State Planning Policy Framework

**Clause 11.04-4: Environment and water**

**Objective**

To protect natural assets and better plan our water, energy and waste management systems to create a sustainable city.

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**Clause 11.04-7: Green Wedges**

**Objective**

To protect the green wedges of Metropolitan Melbourne from inappropriate development.

The subject site is not located within the ‘Green Wedge Zone’, however it is located within the green wedge of the Mornington Peninsula (which is land located outside of the Urban Growth Boundary). This area is identified for its scenic, environmental and economic values.

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**Clause 11.14: Localised Planning Statement (Mornington Peninsula Localised Planning Statement)**

The Mornington Peninsula Localised Planning Statement (MPLPS) fundamentally guides the Council, particularly as the Planning Authority, in its planning of the Peninsula, recognising as a first premise that:

- The Mornington Peninsula will be planned as an area of special character and importance with a role clearly distinct from and complementary to metropolitan Melbourne and designated growth areas;
The Mornington Peninsula is one of Melbourne’s greatest assets, characterised by contained townships, a substantial and diverse local economy, and areas of national and international conservation significance. The Mornington Peninsula is critical to the future liveability, sustainability and prosperity of the wider metropolitan region; and

As an area near to, but with a role distinct from, the growing metropolitan area there are ever increasing pressures and demands placed on the Mornington Peninsula. For this reason, it is necessary to put in place clear policy directions for the long-term benefit of both local communities and the wider Melbourne population.

The relevant elements and strategies to achieve the goals of the Localised Planning Statement which apply to this proposal include:

**Integrated Planning**

- Planning for the Mornington Peninsula will take into account the interests of both the Victorian community as a whole and the particular needs and interests of the Peninsula’s local communities and will have regard to the impact on both current and future generations.

- The Mornington Peninsula will not accommodate major population growth and the existing Urban Growth Boundary and Green Wedge rural area will be maintained. Urban development, including residential and low density residential development in whatever form, will be limited to areas within the Urban Growth Boundary.

The proposal provides for a temporary form of accommodation outside the Urban Growth Boundary. The MPLPS states that residential development in ‘whatever form’ should be limited to areas within the UGB.

**Conservation of Natural Systems and Biodiversity**

- Maintenance of environmental quality and protection against pollution and degradation of every description will be primary considerations.

- The proper consideration of environmental risks, including bushfire, erosion and inundation will be included in all planning decisions.

- Careful consideration of the environmental implications and other impacts of all proposed development will be carried out, in accordance with the scale and type of each proposal and in consultation with appropriate authorities on the need for and form of environmental assessment studies that may be required.

**Protecting landscape and cultural values**

- The character of the Peninsula’s rural area, rural landscapes, coastlines and seascapes will be protected, including:
  - conservation of sites and areas of historic, scientific and cultural value
  - provisions to ensure the appropriate siting and appearance of buildings and works
  - provisions to prevent intrusive commercial development, including service stations and signage on major roads.
All development will be designed to respect and, where possible, enhance the natural environment, the rural landscape and scenic values of the Green Wedge.

Roads and access routes will be classified, with appropriate planning provisions to protect the safety, function and amenity of each route according to its role.

Provision for recreation and tourism

The recreational role of the Peninsula, with particular emphasis on the experience of the natural environment and opportunities for outdoor and unstructured recreation, will be maintained by protecting the qualities of its natural environments, landscapes and cultural heritage.

Support for larger scale tourism based development in appropriate locations within the rural Green Wedge area will be considered on the basis of substantial strategic justification, will be subject to comprehensive design and environmental impact assessment, must maintain a low overall development footprint and will need to demonstrate substantial net community benefit.

Use and development, which by its intensity or form would result in defacto urbanisation of the rural or coastal landscape, including large scale caravan park or mobile home based developments, will not be permitted.

Planning will consider the need for infrastructure and facilities to support the recreational role of the Peninsula, to improve the ability to meet the demands of visitors and reduce the impact of recreational use on environmental systems, the coast and township areas.

The proposal provides a positive tourism experience on the Mornington Peninsula and provides additional and alternative accommodation options for visitors to the region. The site is provided with recreational facilities and is located within an area that can provide access to a range of other recreation/tourism opportunities on the Mornington Peninsula.

However, the provision of tourism should not be at a cost to landscape character and should not result in ‘defacto urbanisation of the rural or coastal landscape, including large scale caravan park or mobile home based developments’.

12.01 – Biodiversity

Objective

To assist the protection and conservation of Victoria’s biodiversity, including important habitat for Victoria’s flora and fauna and other strategically valuable biodiversity sites.

12.04-1: Environmentally Sensitive Areas

Objective

To protect and conserve environmentally sensitive areas.

The Mornington Peninsula is identified as an environmentally sensitive area with significant recreational value. The site itself abuts Drum Drum Alloc creek to the norther and the cabins
along the northern boundary of the site will have a variable setbacks of approximately 9m to the title boundary.

12.04-2: Landscapes

Objective

To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

13.02: Floodplains

Objective

To assist the protection of:
  o Life, property and community infrastructure from flood hazard.
  o The natural flood carrying capacity of rivers, streams and floodways.
  o The flood storage function of floodplains and waterways.
  o Floodplain areas of environmental significance or of importance to river health.

13.04-1: Noise abatement

Objective

To assist the control of noise effects on sensitive land uses.

The application has been referred to Council’s Environmental Health Team for comment in relation to amenity impacts from noise. They have specified that any use of the land must comply with SEPP N-1 (Control of noise from Commerce, Industry and Trade).

13.05: Bushfire

Objective

To assist to strengthen community resilience to bushfire.

14.02-1 Catchment planning and management

Objective

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Strategy

Retain natural drainage corridors with vegetated buffer zones at least 30m wide along each side of a waterway to maintain the natural drainage function, stream
habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface runoff from adjacent land uses

The subject site abuts the Drum Drum Alloc creek, which is located directly opposite the northern title boundary. The development proposes a setback of approximately 8m to the creek reserve.

14.02-2: Water quality

Objective

To protect water quality.

15.03-2: Aboriginal Cultural Heritage

Objective

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Plan has been approved by AAV for the proposed development. Several artefacts were discovered during the cultural heritage testing and the location of these artefacts will form the basis of ‘heritage parks’ within the site.

16.02: Rural residential development

Objective

To identify land suitable for rural living and rural residential development.

17.03-1: Facilitating Tourism

Objective

To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.

The proposed development will promote tourism on the Mornington Peninsula. The development of the land for a caravan park will bring additional visitors to the Peninsula and will provide a short term form of accommodation.
Local Planning Policy Framework

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.02</td>
<td>Municipal Strategic Statement</td>
</tr>
<tr>
<td>21.09</td>
<td>Planning for Rural Areas</td>
</tr>
<tr>
<td>22.05</td>
<td>Aboriginal Cultural Heritage</td>
</tr>
<tr>
<td>22.06</td>
<td>Development on Highways, Main Roads and Tourist Routes</td>
</tr>
<tr>
<td>22.07</td>
<td>Commercial and Industrial Uses in Rural Areas</td>
</tr>
<tr>
<td>22.14</td>
<td>Mornington Peninsula Land Units</td>
</tr>
</tbody>
</table>

21.02: Municipal Strategic Statement (MSS)

The MSS identifies that the Peninsula is a key recreation area, and is often described as 'Melbourne’s playground', meeting both local and metropolitan needs. It is the most popular informal recreational area in Victoria.

It also recognises that the Mornington Peninsula is not a designated urban growth area and the limitation of urban development on the Peninsula is consistent with State policies for the Peninsula that have emphasised environmental and landscape conservation.

21.09: Planning for Rural Areas

One of the major aims of this clause is to acknowledge the complexity and inter dependence of the Peninsula’s rural values and to provide a framework that will maintain them into the future.

The framework is expressed in terms of three components:

- Conserving environmental values;
- Supporting agriculture and primary production; and
- Maintaining and enhancing landscape, cultural and recreational values.

22.05: Aboriginal Cultural Heritage

**Objectives**

- To provide for the identification of sites of Aboriginal cultural significance and the appropriate level of management in consultation with the local Aboriginal community; and
- To protect sites and features of Aboriginal cultural heritage and archaeological significance.

As stated previously, a Cultural Heritage Management Plan has been prepared to manage the works being undertaken to construct the proposed use without impacting upon the recognised cultural heritage on the site. Several ‘cultural heritage’ parks are proposed in the locations where cultural heritage artefacts were located.
22.06: Development on Highways, Main Roads and Tourist Routes

Objectives

- To protect highways, main roads and access routes in rural areas from inappropriate commercial and visual intrusion, including advertising signs;
- To maintain the rural character of land adjoining main roads and tourist routes and the visual amenity of the outlook from these roads;
- To maintain the integrity of strategic landscapes between and around the Peninsula’s townships and the recreational value of visual sequences along main roads and tourist routes;
- To prevent commercial strip development along highways, main roads and tourist routes and avoid out-of-centre commercial developments along these roads that undermine the activity centres policy;
- To ensure the safe and efficient movement of traffic along highways, main roads and tourist routes in the municipality and to avoid a proliferation of access points;
- To ensure that facilities to meet the needs of people travelling along highways, main roads and tourist routes are provided through existing nodes to the maximum extent possible; and
- To ensure a high standard of design associated with developments along highways, main roads and tourist routes.

The proposed buildings are well setback from Old Cape Schanck Road and should have minimal visual impact from this main road.

Council’s Traffic Department have reviewed the proposal and their comments and response will be considered further into this report.

22.07: Commercial and Industrial Uses in Rural Areas

Objectives

- To maintain permanent non-urban areas of high landscape value for a variety of recreational activities and experiences and to support sustainable agricultural use of rural land;
- To prevent the establishment of use and development which would reduce the distinctive character of the Peninsula’s rural landscapes;
- To give emphasis to outdoor and unstructured recreation, especially recreational activities that promote understanding of, cultivate an interest in or are directly associated with rural pursuits the land or coastal environments in their natural state;
- To encourage tourism and recreation uses that minimise the adverse impacts on the amenity of local residents;
To ensure that the roads of the Peninsula are protected from inappropriate development and are maintained as a major landscape and recreational resource;

To encourage the provision of facilities which support the recreational role of the Peninsula; and

To prevent out-of-centre commercial developments in non-urban areas that undermine the activity centres policy.

This policy seeks to protect the valued landscape characteristics associated with the rural areas of the Mornington Peninsula. One of the key aims of the policy is to prevent use and development which 'would reduce the distinctive character of the Peninsula’s rural landscapes', whilst also ‘encouraging tourism and recreation uses that minimise the adverse impacts on the amenity of local residents’.

To satisfy both elements of the policy requires a careful ‘balancing’ of competing objectives, whereby tourism and recreation is encouraged – however this should not be at a cost to the valued landscape characteristics of the area and also the existing amenity enjoyed by adjoining residents.

22.14: Mornington Peninsula Land Units

Objectives

- To promote sustainable use and development of rural land, sustainable land use practices and integrated land management, including the retention and enhancement of habitat corridors along streamlines and the protection of wetlands;
- To maintain and conserve the environmental systems, habitat areas, soil stability, drainage patterns and stream quality of the Mornington Peninsula;
- To conserve areas of native vegetation, including native grasses and ground flora;
- To support effective catchment and land protection, including the management of salinity;
- To promote the siting and design of buildings, including the choice of building materials that is responsive to landscape character;
- To maintain the scenic value of roads and recreational routes; and
- To promote use and development which is compatible with the maintenance of long term natural, agricultural, landscape and recreational values of the Mornington Peninsula.

The proposal results in the removal of a majority of vegetation from the site. The ESO28 (which brings in the consideration of Clause 22.14) only applies to the eastern (front) and south-western boundary of the site. There is no vegetation proposed for removal within the areas of the site affected by the ESO28.