impacts on views enjoyed by others, retention of indigenous vegetation, and visual impact within the broader landscape. For this reason, it is appropriate to require planning permits for new buildings and works so that siting can be considered having regard to the broader issues rather than relying upon ResCode setback standards.

Siting on ridgelines should be avoided

Side and Rear Boundary Setbacks

As with street setbacks, attributes such as vegetation around buildings and lack of fencing combine with space between buildings to create a low density non-urban character through each of the

towns. Although not significantly different, the setback of buildings from boundaries in the settlements of Fairhaven, Moggs Creek and Eastern View is marginally more pronounced due to the lower vegetation cover in central Aireys Inlet compared to those areas. Dr. Green identified in the community perceptions analysis that developments with generous side and rear boundary setbacks and that were sited on vegetated allotments were more favourable to the character of the towns than those with minimal setbacks.

It will be important for future maintenance of the low-density character of the towns that new development is setback from side boundaries so that a sense of space between buildings is maintained, and to provide for retention of vegetation and/or planting of new vegetation around them. Construction of buildings on side boundaries, particularly for any significant length, should be avoided.

Recommendation (Building Setbacks):

- Avoid boundary walls and require a minimum setback from boundaries.
- Require permits for all dwellings throughout the Study area in order to consider the appropriateness of building setbacks on a case by case basis, having regard to the broader issues of visual impact, sharing of views, predominant street setbacks and maintenance of space between buildings

Boundary Fencing

Front Fences

The lack of front fencing across land in all precincts is a feature, which contributes significantly to the non-suburban, coastal character of the towns. Together with vegetation cover (and gravel roads in many cases), this feature creates an informal streetscape where the vegetation is dominant. Whilst there are isolated examples of properties having either low or high front fences these are in the minority and do not reflect the overall character of the area.

Lack of front fences creates an informal edge between the street and private land

It will be important to the maintenance of a non-urban character that front fences be discouraged throughout the Study area. Where necessary, front fences should be limited to post and wire not exceeding 1.5 metres in height to maintain a sense of openness to the street.

Side Fences

A lack of formal side boundary fencing throughout the Study area also contributes to its non-suburban appearance. Although the incidence of side boundary fencing is greater than for front fences, particularly within Aireys Inlet (Precincts 4, 5 and 6), most side boundary fences are limited to post and wire up to 1.5 metres in height. Vegetation is generally used to define boundaries and provide screening between properties. This is reinforced in the community perception analysis, which identifies the lack of fencing around buildings as being compatible with the local character. Timber paling fences on side boundaries have the effect of increasing

Post and wire retains informality

the sense of 'urbanisation', even where the fencing is not highly visible from the street. The further establishment of any form of solid fencing in the Study area therefore has significant potential to detract from the current character in all precincts.

It will be important that planning controls discourage paling fencing and encourage the continued reliance on natural vegetation between dwellings for privacy. It is recognised however that there will be some circumstances where short sections of fencing other than post and wire will be desirable. Suggested criteria for considering such proposals include where the fence is:

- Sited behind the front wall of an existing building; and
- Only for short sections designed to achieve privacy between properties where there is inadequate existing vegetation; and.
- At least 25% permeable to reduce the visual impact.

Paling fences should be avoided

In addition, lots created by subdivision should not be of a size that necessitates solid side boundary fencing to achieve privacy objectives. Encouraging open style fencing will assist to achieve other objectives of maintaining and enhancing vegetation cover by encouraging the planting of vegetation along boundaries.

Recommendation (Boundary Fencing):

- Open informal boundaries between properties should be encouraged, with a preference for use of vegetation as a means of maintaining privacy.
- Front fencing should be discouraged, and any new fencing should be limited to post and wire.
- Where side boundary fencing is required it should be limited to post and wire up to 1.5 metres in height unless performance criteria are met that limit solid fencing to short sections only.
- The minimum lot size for subdivision/maximum development density should be reviewed to ensure that informal forms of fence, together with landscaping can be used to achieve adequate levels of privacy as opposed to erecting paling fences (refer Chapter 6).

Views

The community perception analysis of Dr Green identifies the significance of views of natural features to the character of the Study area. Most dwellings within the Study area enjoy views in some form, whether it is of the bush environment, the Painkalac Creek environs, the coastline or the Split Point Lighthouse. The most significant views are enjoyed from properties in parts of Fairhaven, Moggs Creek and Eastern View due to the steeper topography in those towns. It is difficult to map precisely where different views are enjoyed from however, due to the variations in vegetation cover, topography, and orientation of land in relation to different landscape features.

Views of the ocean and coastline are enjoyed from many properties

The community attaches importance to views of these features. It is therefore important that future development in the Study area occurs in a way which enables a 'reasonable sharing of the views' to be achieved. Although view sharing is a broad principle to apply, it is one which has been

supported in the current Planning Scheme and in decisions of the Victorian Civil and Administrative Tribunal (VCAT) over a number of years. It requires planning control over the height, siting and design of dwellings, and an assessment of the view impact of a development on a case by case basis.

Views of the lighthouse are highly valued

The current planning scheme requires planning approval for development within central Aireys Inlet where building height exceeds 5m (ie the equivalent of single storey), allowing consideration of development impacts on views at the first floor level, which is where the impact on views is potentially highest. A planning permit is required for all buildings and works throughout the balance of the Study area, providing increased control over both the siting and design of buildings with respect to consideration of views, and reflecting the more significant views enjoyed from properties in those areas due to the steeper slope. The maximum building height permitted in all residential areas is 7.5m.

The existing controls appropriately recognise the importance of ocean views and those of significant natural features, and reflect past practice in coastal towns within the Shire of seeking to achieve a 'reasonable sharing' of these views. The introduction of permit requirements to all buildings and works in Aireys Inlet however would provide consistency in the way that view sharing is considered across the Study area, allowing view impacts from single storey buildings to be minimised through control of building siting.

It is important that the roof colour of dwellings and associated buildings be non-reflective and subdued in colour to avoid glare when buildings are viewed from beyond the site.

Recommendation (Views):

- The maximum building height of 7.5m is appropriate and should be retained.
- View sharing objectives in the Scheme are appropriate and should be retained.
- Roof colours should be non-reflective to comply with the *Subdued Colours Palette 2002* where the roof will be visible from beyond the site.

Informal Appearance of Roads

The informal construction of many roads throughout the Study area is a feature which, along with vegetated streetscapes, contributes highly to the character of the area, and the feeling in many parts of being in a 'bush setting' as opposed to a suburban environment. **Map 3** illustrates the delineation of sealed and unsealed roads within the Study area.

Gravel roads contribute highly to the local character

The contribution of the informal appearance of gravel roads to the character of Aireys Inlet to Eastern View is confirmed in the community perception analysis of Dr Green. Amongst the photos rated most highly compatible with local character by the community are those that include views along gravel roads with vegetation along the roadside. Photos of sealed roads were rated less highly.

In order to maintain the current character, the Council should either retain gravel road surfaces within the townships, or alternatively give consideration to ensuring that future construction and sealing of these roads occurs in a way that retains their informal appearance. This can be

achieved by minimising carriageway widths, using informal verges other than traditional concrete kerbing and/or using alternative pavement treatments. Whilst the cost of these alternative treatments is unknown, the outcome of implementing them would be to reduce the 'suburban' appearance of new roads. Landowners should be encouraged to use these methods when designing new residential subdivisions and/or constructing driveway access to individual houses.

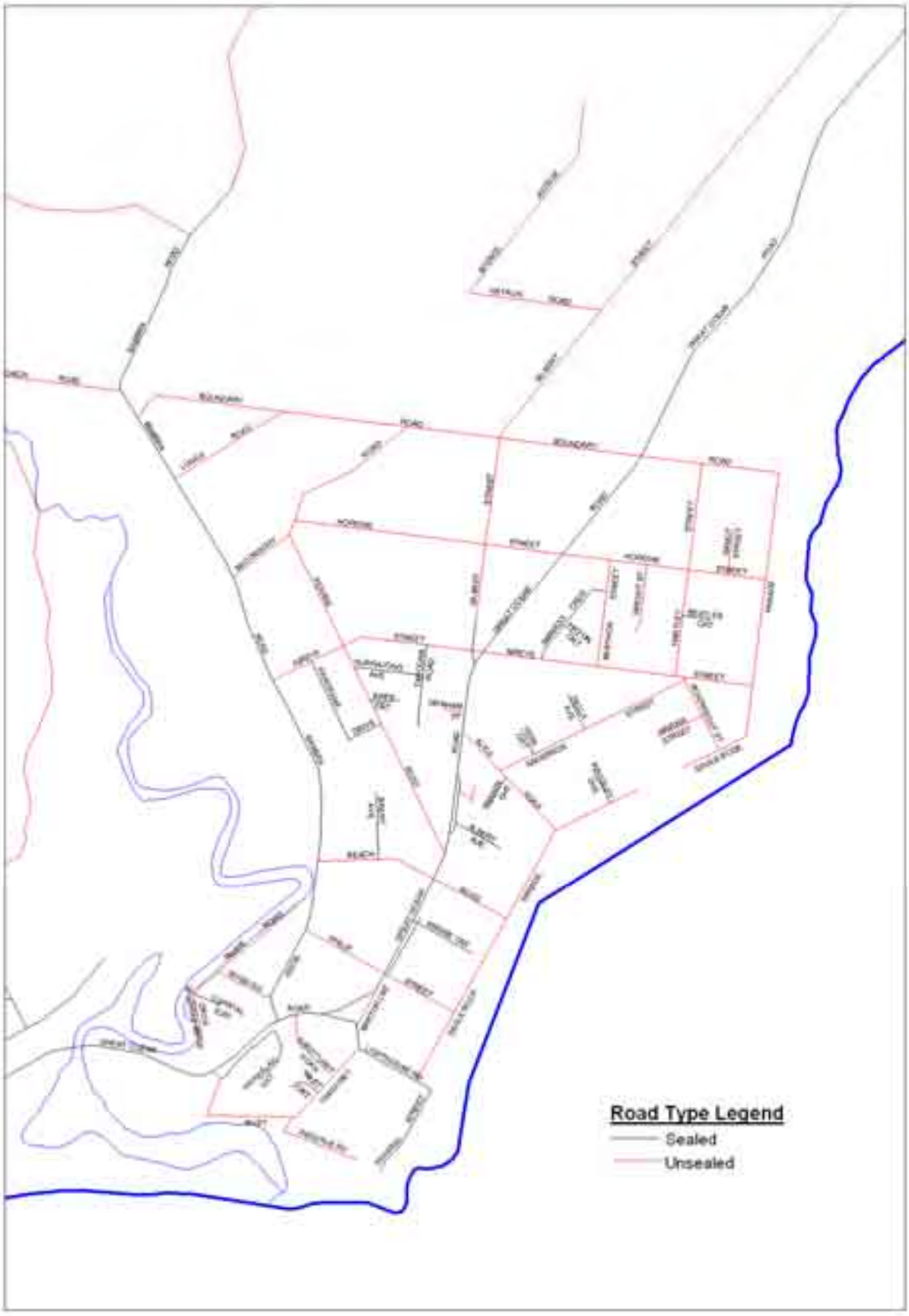
Constructed footpaths also have potential to reduce the informal character of roadsides, and should be avoided where possible. Some means of reducing the visual impact of footpaths could include meandering the path within the nature strip to avoid vegetation removal, constructing the path of materials other than bitumen and concrete, and locating the path against the kerb to maximise area for vegetation in the nature-strip to screen buildings from view. It is noted from an accessibility perspective that footpaths still need to provide all-weather access and have surfaces suitable for people with limited mobility.

Street planting should occur in an ad-hoc fashion as opposed to the regular spacing of trees in traditional street planting schemes, so as to maintain a sense of informality.

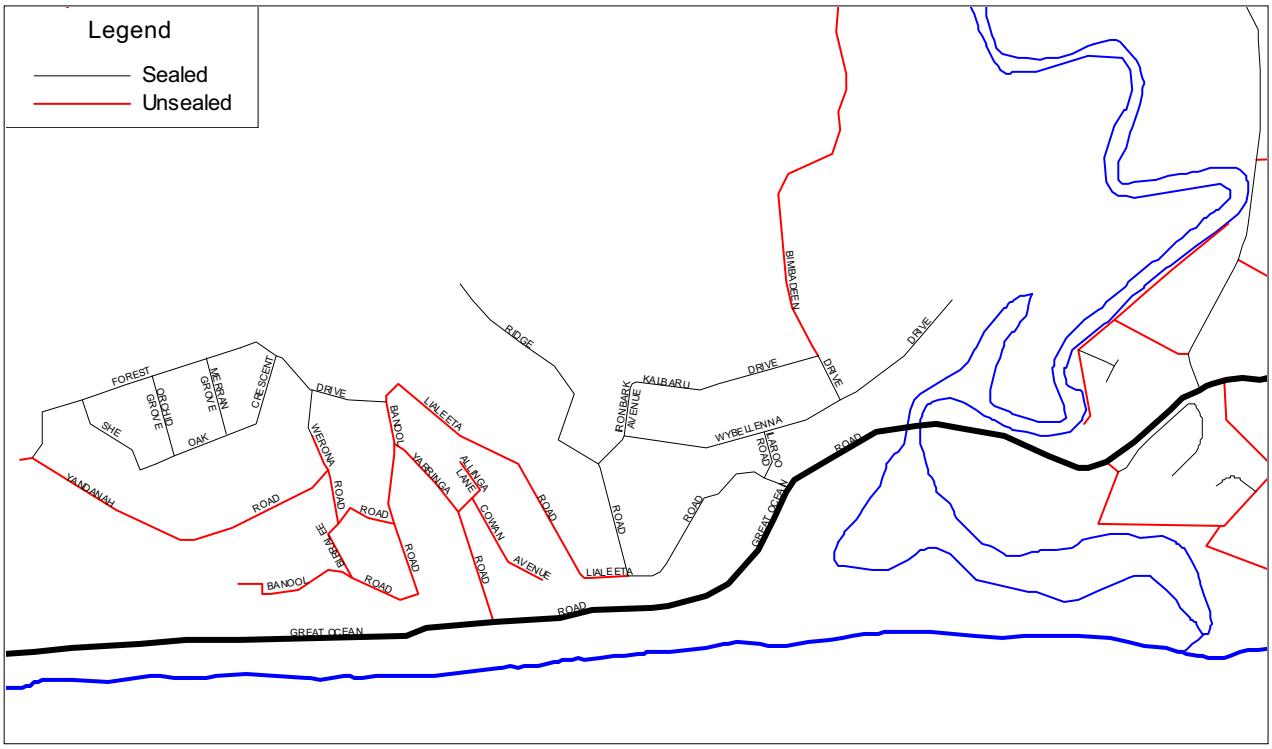
Recommendation (Roads):

- Gravel roads should be retained where practicable. Where a road is sealed, alternative design and construction techniques should be considered in preference to the use of typical bitumen seal and concrete kerbing.
- Alternative footpath designs should be considered that retains the informal appearance of roadsides and integrates with the natural environment.
- Planting of vegetation within nature strips should be irregular as opposed to being evenly spaced.
- The Planning Scheme should contain policy references to use of informal materials for private driveways in preference to concrete.

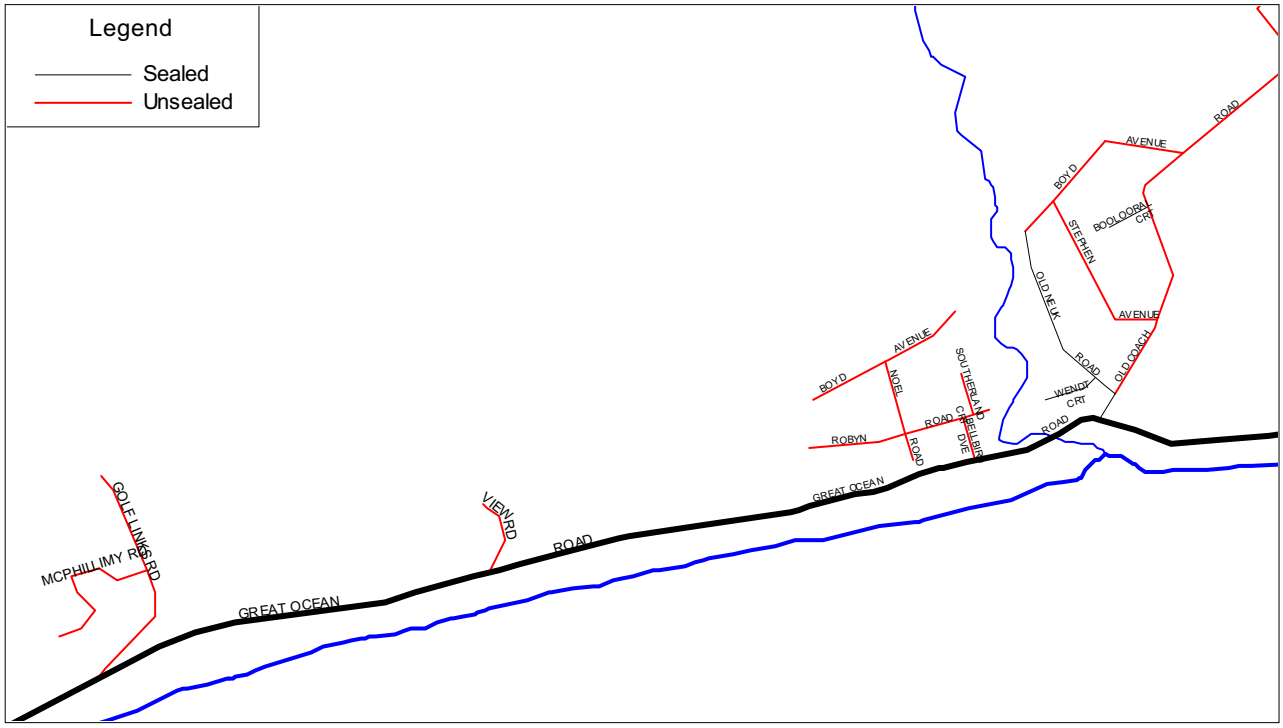
Map 3a
Road Types – Aireys Inlet



Map 3b
Road Types – Fairhaven



Map 3c
Road Types – Moggs Creek to Eastern View



4. Vegetation Assessment

Vegetation Survey

The vegetation assessment by Mark Trengove (refer **Appendix 2**) complements other work undertaken as part of the Neighbourhood Character Study, enabling both the environmental value and character compatibility of vegetation in the town to be considered. Mark Trengove identified seven indigenous vegetation communities across the Study area, as shown on **Map 4**. Table 1 describes these, indicating the degree of conservation significance associated with various sites.

Table 1 Vegetation Types

Vegetation Community	Assessment
Mixed Eucalypt Woodland Open woodland dominated by Messmate Stringybark and Ironbark, with scattered occurrences of other gums such as: • Manna Gum • Swamp Gum • Narrow Leaf Peppermint Understorey of small heathland shrubs with Austral Grass Tree, grasses, sedges & herbaceous species. In some areas, Eucalypt becomes the dominant species, with two sub-communities: ❑ Messmate Stringybark dominated Heathy Woodland, described as EVC "Heathy Woodland" (No.48) ❑ Ironbark dominated woodland, described as EVC "Shrubby Dry Forest" (No.21)	• Covers most of the private land within the Study area except the coastal fringe along Eagle Rock Parade North. • **State** conservation significance – Jumbunna (ref 3), Boundary Rd/Bambra Rd Nth (ref 10), Anderson Roadknight Reserve (ref 4), Bimbadeen Dve (ref 13) and Great Ocean Road (ref 20). • **Regional** conservation significance – Catlin Rd/Spence Ave (ref 9), Boundary Rd/Bambra Rd South (ref 11), Ridge Rd North (ref 14), Forest Dve (ref 15), Old Coach Rd (ref 16) and View Rd/Golf Links Rd (ref 19). • **High Local** conservation significance – Hartley St (ref 1), Pearse Rd/Taroona Rd (ref 7), Wybellenna Dve/Lialeeta Rd/Banool Rd (ref 12) and East Moggs Ck (ref 17) and West Moggs Ck (ref 18). • **Local** conservation significance – Eagle Rock Pde South/Beach Rd (ref 5).
Freshwater Wetland Freshwater body with emergent macrophytes – Tall Spike Rush and riparian vegetation – Water Ribbons, Rush, Water Milfoil, Running Marsh Flower and Swamp Crassula. Described as EVC 74 "Wetland Formation".	• Confined to the Allen Noble Sanctuary at Great Ocean Road/Inlet Crescent (ref 21). • Relatively intact vegetation of **Regional** conservation significance.
Coastal Moonah Woodland Open to closed woodland or shrubland dominated by Moonah. Associated trees include: • Drooping Sheoke Associated shrubs include: • Boobialla • Coast Rice-flower Understorey consists of succulent shrubs and climbers such as: • Sea-berry Saltbush • Bower Spinach • Moss beds	• Distribution confined to the coastal fringe at Aireys Inlet. • This vegetation is a listed community under Schedule 2 of the State *Flora and Fauna Guarantee Act (1988).* As such all remnants of this community are of conservation significance. • Partially intact examples of this community are at Eagle Rock Pde North (ref 2). This site is of High Local conservation significance.

Map 4
Aireys Inlet to Eastern View
Vegetation Assessment

Coastal Complex Mosaic of open to closed shrubland, woodland, grassland and heathland. Dominant species include: • Moonah • Drooping Sheoke • Common Boobialla • Coast Pomaderris • Coast Beard-heath • Coast Tussock-grass • Seaberry Saltbush • Bower Spinach Described as EVC No.1 "Coastal Dune Scrub Mosaic".	• Located in the coastal reserve and coastal cliffs along most of the Study area. • Mostly intact throughout its distribution and is of **State** conservation significance (ref 23).
Coastal Dune Shrubland Open to closed shrubland giving way to prostrate herbs and grasses on the coastal fringe. Dominant species include: • Moonah • Coast Daisy-bush • Coast Rice Flower • Coast Beard-heath • Coast Wattle • Coast Sword-sedge • Coast Tussock-grass • Coast Pig-face • Cushion Bush Described as EVC No.1 "Coastal Dune Scrub Mosaic".	• Located in the coastal reserve from the mouth of the Painkalac Creek west to Fairhaven. • Mostly intact throughout its distribution and is of **State** conservation significance (ref 24).
Coastal Tussock Grassland Complex of Tussock Grassland dominated by: • Coast Tussock Grass • Chaffy Saw-sedge • Sea Rush • Saline herbfield dominated by Beaded Glasswort, Creeping Brookweed, Salt Lawrencia. Vegetation gives way to tidally inundated mudflats at Painkalac Creek. Described as EVC No.163 "Coastal Tussock Grassland".	• Confined to the tidal flats of Painkalac Creek. • Vegetation is mostly intact and relatively diverse throughout its distribution, and is of **State** conservation significance (ref 22).

Source: Mark Trengove 2003 –'Aireys Inlet to Eastern View Neighbourhood Character Study – Vegetation Report'

State Native Vegetation Framework

'Victoria's Native Vegetation Management – A Framework for Action' (DSE, 2002) establishes a broad framework to achieve a Net Gain in extent and quality of native vegetation, and recognises that regional priorities will be needed to address the different landscape, biodiversity, and land and water problems in different regions. The pending Corangamite Regional Native Vegetation Plan will

set priorities for the catchment but has not yet been released, however a draft Biodiversity Action Plan (BAP) has been developed for the Otway Plain Bioregion, which encompasses the area of coast and hinterland between Eastern View and Connewarre. The draft BAP includes these priorities as well as other biodiversity priorities relating to threatened species and wetland protection, and is discussed below.

The Native Vegetation Framework establishes a three-step process in applying the concept of Net Gain when considering on-ground proposals to clear native vegetation as follows:

1. Avoid adverse impacts, particularly through vegetation clearance.
2. If impacts cannot be avoided, minimise impacts through appropriate consideration in planning processes and expert input to project design or management.
3. Identify appropriate offset options.

The implication of this Framework is that greater emphasis is placed at a State level on the protection and enhancement of existing native vegetation, both in extent and quality, and that where vegetation is to be removed for residential development in the coastal settlements, a process exists for determining requirements for planting of replacement vegetation, with emphasis given to use of species that would have existed on a site prior to 1750ad.

Biodiversity Action Plan (BAP) – Otway Plains Bioregion

The draft '*Biodiversity Action Planning - Landscape Plan for Zone 3, Gherang, Otway Plain Bioregion*' (DSE, 2003) provides a structured set of priorities for biodiversity conservation in the Study area. Key actions identified for the zone generally include:

1. Develop conservation agreements to protect areas supporting threatened EVCs on private land.
2. Protect and enhance threatened EVCs on public land.
3. Encourage complementary management of habitat on private land adjoining the Anglesea Heath and the Angahook-Lorne State Park.
4. Protect the known populations of threatened species from threats associated with subdivision and urban development, particularly in the Anglesea and Aireys Inlet areas.
5. Supplement habitat on both private and public land for a range of threatened fauna species including Powerful Owl, Orange-bellied Parrot, Grey Goshawk, Rufous Bristlebird, Swamp Antechinus, Great Egret and New Holland Mouse.
6. Implement Action Statements for threatened species and communities.

Major environmental issues raised in the draft BAP relevant to the Study area include:

- Clearing of remnant vegetation.
- Residential subdivisions and tourism development in ecologically sensitive areas.
- Weed invasion.
- Predatation of native wildlife by foxes and cats.
- Fragmentation of habitats through incremental clearing.
- Loss of mature and hollow bearing trees.

It specifically states that:

> *"Subdivision and urban development, particularly along the coast are placing enormous pressure on the biodiversity. Connective remnants have become fragmented, disturbance of existing populations has increased and additional threats to species/communities have arisen. Stronger municipal planning controls are therefore required in areas of significant biodiversity."*

Specific actions recommended in the draft BAP for private land that are relevant to consideration of vegetation in the Study area include:

1. Encourage protection of remnants on freehold land and apply voluntary programs, incentives, management agreements and/or planning controls, as appropriate. Give priority attention to the populations of Merran's Sun-orchid, private remnants close to public land, forest blocks and threatened EVCs.
2. Encourage landowners to utilise tools such as the Corangamite Seed Framework and *Surf Coast Shire Indigenous Planting Guide*, *2003*.
3. Ensure the Surf Coast Shire planning scheme contains overlays to protect the known sites of Merran's Sun-orchid and Rufous Bristlebird habitat.
4. Update the Environmental Significance Overlays and Vegetation Protection Overlays within the Surf Coast Shire planning scheme, as further information is now available on sites which provide critical habitat to threatened species.
5. Encourage larger residential lot sizes in areas of known Rufous Bristlebird and Swamp Antechinus habitat to ensure sufficient linkages of remnant vegetation remain for fauna movement.
6. Highlight the need to protect habitats greater than 2ha in extent, especially patches adjoining Anglesea Heath and Angahook-Lorne State Park, and at or near known Powerful Owl, Grey Goshawk, Rufous Bristlebird and Long-nosed Potoroo sites. Protect Powerful Owl and Rufous Bristlebird habitats in accordance with the prescribed guidelines (refer to Action Statements 92 and 49).
7. Increase community education on both noxious and environmental weeds, including their identification and removal techniques. Provide new residents to the area with a booklet on the weeds found in the area.
8. Supplement habitat for Rufous Bristlebird, Swamp Antechinus, Lewin's Rail, Long-nosed Potoroo, New Holland Mouse Southern Brown Bandicoot and Speckled Warbler by restoring understorey, conserving fallen tree debris and enhancing connectivity.
9. Reduce physical disturbance, or understorey loss or damage, affecting Grey Goshawk, Rufous Bristlebird, Swamp Antechinus, New Holland Mouse, Southern Brown Bandicoot and Speckled Warbler.
10. Control and reduce firewood and fallen timber collection from areas where Barking Owl, Grey Goshawk, Swamp Antechinus, New Holland Mouse and Southern Brown Bandicoot occur.
11. Work with local nurseries to phase out the selling of known environmental weeds in the Surf Coast Shire and increase the stocking rate of locally indigenous species. Encourage landscape gardeners to use indigenous species in their designs.
12. Encourage private landholders that adjoin foreshore vegetation to remove Coast Tea-tree and Coast Wattle from their properties and replace with indigenous species.
13. Ensure restoration and revegetation of blocks and linkages is based on pre-1750 EVCs.
14. Restore linkages between known Rufous Bristlebird populations, ensuring width and habitat quality is appropriate for the species.
15. Develop and maintain adequate buffer zones on freehold land protecting existing remnant patches from disturbance, weed and pest infestation.

Map 14 of the draft BAP indicates that whilst there are a number of recorded sightings of threatened fauna species in the Study area, the Rufous Bristlebird, particularly around Aireys Inlet, is the most highly recorded. The Rufous Bristlebird is the subject of Action Statement No. 49 under the *Flora and Fauna Guarantee Act 1988*, which identifies it as being in a state of decline that is likely to result in extinction. It states that it's range in Victoria has decreased because of loss of habitat through clearing for agriculture and coastal urban development, causing fragmentation of habitat and extinctions of local populations. It also states that continued coastal development is likely to result in further habitat fragmentation.

Rufous Bristlebird

Rufous Bristlebirds occur in floristically dissimilar habitats, such as coastal heaths and wet forest gullies, though all habitats occupied contain patches of very dense vegetation. Possible threatening processes in the coastal Otway area include the reduction and fragmentation of suitable habitat by:

- Clearing for residential development;
- The fire protection measure of clearing large areas around houses;
- Slashing all unoccupied heathland each spring; and
- Controlled burning to remove undergrowth and ground litter which are essential for the birds.

A broader review of biodiversity assets in the Surf Coast Shire including a review of mapping of the Environmental Significance and Vegetation Protection Overlays is envisaged to occur in the next few years due to the availability of more accurate information than was used to implement current overlays. This review has potential to result in greater application of these overlays, taking into account all of the threatened species known to exist within the Surf Coast Shire. It is important to consider the impact of residential development on the Rufous Bristlebird habitat as part of the current Study given its significant presence in Aireys Inlet, and the relationship of habitat protection and controls relating to subdivision and development of residential land. The South-West Flora and Fauna Unit of DSE have supplied a map detailing reported sightings in the Study area which is attached as **Appendix 7**. In its accompanying letter DSE states:

> *"The township of Aireys Inlet, its coastal frontage and adjacent private land, with dense stands of remnant native vegetation are important habitat for Rufous Bristlebirds. Clearing of existing remnant vegetation to cater for more intensive development and over zealous fire protection clearing, will impact on the capability of Rufous Bristlebird, to survive in this area due to removal and fragmentation of available habitat, together with increased levels of disturbance and a highly probable increase in predators, mainly domestic cats. Protection of areas within the township of Aireys Inlet (as shown on the attached map) that contain intact native vegetation that has full structural life forms (ie ground layer, shrub layer, canopy), should be protected from inappropriate clearing or modification.*

The following discussion draws together the results of Mark Trengove's Vegetation Assessment and biodiversity priorities from the draft BAP, and makes comment about implications for residential development in the Study area:

Vegetation Quality

The majority of the residential areas contain vegetation classified as a 'Mixed Eucalyptus Woodland' community, which is derived from the 'Heathy Woodland' and 'Scrubby Dry Forest' Ecological Vegetation Classes (EVCs), referenced as EVC Nos. 48 and 21 respectively.

Messmate Stringybark Woodland with intact understorey (Heathy Woodland EVC No.48)

Ironbark dominated woodland (Shrubby Dry Forest EVC No.21)

The vegetation quality across the study area varies from High State to Local conservation significance (refer **Map 4**). Northern Aireys Inlet and the north eastern part of Fairhaven referenced as sites 3, 10 and 13 have a High State conservation significance. The remainder of northern Aireys Inlet, the northern parts of Fairhaven, the eastern side of Moggs Creek and Eastern View, referenced as sites 9, 25 11, 14, 15, 16 and 19 have Regional conservation significance, having a

moderately intact indigenous tree canopy and understorey but containing some exotic and weed species. The north and north western part of central Aireys Inlet, the remainder of Fairhaven and Moggs Creek referenced as sites 1, 7, 12, 17 and 18 have a High Local conservation significance, having a modified indigenous tree canopy and understorey, found in smaller patches, with a higher degree of exotic and weed species. Central Aireys Inlet referenced as site 5 has the lowest vegetation quality rating of Local conservation significance.

In central Aireys Inlet where indigenous vegetation cover is lowest, non-indigenous native vegetation is often dominant, which nonetheless provides habitat benefits for indigenous fauna, and contributes to the coastal character referred to in Chapter 3. The variation in canopy cover is evident from the aerial photography (refer **Map 2** on page 9 of the report) and highlights the need to extend and enhance intact patches of remnant vegetation across the study area.

Public reserves such as the Anderson Roadknight Reserve, the Great Ocean Road Reserve, the Allen Noble Sanctuary, the Painkalac Creek and the Coastal Reserve and Coastal Cliffs referenced as sites 4, 20, 21, 23, and 24 have a Regional to State conservation significance

Foreshore vegetation

The vegetation of Highest (State) conservation value is located on large lots outside the main parts of the towns in the Environmental Rural Zone, or on abutting public land such as the Angahook-Lorne State Park and the numerous reserves. This can be attributed to larger lot sizes and lower levels of disturbance compared to residentially developed land. There is an area of the 'Coastal Moonah Woodland' community (which is listed under the *Flora and Fauna Guarantee Act 1988*) on Eagle Rock Parade North (ref 2) which is rated as having High Local conservation significance.

This area contains a scattered Moonah overstorey with a substantially exotic understorey. Action Statement No. 141 under the Act states that the Coastal Moonah Woodland community:

> "*has a restricted distribution in the state due to the reliance on soil type and coastal influences, and is in a demonstrable state of decline which is likely to result in its extinction*".

The Action Statement acknowledges:

- The significant loss of the community due to residential development, and that it is likely to continue under current planning arrangements.
- That residential development often results in the retention of a proportion of the large shrub and tree components of the community, but almost total loss of the smaller shrub and ground layer components. Regeneration of the taller components (except Coastal Tea-tree) is rare within residential areas.

Moonah on private land in Eagle Rock Parade

- The existence of a number of vulnerable and endangered flora and fauna species found within the vegetation community, and that conservation of the Moonah Woodland has potential to significantly contribute to the conservation of these taxa.

Management actions include ensuring that significant remnants of the Moonah Woodland are protected from inappropriate development through the application of local Planning Schemes.

Protection of Native Vegetation - Permit Requirements

Overlays should be applied across the Study area that require planning permits for removal of indigenous vegetation – most lots in the Residential 1 Zone are less than 0.4ha and are not affected by the State Native Vegetation provisions at Clause 52.12. Disturbance to vegetation should be limited to building envelopes and the provision of services, in the Residential Zone, Low Density Residential Zone and Environmental Rural Zone, in order to protect and enhance both the canopy and understorey vegetation across the balance of a site. Retention of indigenous vegetation should be given priority, whilst recognising the value of other native vegetation over 2m in height (in the R1Z), recognising their contribution to the neighbourhood character. In areas covered by the Wild Fire Management Overlay appropriate management of ground fuels around dwellings will be required for fire prevention purposes.

Vegetation Communities contain a wide range of species, including overstorey (trees), understorey (shrubs) and ground layer species (grasses and herbs). Protection and enhancement of lower level indigenous vegetation across the study area will more effectively protect the habitat of the Rufous Bristlebird, and over time will increase privacy between lots and enhance the highly modified understorey.

The removal of environmental weeds listed in the Surf Coast Shire's "*Environmental Weeds*: *Invaders of our Surf Coast*" (2002) should be encouraged by continuing to exempt these species from permit requirements. Environmental weeds such as Coast Wattle and Coast Tea-tree have potential to overcrowd and eventually take the place of other plant species. To make effective gains in the control of environmental weeds on private land, consideration should be given to adoption of a local law that prohibits the planting of these species. Such a law would require resourcing due to the substantial education, monitoring and enforcement that would be involved, particularly in the years following its implementation.

Coast Tea-tree invading intact coastal vegetation

Removal of Vegetation

Consistent with the principles of the State Native Vegetation Framework (NVF) referred to above, removal of indigenous vegetation should be avoided, given that vegetation across the study area is of High State to Local conservation significance. Buildings should be sited and designed to have minimal impact on indigenous vegetation but where removal is unavoidable vegetation that has been highly modified should be removed in preference to intact remnant patches that include the ground, shrub and canopy layers. Vegetation corridors should be retained and enhanced where possible in order to provide habitat for the Rufous Bristlebird. Consideration should be given to the impact of anticipated disturbance from any ancillary works such as underground infrastructure, as well as balancing fire protection requirements where land is affected by a Wildfire Management Overlay. Consideration should also be given to whether development and activities on private land would have any adverse impact on the environmental values of adjoining Crown land.

Any vegetation removed should be replaced with indigenous species at a higher ratio of 3 trees and 5 understorey species to every tree being removed, reinforcing the concept of 'Net Gain' advocated by the State NVF. Planting of Messmate Stringybark, Ironbark, Manna Gum, Swamp Gum, Narrow Leaf Peppermint within the townships and Drooping Sheoke and Moonah adjacent to the coastal reserves are particularly encouraged as these are the predominant tree species in the Study area. Land owners should be encouraged to use species listed in the *Surf Coast Shire's Indigenous Planting Guide, 2003* in landscape plans, selecting a combinations of grasses, shrubs and trees. Re-establishment of small and medium shrubs in areas of low vegetation cover should assist in the restoration of the Rufous Bristlebird habitat.

Relationship of Vegetation to the Built Environment

The footprint of buildings and associated hard surfaces such as driveways and patio areas should be limited to both minimise the impacts of residential development on indigenous vegetation, and provide for the future growth of such vegetation. The large lot sizes in towns within the Study area has allowed the retention of both canopy and understorey vegetation around buildings in many cases. Although some precincts such as central Aireys Inlet (ref 5) have a low vegetation coverage relative to other parts of the Study area, there is capacity for vegetation to be re-established on those lots if the scale of residential development is controlled.

Smaller lots should be limited to central Aireys Inlet having the lowest vegetation quality rating and therefore the highest potential for in-fill development due to its highly modified vegetation cover. It is important however that the size of new lots are capable of retaining existing indigenous vegetation around buildings while enabling the planting of new vegetation. Larger residential allotments should be applied to sites of High Local to High State conservation significance and adjacent to the Coastal Reserve to protect the habitat of Rufous Bristlebird.

Education

It is important that regulatory controls on residential development be supplemented by enhanced education of the community to achieve desired outcomes such as:

- Removal of environmental weeds from private land.
- Planting of indigenous plant species on private land as opposed to exotic, weed or non-indigenous native species.
- An appropriate balance between management of indigenous vegetation for fire protection as well as environmental outcomes.
- Adoption of land management techniques that protect and enhance the environmental values of adjoining nature reserves and/or crown land.

A new resident information kit which includes *Environmental Weeds: Invaders of our Surf Coast, 2002,* and *Surf Coast Shire's Indigenous Planting Guide, 2003* is recommended, along with use of the Shire web site to more effectively communicate these messages. Council could consider holding regular forums in the community to raise awareness levels and utilise existing community networks such as Angair, AIDA and both the Lorne and Anglesea Community Houses.

The outcomes of this assessment are further assessed in Chapter 6.

5. Current Planning Controls

The Surf Coast Shire introduced a new planning scheme in 2000, based on the Victoria Planning Provisions (VPPs). A Residential 1 Zone (R1Z) was applied to most of Aireys Inlet together with a Significant Landscape Overlay – Schedules 1 (SLO1) and 2 (SLO2) which include native vegetation removal and development controls. A Design and Development Overlay – Schedule 3 (DDO3) was applied to the Split Point Lighthouse Precinct to protect the heritage and landscape values of the lighthouse precinct. The Residential 1 Zone was also applied to Fairhaven and Moggs Creek, together with a Significant Landscape Overlay – Schedule 1 (SLO1). The Environmental Rural Zone (ERZ) was applied to land abutting Aireys Inlet, Fairhaven and all private land at Eastern View, which is also supported by either the Vegetation Protection Overlay – Schedule 1 (VPO1) or the SLO1. A Low Density Residential Zone (LDRZ) with SLO1 applies to two areas adjoining Fairhaven, including the northern end of Ridge Road and Timbarra Cluster, where the lot sizes are larger than conventional residential lots. These controls are shown on **Maps 5 and 6**. Policies on growth of the four townships and residential development were summarised and incorporated in the Scheme as a Municipal Strategic Statement (MSS).

The following is a summary of controls in the Planning Scheme that have relevance to land use and development within the study area.

State Planning Policy Framework (SPPF)

The SPPF includes state policy to which all local planning provisions must conform. It encourages consolidation of existing urban areas whilst respecting neighbourhood character, and states that areas of environmental significance should be protected. It further refers to consideration of a range of state and national environment strategies, including 'Action Statements' under the *Flora and Fauna Guarantee Act 1988,* and states that decision making by Councils should assist the conservation of the habitats of threatened and endangered species and communities as identified under the *Flora and Fauna Guarantee Act*, as well as addressing potentially threatening processes. Development in coastal areas is required to be consistent with the Victorian Coastal Strategy 2002.

Local Planning Policy Framework (LPPF)

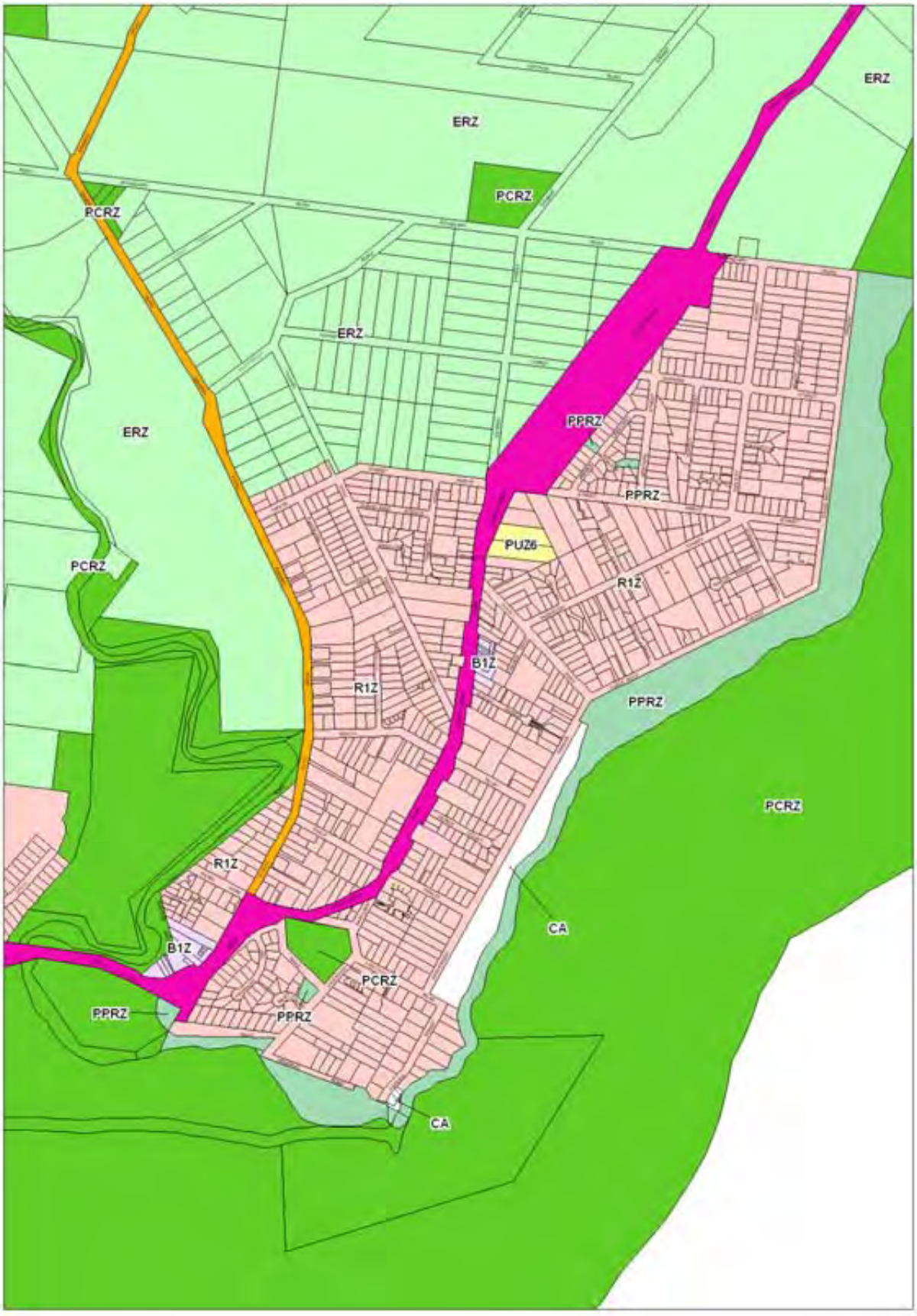
The LPPF section of the Scheme includes the Municipal Strategic Statement (MSS) and a number of local policies. Those that are relevant to the study area are described below.

Aireys Inlet to Eastern View Strategy (Clause 21.13)

This Strategy is a summary of the 'Aireys Inlet to Eastern View Structure Plan' (1993) and notes the limited capacity of the town to expand and accommodate future population growth due to its abuttal to the ocean and environmentally sensitive areas. The Strategy makes the following references to coastal character:

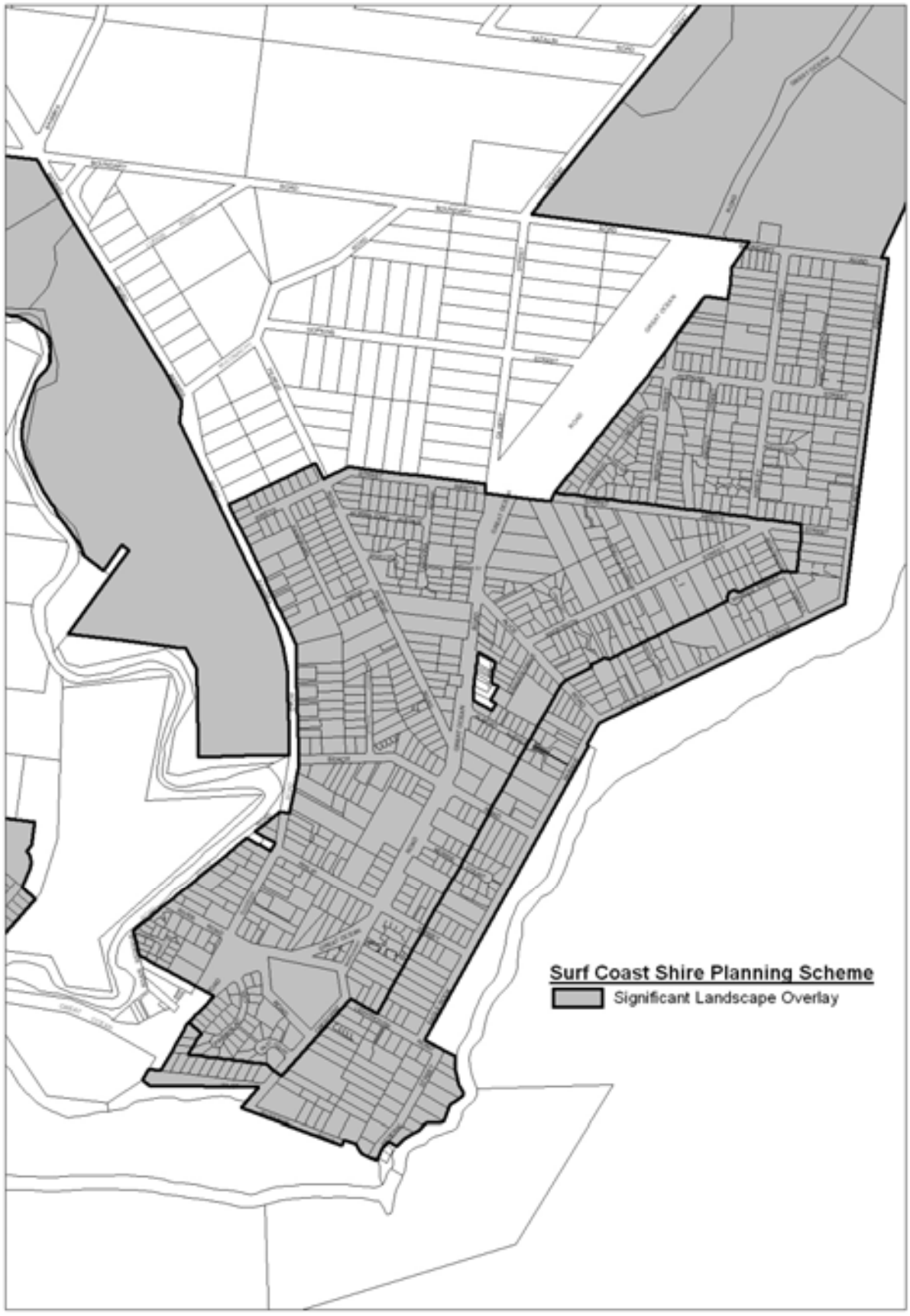
> *"The residential areas of Aireys Inlet through to Eastern View have their own unique character and identity, which is enhanced by the fact that the townships are surrounded and punctuated by State park and the large open valley of the Painkalac Creek, separating Aireys Inlet from Fairhaven. Many of the residential areas are characterised by lower densities, steep slopes and significant covers of native vegetation. This is particularly the case in Fairhaven, Moggs Creek and Eastern View where the siting, design and visual prominence of dwellings has a significant impact on viewsheds, particularly along the Great Ocean Road.*
>
> *As the supply of residential land diminishes, the townships will come under increasing pressure to cater for ongoing demand. In dealing with this pressure, it will be important not to lose sight of the reasons for the attractiveness and appeal of the area. The Coastal Development Policy (Clause 22.01) has been incorporated into the planning scheme to*

Map 5a
Surf Coast Planning Scheme – Zones
Aireys Inlet

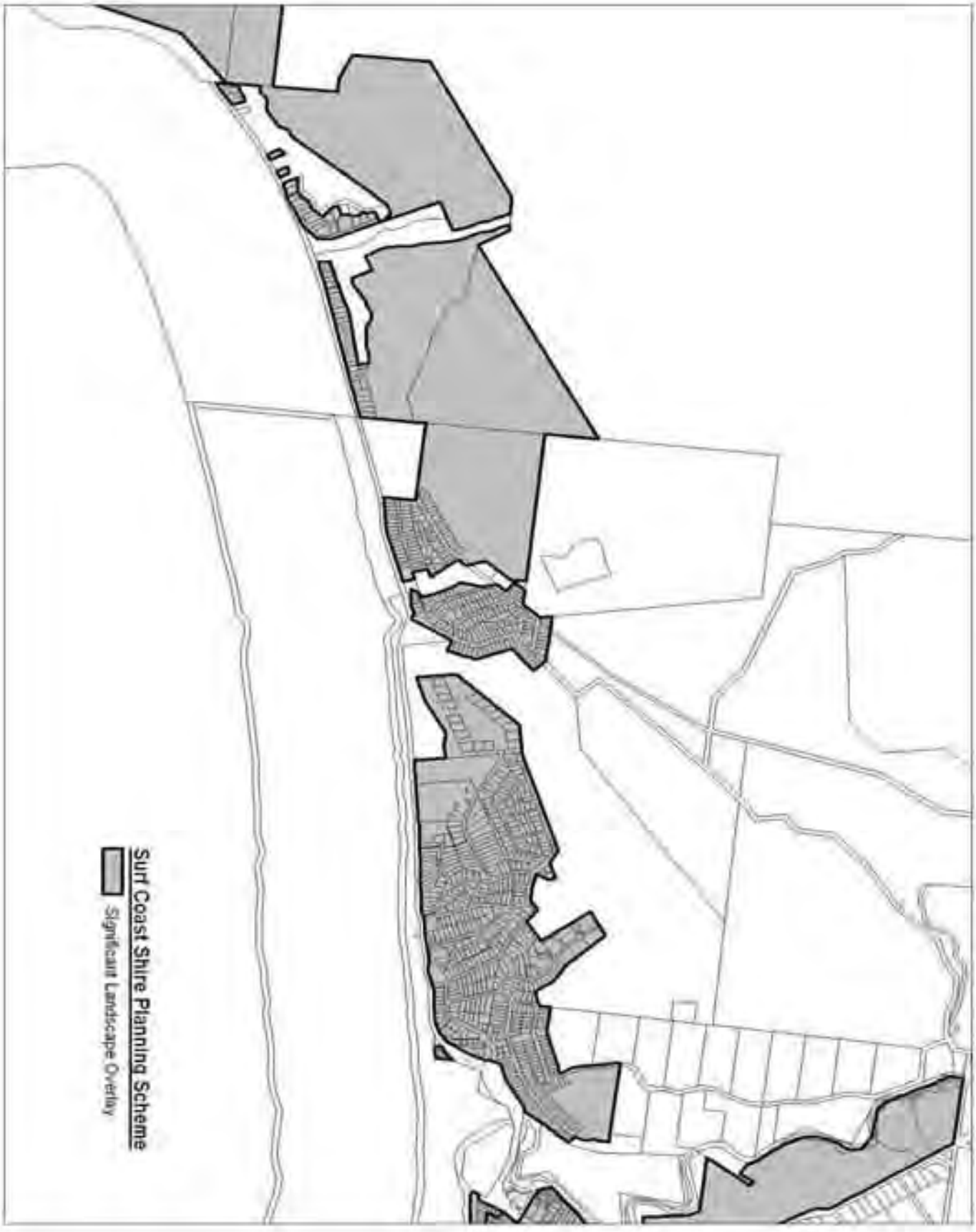


Map 5b
Surf Coast Planning Scheme – Zones
Fairhaven to Eastern View

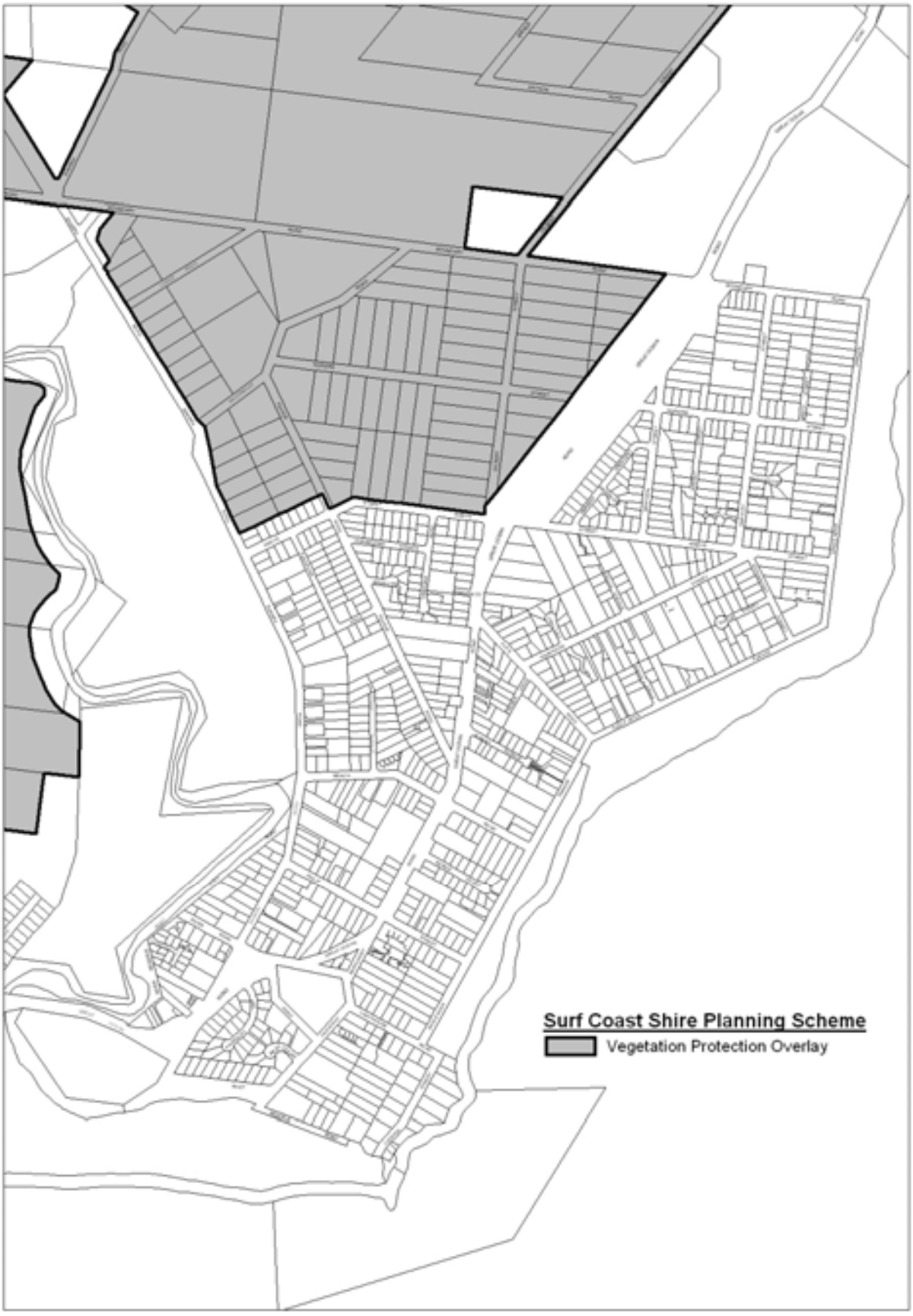
Map 6a
Surf Coast Planning Scheme - Significant Landscape Overlay
Aireys Inlet



Map 6b
Surf Coast Planning Scheme - Significant Landscape Overlay
Fairhaven to Eastern View



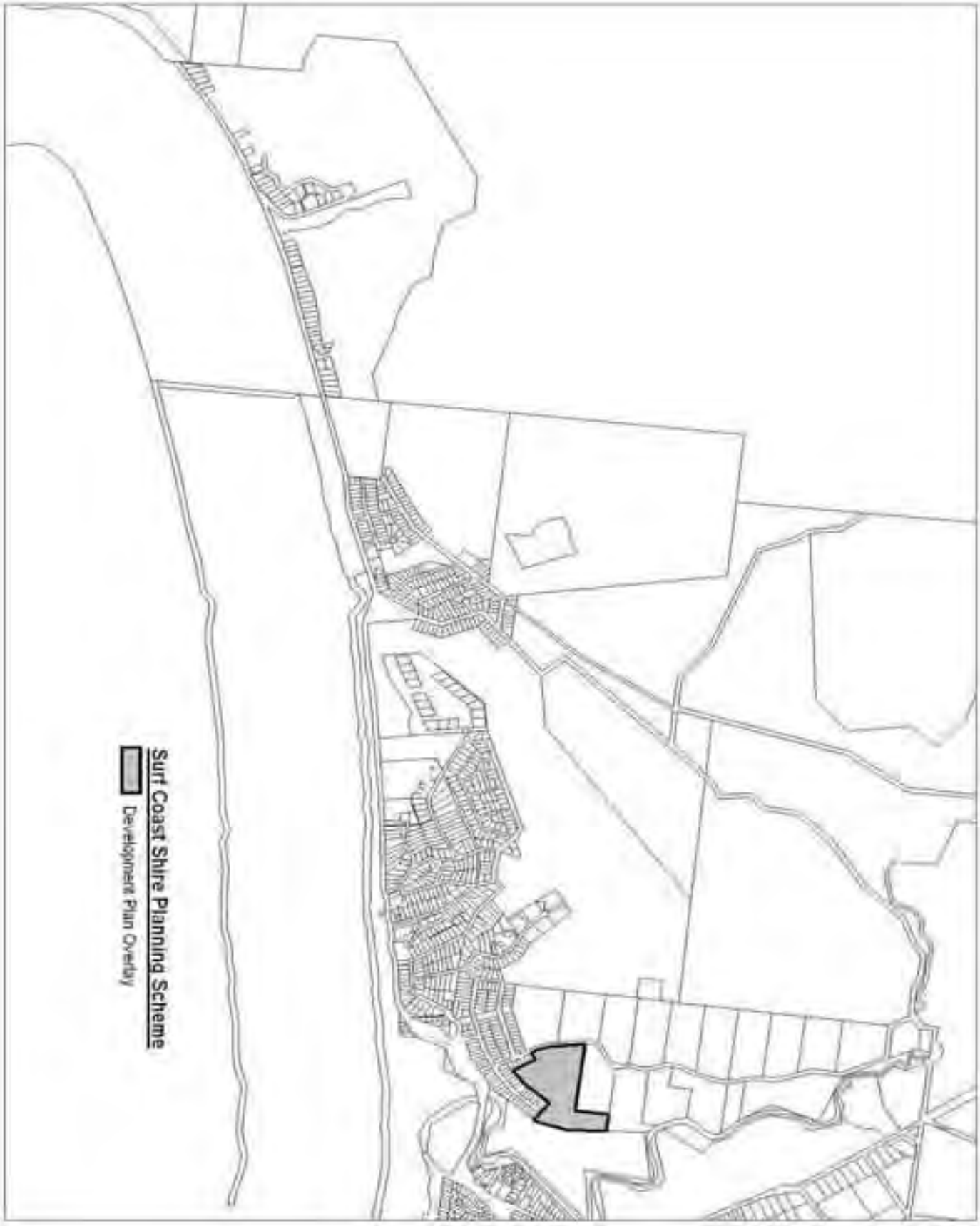
Map 6c
Surf Coast Planning Scheme – Vegetation Protection Overlay
Aireys Inlet



Map 6d
Surf Coast Planning Scheme – Vegetation Protection Overlay
Fairhaven to Eastern View

Map 6e
Surf Coast Planning Scheme – Design and Development Overlay
Aireys Inlet

Map 6f
Surf Coast Planning Scheme –Development Plan Overlay
Fairhaven to Eastern View



ensure that this character is maintained and that the visual impact of development along the Great Ocean Road is minimized.. This policy also contains various controls relating to building height and bulk, building on steep land, siting and site coverage, architectural design, materials, colours, density and view sharing to ensure that objectives for these communities are met.

It will be critical that future buildings and works fit into their visual and environmental surroundings, and the onus will be placed on the developer to demonstrate that any proposal is compatible with its surrounding environment."

The following strategies are listed:

- *"Contain future residential development within the existing township boundaries.*
- *Maintain the low density character of Fairhaven, Moggs Creek and Eastern View.*
- *Encourage infill and medium density development adjacent to the commercial areas in Aireys Inlet, and where land is:*
  - *of lower environmental significance within existing areas of conventional residential development,*
  - *flat or gently sloping with no drainage or erosion problems, and*
  - *serviced by adequate sewerage and water supply systems.*
- *Ensure that medium density housing is provided in a dispersed manner throughout the town to maintain the low density character of the township.*
- *Support the development of large vacant lots for appropriately designed tourist accommodation.*
- *Ensure that development has regard to the environmental sensitivity of the area, the high level of fire risk and the maintenance of scenic landscape vistas along the Great Ocean Road.*
- *Ensure that development in Fairhaven, Moggs Creek and Eastern View does not intrude into viewsheds along the Great Ocean Road."*

The Strategy further acknowledges the significance of the environment to the character of these settlements and that protection and enhancement of the indigenous flora and fauna will be paramount to the long term uniqueness and significance of the area. Key strategies detailed to protect the environment include:

- *"Refuse applications for inappropriate development of privately owned land within the Painkalac Creek valley and ensure that any approved development will not result in a significant change to its present rural and landscape character.*
- *Protect views of the valley from external viewing points through siting and design controls.*
- *Conserve the wetland environment at the southern end of the valley.*
- *Minimise any further loss of indigenous vegetation.*
- *Encourage land owners and residents to plant only indigenous species and to undertake weed removal programs on their properties.*
- *Support the development of vegetation and management guidelines to protect significant flora and fauna species in the region, including the Rufous Bristlebird, Swamp Antechinus, Yellow Bellied Gliders and Merrans Sun Orchid."*

The current Study provides a basis upon which to review these strategies.

Environment Strategy (Clause 21.05)

This Strategy recognises that the decline and fragmentation of indigenous vegetation and loss of biodiversity is a major environmental issue in the Shire, and that this decline should be reversed. It states that the design of new subdivisions should take into account the protection, conservation and

management of natural heritage features, including remnant indigenous vegetation, old trees, wetlands and streams. It also highlights the threat to native flora and fauna posed by environmental weeds, and that the planting of pest plants, particularly environmental weeds, should be actively discouraged.

Coastal Development Policy (Clause 22.01)

This policy applies to all land within the Study area, and is the primary statutory tool for guidance on the use of discretion when determining planning permit applications for residential development. It covers the following key elements:

- Development densities and subdivision lot size
- Vegetation cover
- Building scale, including siting, height, site coverage, size and view sharing.
- Building design.
- Fences.

Rural and Environmental Development Policy (Clause 22.02)

This policy applies to all land within the Study area zoned Rural Zone (RUZ) and Environmental Rural Zone (ERZ), and is the primary statutory tool for guidance on the number of dwellings allowable on a rural lot. It establishes tenement categories and the maximum number of dwellings permitted within these categories.

Surf Coast Design and Colours Policy (Clause 22.05)

This policy applies to all land within the study area and encourages the use of architectural designs, features and colours in new buildings that complements the character of the coastal towns, avoiding typical urban forms usually found in built-up areas. The policy includes factors to be taken into account when assessing the colour schemes of external materials.

Streetscape and Landscape Policy (Clause 22.06)

This policy applies to all land within the study area and sets out requirements for landscape plans to be submitted with development applications of various types, as well as discouraging the planting of environmental weeds, and requiring the payment of a bond to ensure the retention of significant vegetation in some circumstances.

Zones and Overlays

Residential 1 Zone (R1Z) and Significant Landscape Overlay 1 (SLO1)

Where the R1Z is combined with the SLO1 (Fairhaven, Moggs Creek and parts of Aireys Inlet) a permit is generally required for all buildings and works associated with residential development, subdivision and for the removal of native vegetation. Properties containing vegetation of conservation significance in Aireys Inlet, Fairhaven and Moggs Creek are within specified Habitation Envelope areas, where removal of native vegetation is allowed without a permit provided it is within an approved habitation envelope. A permit is required for front and side boundary fences except where constructed of post and wire and the height does not exceed 1.5m. Approval is required for external colours and materials.

Where a permit is required, proposals must comply with the performance standards of Clauses 54 (where lots are less than 300sqm), 55 and 56 of the Planning Scheme (ResCode), in addition to performance standards in the local policies above.

A Development Plan Overlay (DPO) applies to unsubdivided land at 15 Bimbadeen Drive which requires future development to accord with an approved Development Plan. A Section 173

agreement has been entered into which requires the future owners of subdivided lots to comply with specified design guidelines (over and above the requirements of the SLO1 and local policies).

A Section 173 agreement applies to recently developed lots in the Forest Park Estate on the northern side of Fairhaven. As with the above site, the agreement requires that new development complies with specified design guidelines (over and above the requirements of the SLO1 and local policies).

Residential 1 Zone (R1Z) and Significant Landscape Overlay 2 (SLO2)

Where the R1Z is combined with the SLO2 (central Aireys Inlet), a permit is required for buildings and works, subdivision and for the removal of native vegetation. Buildings and works associated with residential development are exempt from requiring a permit where the following apply:

- The building height is less than 5m.
- The site coverage of buildings is less than 200m² or 35% of the site area, whichever is the lesser.
- The lot has an area exceeding 450m².
- There is a change in ground level of more than 2m resulting from cut or fill.
- The building is not relocated from another place.

Approval is required for external colours and materials, and controls apply to front and side boundary fences.

Where a permit is required, proposals must comply with the performance standards of Clauses 54 (where lots are less than 300sqm), 55 and 56 of the Planning Scheme (ResCode), in addition to performance standards in the local policies above.

Low Density Residential Zone (LDRZ) and Significant Landscape Overlay 1 (SLO1)

Where the LDRZ is combined with the SLO1 (in limited areas adjoining Fairhaven) a permit is generally required for subdivision and all buildings and works associated with residential development. A permit is required for front and side boundary fences except where constructed of post and wire and the height does not exceed 1.5m, and for removal of native vegetation. Properties are within specified Habitation Envelope areas, where removal of native vegetation is allowed without a permit where it is within an approved habitation envelope. Approval is required for external colours and materials.

Where a permit is required, proposals must comply with the performance standards in the local policies above.

Environmental Rural Zone (ERZ) and Significant Landscape Overlay 1 (SLO1)

Where land is covered by the ERZ at Eastern View a permit is required for the use and development of land for a dwelling. The Rural and Environmental Development Policy supports the approval of a single dwelling on each lot in this area. A permit is required for all buildings and works associated with residential development under the ERZ and the SLO1, and for a boundary fence except where constructed of post and wire and the height does not exceed 1.5m. A permit is required for removal of native vegetation. Properties are within specified Habitation Envelope areas, where removal of native vegetation is only permitted, without a permit, where it is within an approved habitation envelope. Approval is required for external colours and materials.

Where a permit is required, proposals must comply with the performance standards in the local policies above.

Environmental Rural and Vegetation Protection Overlay (VPO1)

Where land is covered by the ERZ, north of Aireys Inlet and in Bimbadeen Drive – Fairhaven, a permit is required for the use and development of land for a dwelling. The Rural and Environmental Development Policy supports the approval of a single dwelling on each lot in this area. A permit is required for all buildings and works associated with residential development under the ERZ and for the removal of native vegetation under the VPO1.

Where a permit is required, proposals must comply with the performance standards in the local policies above.

Chapter 6 reviews these controls having regard to the outcomes of the Study.

6. Review of Planning Controls

Key Recommendations

The Study has identified a range of features which combine to create a low density, vegetated, non-suburban character across the settlements of Aireys Inlet to Eastern View, supporting current references to residential character in the Aireys Inlet to Eastern View Strategy at Clause 21.13 of the Planning Scheme. The Study has further highlighted in Chapter 4 priorities for vegetation and habitat protection. In order to achieve the preferred character for the towns and appropriately respond to vegetation and habitat protection issues, the Study recommends that planning scheme controls additional to Clauses 54, 55 and 56 extend across the Study area to allow consideration of the following elements:

1. Protection of native, particularly indigenous vegetation.
2. Siting of buildings.
3. Building height, size and bulk.
4. Building design, materials and colours.
5. Site coverage of buildings and hard surface areas.
6. Density of multi-dwelling developments and subdivision lot sizes.

Although there are some variances between precincts within the towns, the assessment of character elements at Chapter 3 provides the strategic basis for application of controls across the Study area, including requiring a permit for all buildings and works and native vegetation removal. Although such controls exist at present in parts of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View (with application of Schedule 1 to the SLO), the extension of these controls to the balance of Aireys Inlet (currently affected by Schedule 2 to the SLO) will result in permit requirements for single storey developments in parts of Aireys Inlet that currently do not require planning approval. Other suggested modifications include:

- Greater priority to protection of existing indigenous vegetation, and replacement of removed vegetation with indigenous vegetation, with more particular decision guidelines concerning protection of Rufous Bristlebird habitat by retaining and enhancing vegetation corridors.
- Emphasis on the enhancement of indigenous vegetation cover on lots that currently have a sparse cover of vegetation, with particular attention to parts of Fairhaven, the western side of Moggs creek and central Aireys Inlet where the vegetation cover is least intact.
- Increased minimum lot sizes for subdivision and a lower development density within Aireys Inlet (current provisions for the balance of the Study area would remain much the same).
- Smaller building footprints and extent of hard surface areas for properties across the Study area.
- Smaller building size relative to land size across the Study area.
- Less formal side boundary fencing in central Aireys Inlet (where paling fences are currently permitted without a permit).
- Reduced building height for houses fronting Inlet Crescent opposite the Painkalac Creek (the inlet) and adjacent to the lighthouse.

Relationship to Housing Policy

Population in the Surf Coast Shire grew by an average of 3% pa in the period 1986 to 2001 (ABS Census), and is projected to continue growing at a similar rate. The 'Strategic Framework' of the Municipal Strategic Statement (MSS) at Clause 21.04–3 identifies Torquay/Jan Juc and Winchelsea as growth nodes given the unconstrained capacity of those towns to expand, and states that the majority of coastal population growth will be concentrated in designated growth corridors to the north and west of Torquay.

The Framework acknowledges the constrained capacity of the smaller coastal towns to accommodate population growth, stating:

"The townships of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View are contained by dense bushland and spectacular coastline, and are a popular destination for surfers and tourists, with attractions including the Split Point Lighthouse and Angahook-Lorne State Park. The townships are characterised by their relative lack of urbanisation. Future development will be strictly limited due to the environmental sensitivity of the area, the high level of fire risk and the need to prevent development spreading along the Great Ocean Road.

These townships are relatively small (populations of less than 3000 people), with a large proportion of non-permanent residents (around 65%). The number of permanent residents is slowly increasing, however the towns are still seen as attractive holiday destinations with residents and visitors seeking a place of escape from the stresses of urban living, and a sense of wellbeing though their enjoyment of the natural environment. The towns are constrained in their capacity to accommodate increased population growth because of the environmental sensitivity of their surrounding hinterlands and because residents are seeking to maintain the low density coastal character of the towns. It will be important to maintain the non-urban character of the townships (such as their coastal vegetation and informal road networks) and the environmental values of their surrounding bushland, estuaries and foreshore areas."

This strategy is consistent with the objectives of the *Victorian Coastal Strategy (2002)* which states that development pressure is to be directed away from sensitive areas (most of the coast) and managed within defined 'activity nodes' or 'recreational nodes'. According to criteria defined at P42 of the Victorian Coastal Strategy, Aireys Inlet, Fairhaven, Moggs Creek and Eastern View are considered to be small coastal townships with no significant planned population growth, as compared to a coastal city/town such as Torquay which has a significant population by comparison, and capacity to sustainably support further development. The Coastal Strategy states that the scale and intensity of development in smaller coastal townships should be limited to that appropriate to a township in a non-urban environment, and that threats to significant coastal environments will be addressed by the Planning Scheme. This strategy is supported by the recently released Great Ocean Road Region Strategy (2004).

Whilst recommended reductions in development density and increased subdivision lot size in Aireys Inlet will reduce the capacity of the town to accommodate future population increase, the impact will be marginal over the Study area given that the locations subject to change are limited to parts of Aireys Inlet only - subdivision potential in the other settlements would remain much the same. An examination of lot sizes reveals that approximately 264 lots in Aireys Inlet would potentially accommodate more than one dwelling under current policy, reducing to 133 lots under the proposed changes. The number of lots in Fairhaven would similarly reduce from 29 to 18 (due to changes in the way that lot size and density are calculated). There is no implication for land in Moggs Creek and Eastern View due to zoning and effluent disposal constraints in those settlements. Limited in-fill development within Aireys Inlet will continue to occur as envisaged in the Aireys Inlet to Eastern View Strategy at Clause 21.13, albeit at a lower density that is more reflective of the preferred character. It is noted that many of the lots in Aireys Inlet are significant sized parcels that would yield far greater than two dwellings.

It is considered that any reduced housing opportunities that may arise as a consequence of these changes will be offset by those being created as a deliberate policy in Torquay/Jan Juc where there is unconstrained potential for urban growth, consistent with the overall policy for Housing and Settlement in the MSS and the strategic directions of the Coastal Strategy and the Great Ocean Road Region Strategy (2004).

Other Socio/Economic Impacts

The introduction of permit requirements for all buildings and works in central Aireys Inlet (to be consistent with provisions applying elsewhere in the Study area) will potentially increase the timing and cost of house construction for some people, however these impacts are offset by the overall community benefit achieved. The changes would result in only a small net increase in the annual number of planning permit applications (based on assessment of planning and building approval numbers from 2002), and should therefore have no significant effect on the staff resources required to implement them.

Proposed changes to site coverage and plot ratio provisions will reduce the overall size of houses and associated hard surface areas. Further, the introduction of permit requirements for solid forms of fencing in central Aireys Inlet will limit the extent that paling fences will be permitted on side and rear boundaries (although current use of paling fences is relatively low). On balance however, it is considered that the changes will have a positive social effect by preserving the low density non-urban character of the towns, consistent with objectives in the Victorian Coastal Strategy and the Great Ocean Road Region Strategy (2004).

The following is a detailed examination of changes recommended to the Planning Scheme:

Review of Zones

Current application of the Residential 1 Zone (R1Z) to land in Aireys Inlet, Fairhaven and Moggs Creek is supported given current development patterns and similar lot sizes. Reticulated sewerage is currently unavailable in Moggs Creek, which under the State Environment Protection Policy means that further subdivision into lots less than 0.4ha would not be permitted, therefore an increase of the minimum lot size from the current 0.1ha to 0.4ha should be applied in the town to compliment state policy. However, there is no need to rezone the town to Low Density Residential Zone (LDRZ), thereby retaining a consistent zoning across much of the three townships.

The Environmental Rural Zone (ERZ) that applies to land in Eastern View and larger lots outside of the more built-up areas of Aireys Inlet and Fairhaven is considered appropriate given the high conservation significance of the vegetation in these areas identified in the Vegetation Assessment (refer Chapter 4) and the more restrictive nature of this zoning compared to the LDRZ and R1Z.

Current application of the LDRZ at the end of Ridge Road in Fairhaven and to the Timbarra Cluster estate west of Fairhaven is appropriate given the comparative size of lots in those locations to smaller residential sized lots in the main parts of Aireys Inlet, Fairhaven and Moggs Creek.

Need for Overlays

The provisions of the R1Z, and the standards at Clauses 54 and 55 of the Scheme do not adequately provide the required controls to protect all of the elements referred to above. Introducing controls relating to neighbourhood character to the Schedule to the R1Z would apply any variations to Clauses 54 and 55 across all parts of the Shire zoned R1Z and is therefore inappropriate. The Study has confirmed that application of overlay(s) that control buildings and works, fencing construction and vegetation removal are therefore necessary to ensure that future development is compatible with and reinforces valued aspects of the towns' character, and that native vegetation and habitat for threatened species is adequately protected.

Change in Structure of Controls

Overlays relevant to Aireys Inlet to Eastern View in the current Planning Scheme are generic in nature, with the SLO1 applying to parts of Aireys Inlet, Fairhaven, Moggs creek, Eastern View, Lorne and other sensitive landscapes along the coast, and the SLO2 applying to parts of Torquay/Jan Juc, Anglesea and Aireys Inlet. Neither Schedule to the SLO contains objectives, decision guidelines or performance criteria that are specific to the Study area. Rather, performance objectives and criteria are contained in the Coastal Development Policy and are broad in their application. Further, there is a degree of complexity and repetitiveness in the controls that was identified by John Keaney in his review of the MSS in 2002 titled "*Surf Coast Planning Scheme: Three Year Report*".

The Surf Coast Shire Three Year MSS Review adopted by the Council in March 2004 supports Keaney's recommendation that the content of the Coastal Development Policy be collapsed into the overlays as it would have the dual effect of reinforcing the weight that should be given to provisions currently in the Coastal Development Policy and streamline the controls for the user. The creation of overlay schedules specific to the Study area will also provide for better targeted outcomes in relation to preferred neighbourhood character. There is also an opportunity to delete provisions that are not strategically justified in the current Scheme. This approach is being taken with the other coastal towns following completion of similar studies.

Application of Overlays

The following table is an analysis of the different overlays that could be applied to the study area to achieve the neighbourhood character objectives identified in this Study:

Overlay	Advantage	Disadvantage
Significant Landscape (SLO)	• Controls buildings and works • Controls removal of native vegetation • Allows permit exemptions • Landscape focus	• Doesn't include subdivision controls. • Decision guidelines & purposes not related specifically to environmental outcomes. • Lacks performance criteria and would require a local policy to specify performance standards.
Design and Development (DDO)	• Controls building and works and subdivision • Allows permit exemptions • Contains performance criteria	• No vegetation control, therefore additional overlay required to control this element.
Neighbourhood Character (NCO)	• Controls buildings and works • Neighbourhood character focus • Controls removal of vegetation • Can vary Rescode standards where land is zoned Residential 1. • Applies Clause 54 (Rescode) to all residential lots within the study area.	• Does not control vegetation removal where vegetation is <5m in height or which has a trunk circumference < 0.5m – therefore additional overlay required to control this element. • Doesn't include subdivision controls.
Vegetation Protection (VPO)	• Controls removal of native vegetation. • Triggers referral to DSE	• Does not control buildings and works or subdivision – therefore additional overlay required to control this element. • Is only intended to apply to isolated trees rather than environmentally significant areas • Lacks landscape focus of the SLO
Environmental Significance (ESO)	• Controls buildings and works • Controls subdivision • Controls removal of vegetation. • Can be applied to environmentally significant areas (useful for protection of habitat of Rufous Bristlebird) • Triggers referral to DSE	• Lacks neighbourhood character focus, additional overlay required to control this element

It is recommended that the SLO and VPO in conjunction with the Coastal Development Policy no longer be applied to land within the Study area. The SLO schedule does not contain performance criteria or a permit trigger for subdivision and relies on the Coastal Development Policy to control key elements which influence the preferred neighbourhood character, such as the size and scale of buildings and for establishing minimum subdivision lot sizes. Relying on a local policy to guide decision making, complicates the usability of the controls. Furthermore a local policy can be applied at the discretion of the Responsible Authority and therefore does not carry as much weight as performance criteria contained within an overlay schedule. Regardless, the Victoria Planning

Provisions (VPPs) discourage the use of performance criteria within a local policy and guides Planning Authorities to locate these kinds of controls within the overlay schedules. The use of the SLO and the VPO to regulate vegetation removal within the study area should also be replaced by a more suitable overlay. The Victoria Planning Provisions discourages the application of the VPO to expanses of land of environmental significance as it is only intended to apply to isolated trees. The SLO is not aimed towards protecting environmental values but focuses on how vegetation contributes to the landscape character and is therefore also not appropriate. For this reason it is recommended that the SLO, VPO and Coastal Development Policy be replaced by the Neighbourhood Character Overlay (NCO), Design and Development Overlay and Environmental Significance Overlay (ESO).

The NCO can set performance standards, in the form of variations to Rescode, for all of the key elements recognised within the study that influence the preferred neighbourhood character such as building setbacks, height and scale. Therefore the NCO does not rely on a separate policy to guide decision making.

The DDO triggers a permit for subdivision and contains performance criteria which can include minimum lot sizes. It is preferable to control subdivision via an overlay schedule given the strong nexus between vegetation retention, preferred neighbourhood character and lot size, which has been established by the Study.

The VPPs encourage the use of the ESO on land containing environmental significance. The vegetation across the study area rates between Local to State conservation significance (as noted in Chapter 4) and warrants stronger protection and enhancement.

The DDO currently applied to the precinct around the Split Point Lighthouse should be rolled into the NCO to avoid repetitive controls, while continuing to highlight the heritage significance of the lighthouse and surrounding area.

It is therefore recommended that the SLO be replaced by a combination of overlays, the NCO, the DDO and the ESO. Further, that the content of the Coastal Development Policy relating to the study area be collapsed into the new overlay schedules. Although this will create a greater number of schedules across the study area, it removes the need for a local policy thereby streamlining the controls for the user, enables better targeted outcomes and reduces duplication in the controls. In addition the proposed overlay schedules will trigger Rescode for lots greater than 300sqm in the residential areas (and will be able to vary the standards of Rescode) and will achieve greater consistency with the VPPs. It is envisaged that the proposed controls will more accurately reflect preferred character outcomes identified in Chapter 3 and vegetation management issues identified in Chapter 4.

Neighbourhood Character Overlay

The Neighbourhood Character Overlay is recommended to apply to land covered by the R1Z in Aireys Inlet, Fairhaven and Moggs Creek presently covered by the SLO1and the SLO2 including land surrounding the Split Point Lighthouse covered by the DDO3.

A schedule to the NCO is to include a neighbourhood character statement and design objectives drawn from the findings of the study, including:

- A ‘neighbourhood character statement’ and neighbourhood character objectives specific to the three settlements.
- Extension of the permit requirements for buildings and works so that a permit would be required for all buildings and works throughout the Study area. Therefore the permit trigger currently applying to areas covered by the SLO1 would extend to the areas covered by the SLO2.
- Reference to preferred external colour schemes, replacing current references in the Surf Coast Design and Colours Policy (Clause 22.05).
- Rescode (Clauses 54 and 55 of the Surf Coast Planning Scheme) variations relating to residential development, including the following elements:

  - A maximum building height of 7.5m above natural ground level, requiring lower heights within the lighthouse precinct.
  - Setback controls
  - The maximum size of buildings is reduced from a plot ratio of 0.5 to 0.4.
  - The maximum site coverage for buildings is reduced from 35% to 30%.
  - The maximum site coverage for buildings and hard surfaces is reduced from 50% to 40%.
- Decision guidelines relating to the above are related back to the neighbourhood character objectives identified in the Study.

Design and Development Overlay

A schedule to the Design and Development Overlay is recommended to apply to land covered by the R1Z in Aireys Inlet, Fairhaven and Moggs Creek presently covered by the SLO1and the SLO2.

The schedule is to include design objectives drawn from the findings of the study, including:

- Permit requirements for subdivision.
- Application of a maximum density of 1:550m² (1:600m² for corner lots) in area B (applying to central Aireys Inlet - refer Map 7). The majority of land in this area currently has a maximum density of 1:450m² with the exception of properties along Bambra Road which currently have a maximum density of 1:800m².
- Application of a maximum density of 1:1000m² in area A (applying to northern Aireys Inlet including Eagle rock Parade, the lighthouse precinct and Fairhaven – refer Map 7.) The majority of land in this part of Aireys Inlet currently has a maximum density of 1:800m².
- Application of a maximum density of 1:4000m² in Moggs Creek given that reticulated sewerage is unavailable in the town.
- A revised method of calculating density to exclude common areas and battle axe driveways.
- Permit requirements for the construction of any boundary fence other than a post and wire fence up to 1.5m in height. Performance criteria for consideration of solid boundary fences are strengthened.
- Encouraging the use of informal looking road surfaces in new subdivisions.

Design and Development Overlay

A separate schedule is recommended to apply to land covered by the ERZ in Aireys Inlet, ERZ and LDRZ in Fairhaven and ERZ in Eastern View presently covered by the SLO1 and VPO1.

The schedule to the DDO is to include design objectives drawn from the findings of the study, including;

- Permit requirements for the construction of any boundary fence other than a post and wire fence up to 1.5m in height. Performance criteria for consideration of solid boundary fences are strengthened.
- Performance criteria for buildings and works including;
  - A maximum building height of 7.5m above natural ground level
  - Setback controls
- Decision guidelines relating to the above are related back to the neighbourhood character objectives identified in the Study.
- Reference to preferred external colour schemes, replacing current references in the Surf Coast Design and Colours Policy (Clause 22.05).

Environmental Significance Overlay

A schedule to the Environmental Significant Overlay is recommended to apply to land identified as having vegetation of Local to High Local conservation significance presently covered by the SLO1, SLO2 and habitation envelopes.

The schedule to the ESO is to include a statement of environmental significance drawn from the study, and will include;

- Permit requirements for the construction of a fence other than a post and wire fence up to 1.5m in height.
- Permit requirements for the removal of indigenous vegetation and native vegetation over 2m in height that is more than 2m from a building.
- Stronger performance criteria for vegetation retention, including at the subdivision stage. Increased requirements for replacement of indigenous vegetation when vegetation is removed and requirements for the planting of indigenous species on sites with a sparse cover of vegetation.
- Particular emphasis on the removal of environmental weeds and re-vegetation of development sites with indigenous vegetation
- Emphasis on the protection of Rufous Bristlebird habitat

Moonah in Eagle Rock Parade of High Local conservation significance– to be covered by an ESO

Environmental Significance Overlay

A separate schedule is recommended to apply to land identified as having vegetation of Regional to High State conservation significance presently covered by the SLO1, habitation envelopes and the VPO1.

This schedule to the ESO is to include a statement of environmental significance drawn from the findings of the study, and will include the same criteria as the above schedule with the following variation:

- Permit requirements for the removal of indigenous vegetation.

Map 7
Recommended new minimum lot sizes

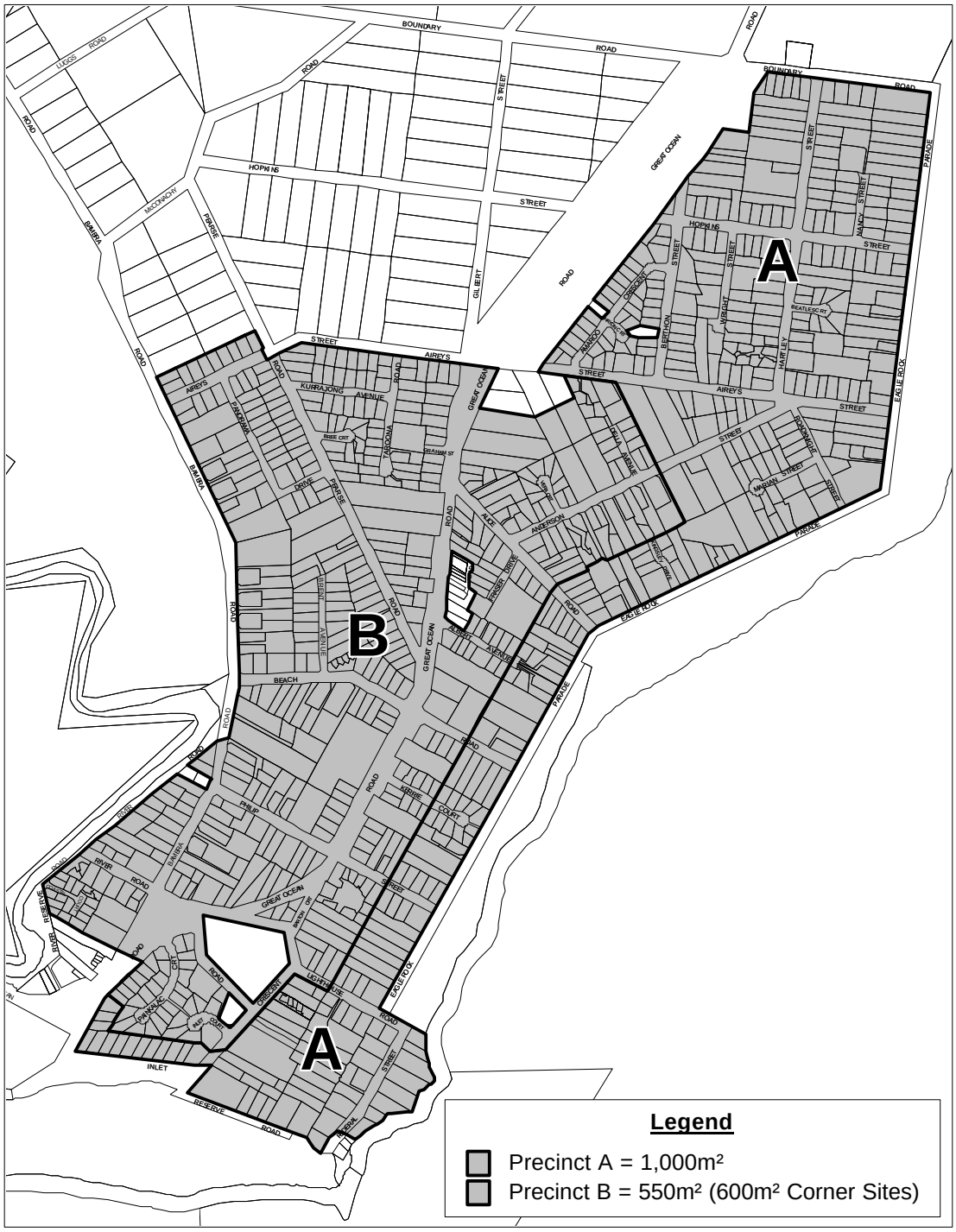


Table 2 below reviews each of the character elements identified in Chapter 3, and contains general details of modifications recommended in the above overlay schedules:

Table 2 Changes to the performance standards

Element	Existing	Proposed
Development Density	Aireys Inlet- Precinct A 1:800m²	Increase to 1:1000m²
		Decrease to 1:550m² (600m² for corner lots) along Bambra Road
	Aireys Inlet– Precinct B 1:450m²	Increase to 1:550m² (600m² for corner lots)
	Fairhaven 1:1000m²	No change.
	Moggs Creek 1:1000m²	Increase to 1:4000 m² - no subdivision potential
	Above 'site areas' averaged across the development. Driveways included in the calculations.	Above 'site areas' to be provided for each dwelling (without averaging across the development), excluding common areas or battle-axe driveways.
Building Site Coverage	Maximum 35%	Maximum 30%
Building & Hard Surface Site Coverage	Maximum 50%	Maximum 40%
Plot Ratio	Maximum 0.5	Maximum 0.4
External Colours	Details to be submitted for approval in all cases. Buildings in SLO1 to comply with *Subdued Colours Palette 2002.* Buildings in SLO2 to be compatible with natural surroundings.	Colours in all areas are to be warm, earthy, natural tones with non reflective roof colours, complying with *Subdued Colours Palette 2002.*
Height	Maximum 7.5m	No change, except that recessive building designs may be required within the Lighthouse precinct.
Front and Side Boundary Setbacks	ResCode Setback standards within Clause 54 are used as a guideline. Setback standards within Clause 55 apply	Increased setbacks required including avoiding walls on boundaries and narrow setbacks adjacent to side streets.
Front Fences	Permit required for any fence in SLO1 except post and wire up to 1.5m height. Permit required for any front fence in SLO2.	Allow post and wire fences up to 1.5m in height without a permit, but require a permit for other styles of fence in all areas.
Side Fences	Permit required for any fence except post and wire fence up to 1.5m height in SLO1. Any type of fence permitted up to 1.6m height in SLO2.	Require a permit for all fencing other than post and wire up to a height of 1.5m in all areas. Discourage solid forms of fences (eg palings) except in limited circumstances.

Tennis Courts	Permit required	Require a permit, but performance criteria to be deleted and establishment of tennis courts discouraged altogether.
Native Vegetation Removal	In the SLO2, a permit is required except for vegetation: • Under 2m in height • Within 2m of a building • That is an environmental weed In the SLO1, the above exemptions apply, but vegetation must not be removed outside of defined habitation envelopes.	Similar exemptions to apply in the new schedules, except that a permit is to be required to remove all indigenous vegetation beyond 2m of a building. The removal of native vegetation over 2m in height will require a permit in areas where the vegetation is of local to high local conservation significance only, in recognition of its landscape value. Habitation envelopes deleted.

The SLO1 as it applies to land outside of the study area is proposed to remain unaltered. It is envisaged that the landscape character objectives outside the study area should be reviewed as part of any future broader review of landscape protection controls in coastal areas as a response to the landscape assessment released with the Great Ocean Road Regional Strategy in 2004 (refer to recommendation in Chapter 8).

View northward along Painkalac Creek valley –

Design and Development Overlay (DDO)

Whilst the current Study has primarily addressed residential character, an issue raised through this process is the future development of the commercial areas within Aireys Inlet.

Guidance required for future development in the commercial centres

It is acknowledged that the scale and appearance of future development of these areas has the potential to impact upon the broader neighbourhood character of Aireys Inlet. At present these areas are covered by the Business 1 Zone with no overlays. It is recommended that a Design and Development Overlay be applied to both of the commercial centres, with a specific Schedule containing design guidelines for future development of these areas. An Urban Design Framework is currently being prepared for Aireys Inlet which includes the preparation of urban design guidelines that could later form the basis for introduction of a DDO (refer recommendation in Chapter 8).

Modifications to the Local Planning Policy Framework (LPPF)

The following changes would need to be made to the LPPF of the Planning Scheme to reflect the changes recommended by this Study:

Aireys Inlet to Eastern View Strategy (Clause 21.13)

- Update the references to residential character and preferred strategies concerning subdivision and development across the settlements.

- Update the references to environmental values as outlined in the Vegetation Assessment (see Chapter 4) and include a strategy to review the application of the ESO and VPO outside the Study area having regard to habitat protection for threatened flora and fauna species.
- Include a strategy that supports application of a DDO to the commercial centres in Aireys Inlet.

An opportunity would be taken when making these changes to streamline and improve the structure of the Strategy as envisaged in the Shire's Three Year MSS Review.

7. Other Issues

Periodic Review

It is recommended that a review of the effectiveness of revised planning controls introduced as an outcome of the Study is conducted as part of the mandatory three year review of the performance of the Planning Scheme. In this way there can be monitoring of whether preferred character outcomes specified in the Scheme are being met in new development.

Planning Enforcement

Concerns were raised that enforcement of planning scheme provisions has been inadequate in the past, resulting in high levels of non-compliance, particularly in relation to retention and planting of vegetation required by permit conditions. Emphasis should be given to pro-active enforcement, and education of the community in relation to planning controls that are in place, or changes that are proposed in the future.

Other Issues

A range of related issues beyond the scope of the present study were raised during the consultation period. Even though these issues can not be dealt with within the present study, they are considered important by residents, and hence mentioned below. Some of these issues, which relate to the management of public land such as parks and foreshore, fall outside the jurisdiction of the Surf Coast Shire Council, and are issues which need to be dealt with by the relevant public land manager such as, for example, the Department of Sustainability and Environment. The issues of concern that were raised are:

- **Sustainable development** – It was suggested that the Study should seek to address sustainability in building design. This is not an issue relevant to neighbourhood character that is addressed by this Study, but is nonetheless a suggestion that could be taken up as part of any future evolution of the Surf Coast Style policy (ie to look at environmentally sustainable design principles).
- **Power lines –** Concerns were expressed about the visual impact of above ground power lines. Although power lines in new subdivisions are required to be underground, Council may give consideration to pursuing the undergrounding of powerlines that are prominent in highly valued landscapes.
- **Light pollution** - Street lighting and exterior lighting of residential housing is an issue for many local residents who are concerned about the accumulative effect of poorly designed, sited and baffled lighting. While it is generally difficult to control lighting on private property, consideration could be given to the design of new and replacement lighting on public land to minimise impacts on the townships.
- **Pedestrian access** – Pedestrian access to public areas, including beaches is considered to be poor and could be improved to facilitate pedestrian movement throughout the Study area. Linked walking tracks should be considered in the future planning of public areas. This issue may in part be addressed in the current Aireys Inlet Urban Design Framework.
- **Domestic pets** – Containing domestic pets is considered to be a problem within the Study area. The draft Biodiversity Action Plan (DSE, 2003) referred to in Chapter 4 highlights the problems of domestic cats as predators to local fauna. The Council may consider whether it is appropriate to introduce a local law that prohibits the keeping of cats if this is considered a priority.
- **Feral animals and vermin** – Eradication of feral foxes, rabbits and cats is considered to be important for the protection of indigenous flora and fauna.
- **Lighthouse environs** – It as suggested that appropriately designed and sited signage to inform locals and visitors of the history of the area, in particular the lighthouse environs, be introduced to facilitate a greater understanding and appreciation for the area's history.

- **Commercial development** – Concerns were raised about the potential loss of village character as a result of further commercial development within the Study area. As identified in Chapter 6, there is a need for a Design and Development Overlay (DDO) over land in the two centres zoned Business 1. The development of design guidelines as part of the Aireys Inlet Urban Design Framework will take account of the character of the area, and can form the basis for a DDO.
- **Infrastructure** – A number of issues relating to infrastructure were raised as concerns, including wash from storm water onto Fairhaven Beach, inadequate roadside drainage in some areas, limitations of sewage scheme and other infrastructure, excess of road signage (particularly along Great Ocean Road), speed limits within residential areas and management of car parking adjacent to beach accessways.
- **Rubbish** – Concerns were raised regarding rubbish being left on the creek environs, cliffs, dunes, beach and roadside. Appropriate siting and emptying of rubbish bins is important, as well as education of the public on the environmental and aesthetic effects of littering.
- **Fire management** – A balanced and sensitive approach to fire-fuel reduction was recommended, with through consultation with all stakeholders.

8. Recommendations

The following are recommended actions for the Council to consider in response to the issues raised by this Study:

1. Amend the Surf Coast Planning Scheme to:
    a) Include the '*Aireys Inlet to Eastern View Neighbourhood Character Study and Vegetation Assessment*' and '*Surf Coast Shire's Indigenous Planting Guide, 2003'* as reference documents.
    b) Introduce a Schedule to the Neighbourhood Character Overlay to replace the existing SLO1 and SLO2 as they relate to land in the Study area.
    c) Introduce two new Schedules to the Design and Development Overlay to replace the existing SLO1 and SLO2 as they relate to land in the Study area.
    d) Introduce two new Schedules to the Environmental Significance Overlay to replace the existing SLO1, SLO2 and VPO1 as they relate to land in the Study area.
    e) Modify the Coastal Development Policy to exempt it from applying to Aireys Inlet, Fairhaven, Moggs Creek and Eastern View townships.
    f) Revise the wording of the Aireys Inlet to Eastern View Strategy in the MSS to reflect the outcomes of the Study.
2. Following completion of the Aireys Inlet Urban Design Framework, introduce a Design and Development Overlay over land in the Business 1 Zone in Aireys Inlet that incorporates the adopted urban design guidelines.
3. Undertake a review of landscape protection controls for the Environmental Rural Zone at the periphery of the Study area as part of any wider review of landscape protection within the Shire.
4. Undertake a review of the proposed Environmental Significance Overlays within the Study area that incorporates up to date information on threatened flora and fauna species.
5. Prepare and implement a street planting scheme in areas of Aireys Inlet to Eastern View that currently have a low indigenous vegetation cover.
6. Review the effectiveness of any modified planning controls introduced as an outcome of the Study after five years of operation.

Matters arising from the Study that have already been the subject of a Council resolution in relation to the Anglesea Neighbourhood Character Study (2003) include:

- Allocation of additional resources to enforcement of the conditions on planning permits relating to vegetation retention and planting of new vegetation.
- Introduction of a statement for permit applicants to complete when lodging planning applications to ensure that information submitted in relation to site coverage and plot ratio is accurate, and assessed according to defined criteria.
- Development of a policy for construction and sealing of roads and construction of footpaths which gives consideration to techniques which give the appearance of an informal streetscape.
- Engagement of a suitably qualified person on a casual basis to assist officers in the assessment of landscape plans.
- Possible development of a local law as a legal mechanism to prevent planting of environmental weeds.