

22.0708/10/2009
C84**COMMERCIAL AND INDUSTRIAL USES IN RURAL AREAS** [Rule 5 Not PPF format]

This policy applies to all land in the Green Wedge Zone and Farming Zone.
[14.01-1L & 15.01-6L PA]

22.07-108/10/2009
C84**Policy basis** [Rule 5 Not PPF format]

~~A key objective of the Municipal Strategic Statement is to protect and conserve the rural landscape and character of the Peninsula as a major recreational resource for both the local and wider metropolitan community. This is combined with the objective of supporting the continued agricultural use of land by avoiding the establishment of uses that may exclude or limit legitimate rural activities and farm management practices. In addition, the relatively high density of occupation in some of the Peninsula's rural areas, based on their high amenity value, should be recognised.~~
[Rule 3 02.03-2, 02.03-4 & 02.03-7 SD Duplication]

~~The Municipal Strategic Statement also aims to strengthen the hierarchy of activity centres. It seeks to promote the growth of major and township activity centres and to avoid inappropriate out of centre commercial development that may undermine the activity centres policy.~~
[Rule 3 02.03-1 SD Duplication]

~~The state wide Green Wedge Zone and Farming Zone provides discretion to consider both industrial and restricted commercial uses. However, it is critical to the strategic directions outlined for the Peninsula that rural land is not regarded as cheap industrial land and that the main roads and tourist routes are not seen as an alternative to the existing township commercial areas or as opportunities to achieve high levels of commercial exposure.~~ [Rule 3 35.04 & 35.07 Duplication]

~~The cumulative impact of such development would seriously undermine the Peninsula's strategic role and would be disproportionate to any community benefit. In this context land within the rural zone should not be used for commercial or industrial activities that can be accommodated within the established township and village areas. This includes activities such as takeaway food premises, convenience shops and service stations.~~ [Rule 4 Unnecessary content]

The Municipal Strategic Statement does, however, recognise that the recreational role of the Peninsula requires the provision of supporting facilities, which add value to the region's natural resources and assets, enriches the experience for visitors and provide benefits to the local economy. Accordingly, it is appropriate to encourage the provision of facilities and services that generally support the ability to experience the Peninsula's natural and cultural recreational values, including the provision of short term and home hosted accommodation, host farms and similar facilities.
[02.03-7 SD]

22.07-208/10/2009
C84**Objectives** [Rule 3 Duplicates PPF format]

- ~~▪ 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.~~
[Rule 3 11.03-5S & 14.01-1S Duplication]
- ~~▪ To prevent the establishment of use and development which would reduce the distinctive character of the Peninsula's rural landscapes.~~ [Rule 3 11.03-5S & 14.01-1S Duplication]
- 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. [02.03-2 SD]
- ~~▪ To encourage tourism and recreation uses that minimise the adverse impacts on the amenity of local residents.~~ [Rule 3 13.07-1S & 15.01-6S Duplication]
- ~~▪ To ensure that the roads of the Peninsula are protected from inappropriate development and are maintained as a major landscape and recreational resource.~~ [Rule 3 02.03-8 SD Duplication]
- ~~▪ To encourage the provision of facilities which support the recreational role of the Peninsula.~~ [Rule 3 02.03-3 SD Duplication]
- ~~▪ To prevent out of centre commercial developments in non-urban areas that undermine the activity centres policy.~~ [Rule 3 17.02-2S Duplication]

22.07-308/10/2009
C84**Policy** [Rule 5 Not PPF format]

~~It is policy that:~~ [Rule 4 Unnecessary content]

- Applications for industrial uses in rural areas should be limited to those that demonstrate a direct link with rural activities, including the processing and packaging of agricultural products grown in the area and the servicing of rural equipment. Development proposals without an identified use will not be supported and the responsible authority will promote the utilisation or replacement of existing building in preference to the establishment of additional structures. [14.01-1L S]
- Applications for commercial uses in rural areas should be limited to those which demonstrate a direct link to rural activities or the provision of accommodation, services and facilities linked to the Peninsula's role as an area providing opportunities for outdoor and unstructured recreation, associated with the Peninsula's natural and cultural heritage values. Uses which may be considered include the provision for the sale of farm produce grown on the property and the provision of home hosted accommodation. [14.01-1L S]
- ~~Proposals for out-of-centre commercial developments that undermine the activity centres policy at Clause 22.02 will not be supported.~~ [Rule 3 02.03-1 SD & 17.02-2S Duplication]
- Applications must be compatible and integrated with the primary land use on the site and that of surrounding land. Large scale proposals, including restaurants for 40 or more persons or galleries or similar uses with a floor area greater than 100 square metres must be supported by site analysis and design response plans. Restaurant proposals should demonstrate a clear link to the production of food or wine on the property, be associated with a significant recreational site or established tourism node or contribute to the conservation of buildings with heritage value. [14.01-1L S]
- ~~Proposals for commercial and industrial development should be sited on lots with at least the minimum area required for the zone, unless it is clearly demonstrated that the proposed use will have no significant negative impact on the landscape character of the area, the amenity of adjoining land owners or on the agricultural use of rural land. The responsible authority must consider whether the site has sufficient area and dimensions to provide and maintain a suitable buffer area.~~ [Rule 2 No strategic justification – all proposed uses should not have any significant negative impact regardless of lot size]
- ~~All buildings and works must be designed to contribute to the existing landscape character and should not seek to dominate, limit or reduce views available from public areas, including road sides.~~ [Rule 3 15.01-2S Duplication]
- Applicants for commercial development must demonstrate that their proposal addresses a need or gap in the tourist industry and is not dependent on the development of other residential or commercial activities on the site or in the locality. [14.01-1L S]
- ~~Applications likely to generate significant traffic volumes must demonstrate that additional traffic can be accommodated by existing road infrastructure without detriment to existing road users or adjoining landowners.~~ [Rule 3 18.02-3L Duplication] ~~Where physical infrastructure works are required the costs of such works must be met by the applicant~~ [Rule 3 19.03-1S Duplication] ~~and must have special regard to the impact on roadside vegetation and the recreational value of scenic roads and tourist routes.~~ [Rule 3 12.01-2S, 11.03-5S & 12.05-1S Duplication] Sites proposed for commercial or industrial activities should generally have access to a sealed road of a suitable standard [18.02-3L PG] ~~and sites adjoining unsealed roads must include proposals for road maintenance and dust suppression.~~ [Rule 4 Not proportional to intended planning outcome – should be a matter for consideration under 65.01]
- All car parking required by commercial or industrial uses in the Green Wedge Zone and Farming Zone must be accommodated on the land and should be sited and constructed so as to minimise the impact on rural landscape character of the site and surrounding locality. Restaurant facilities in rural areas should generally avoid night time operation due to the potential impact on rural amenity from additional traffic, noise and light. [14.01-1L S]
- Proposals for commercial or industrial uses in the Green Wedge Zone and Farming Zone should be located at least five kilometres from land within a residential, business or industrial zone [14.01-1L PG] or must demonstrate that the proposed development will not generate expectations of linear strip development, particularly along main roads and tourist routes. [15.01-6L S]

- ~~The siting and design of all buildings and works must have particular regard to the provisions of the Environmental Significance, Landscape Significance and Vegetation Protection overlays contained in this scheme. [Rule 4 Unnecessary content]~~

22.07-4

08/10/2009
C84

Decision guidelines [Rule 5 Not PPF format]

~~Before deciding on an application the responsible authority must consider as appropriate:~~
[Rule 4 Unnecessary content]

- ~~The extent to which the application meets the objectives and directions of this policy.~~
[Rule 4 Unnecessary content]
- ~~The extent to which any commercial development would be better located in an existing activity centre.~~ [Rule 3 17.02-2S, 35.04-6 & 35.07-6 Duplication]
- ~~The extent to which any proposed variation of this policy can be applied on a consistent basis without undermining the strategic directions of this scheme.~~ [Rule 4 Unnecessary content]