

MORNINGTON PENINSULA GREEN WEDGE MANAGEMENT PLAN

1 APRIL 2019



Mornington Peninsula Green Wedge Management Plan

April 2019

Prepared by the Planning Services Unit of the Mornington Peninsula Shire Council

Message from the Mayor on behalf of the Mornington Peninsula Shire Council



The Mornington Peninsula is one of Victoria's most beautiful and distinctive areas. It has a long history and a bright future.

Although near to Melbourne's urban fringe, around seventy percent of the Shire remains rural, and this "Green Wedge" is a key aspect of the Peninsula's character. The Green Wedge is crucial to the amenity, lifestyle and wellbeing of both our residents and our many visitors.

It includes areas of outstanding natural beauty and high conservation value. It provides opportunities for informal outdoor recreation and high value food production, it is a renowned tourism area and is home to many of our rural residents.

The Mornington Peninsula Council values this area and feels that we are fortunate to call this part of the world home. In turn we have a special

responsibility towards protecting the Green Wedge and ensuring that it is protected, planned and managed in the interests of both the current community and those of the future. For this reason, the completion of the Green Wedge Management Plan has been one of Council's highest strategic planning priorities.

I am therefore very pleased to introduce the Shire's adopted *Mornington Peninsula Green Wedge Management Plan*.

The Plan identifies a long-term vision, objectives and actions to support the distinctive role and functions of the Green Wedge. It also outlines key issues, opportunities, likely future pressures and policy directions.

The Plan includes actions to:

- encourage the provision of additional conservation and habitat areas
- encourage sustainable agricultural use
- promote good land management
- address the future demand for recreation in the Green Wedge
- recognise the limits to further commercial tourism-based development.
- ensure that future applications for dwellings are properly linked to the primary rural and conservation purposes of the Green Wedge

On behalf of myself and my fellow Councillors, I commend the Shire's Green Wedge Management Plan to you and look forward to building even stronger partnerships with all those who care for Green Wedge and have an interest in its future.

Councillor David Gill

Mayor - Mornington Peninsula Shire Council

April 2019



Mornington Peninsula Green Wedge Management Plan - December 2018

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The Mornington Peninsula Shire Council respectfully acknowledges the Bunurong/ Boon Wurrung people as the traditional custodians of the land that is the subject of the *Mornington Peninsula Green Wedge Management Plan*.

Note: The funding and timing of all projects is subject to approval through Council's annual budget process. All planning scheme changes will be subject to the statutory process for planning scheme amendments, including public consultation outlined at Part 3 of the Planning and Environment Act 1987.

Executive Summary.

The Mornington Peninsula Green Wedge Management Plan 2018 is intended to highlight the particular values of the Mornington Peninsula Green Wedge, outline key issues, opportunities and likely future pressures and provide a set of actions in response, forming part an overall planning and policy framework.

The Mornington Peninsula Green Wedge is one of Victoria's most important assets. Conservation policies for the Mornington Peninsula were first introduced more than 40 years ago and the special role and character of the Mornington Peninsula Green Wedge, which covers nearly 50,000 hectares, continues to be highly valued by both the local community and the wider population of Melbourne.

The Mornington Peninsula Green Wedge delivers a wide range of benefits including:

- An area of outstanding natural beauty, diverse landscapes and cultural heritage.
- Areas of National, State and local conservation and habitat value.
- Great opportunities for informal, outdoor recreation – bushwalking, riding trails, mountain biking, and with a range of State and local parks.
- A high value agricultural area, based on versatile soils, mild climate and good water supply.
- Opportunities for tourism and leisure-based businesses that provide significant recreational and economic benefits to both the local community and to visitors.
- The Green Wedge includes a number of small settlements and villages and is home to more than 8,500 people,

Why is the Green Wedge Management Plan necessary?

PLAN MELBOURNE 2017 – 2050, the State government's planning strategy, anticipates that the population of metropolitan Melbourne will nearly double to more than 8 million people by 2050.

Planning involves designating different areas for different purposes to meet all of community's growing needs. As part of the overall strategy PLAN MELBOURNE includes twelve Green Wedge Areas, forming a ring of green non-urban land around the edge of metropolitan Melbourne. Each Green Wedge area is different and has different values and priorities. Proper planning for the Green Wedges is seen as an essential part of the overall plan for Melbourne and is intended to support Melbourne's future liveability and quality of life.

What does the Mornington Peninsula Green Wedge Management Plan do?

The Plan provides a vision – what do we want the Green Wedge to be like in 20 years' time, in terms of both character and function. It sets out key directions, including:

1. Confirming the Urban Growth Boundary, allowing no urban expansion into the Green Wedge, and with strong rural subdivision controls to protect the landscape and opportunities for agriculture.
2. Protecting the main Values/Assets first:
 - Habitat and biodiversity – control the loss of native vegetation and support biolinks, suitable habitat for wildlife and local vegetation offsets.
 - Landscape Quality - prevent loss of natural and rural character. Undertake a comprehensive landscape assessment and improve protection.
 - Inherent agricultural capability - protect the capacity of the land, particularly when combined with access to reliable water supply, to support sustainable soil based agricultural production.
3. Recognising, protecting and supporting the critical role of sustainable agriculture as a key land use, consistent with protecting landscape and habitat values. Advocate access to regional programs for Peninsula farmers, promote and pilot re-cycled water projects. and support agri-tourism, including farm gate sales, host farms, and farmers markets.
4. Supporting the recreational role of the Peninsula Green Wedge, with proper infrastructure planning and investment. Council will seek to develop a Green Wedge Recreation Plan in partnership with the State government.
5. Providing for tourism and leisure-based development which supports and is established in conjunction with a core purpose of the Green Wedge, such as agriculture, conservation or outdoor recreation. Avoid over-development and ensure appropriate standards (including minimum lot areas) for intensive uses, such as restaurants and function rooms. Avoid commercial strips and clusters, except within townships.
6. Considering applications for dwellings on existing rural lots only in conjunction with Land Management Plans providing for the substantial, sustainable and productive use of the land for agriculture and/or habitat restoration.
7. Ensuring that the planning, design, construction and management of infrastructure has regard to the needs and special character of the area.

Figure 1 The Mornington Peninsula Green Wedge and Urban Growth Boundaries



The Mornington Peninsula Shire Council respectfully acknowledges the Bunurong/ Boon Wurrung people as the traditional custodians of the land that is the subject of the *Mornington Peninsula Green Wedge Management Plan*.

1. Introduction - Melbourne's Green Wedges

The Green Wedges form part of the overall planning strategy for the Melbourne metropolitan region. They are complementary to the designated growth areas and policies relating to urban consolidation that are intended to accommodate the majority of future population growth and housing demand. The Green Wedges have a different role, and provide a range of environmental, social and economic benefits that will help to ensure the future sustainability, health and liveability of the region as a whole.

The non-urban areas of metropolitan Melbourne that lie outside the Urban Growth Boundary are known as Green Wedges. The Green Wedges, including parts of the Mornington Peninsula and Yarra Valley, were first identified in the 1960s and successive governments have expanded them to include other non-urban areas surrounding metropolitan Melbourne.

There are now twelve designated Green Wedges that collectively form an irregular ring around the edge of Melbourne, and which also include non-urban "fingers" that have been retained between urban and suburban "corridors" (as shown in Figure 2). About one third of the total area of the Green Wedges is public land, including National parks, other parks and reserves and the closed protected catchments from which much of Melbourne's water supply is harvested.

The Green Wedges are also important in relation to the protection of biodiversity, cultural heritage and attractive landscapes, agricultural production, the availability of open space, opportunities for recreation and tourism, and provision for infrastructure that supports the city, such as reservoirs, sewage treatment plants, quarries and airports.

Melbourne's Green Wedges in their current form were formally designated as part of the *Melbourne 2030* strategy which was released in 2002. Melbourne 2030 aimed to create a more sustainable city by curbing outward growth, consolidating development within a defined Urban Growth Boundary, and protecting valuable non-urban areas. In this sense, the designation of Green Wedges forms part of an overall strategy about shaping the pattern of Melbourne's future metropolitan growth and recognising the complementary value of the Green Wedge areas.

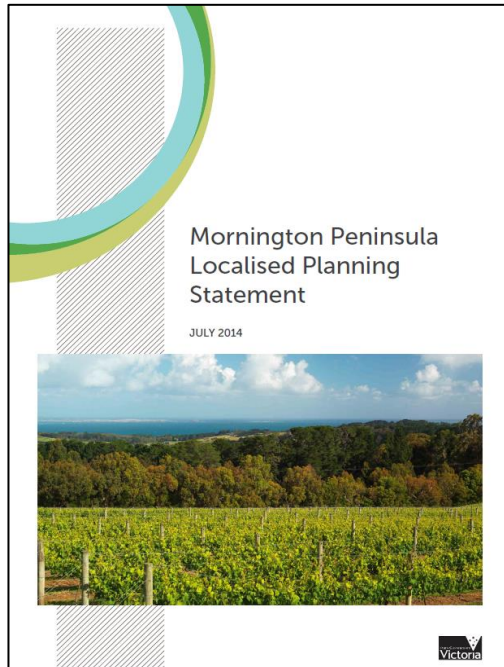
The Green Wedges as a whole are considered to be essential for the liveability, environmental health and prosperity of the city and the State. However, each Green Wedge is unique with its own range of key features and related values. In this context, the *Melbourne 2030* Implementation Plans foreshadowed the preparation of an individual action plan for each Green Wedge, which are now referred to as Green Wedge Management Plans. The most recent State government metropolitan planning strategy, *PLAN MELBOURNE 2017 – 2050*, anticipates that the population of the greater Melbourne region will nearly double in the next 30 years, from 4.2 million to over 8 million people. This level of growth will result in increasing pressures and demands, further increasing the importance of the Green Wedge areas in supporting Melbourne's liveability and quality of life. A number of planning changes have been introduced over the past ten years to establish and protect the Green Wedges including:

- establishment of an Urban Growth Boundary (UGB) under the *Planning and Environment Act 1987*, restricting urban related development to within the UGB;
- new Green Wedge Zones to replace the previous rural zones over Green Wedge land;
- introduction of a core planning provision for Green Wedges to tighten the subdivision controls and the range of uses allowed on Green Wedge land;
- a requirement that some land uses (related primarily to tourism based development) must meet minimum lot size requirements, are subject to restrictions on scale and capacity and may only be established in conjunction with agriculture, winery rural industry or conservation of natural systems.

Although they are set aside as non-urban land through the Planning Scheme, the Green Wedges are still subject to intense pressures for urban development and changes to the Urban Growth Boundary due to their proximity to the metropolitan area. There are also often competing pressures within the Green Wedge in terms of proposals for rural living, tourism-based development, and infrastructure projects which could substantial changes the rural character and function of the Green Wedge. A proactive approach is therefore required to ensure that these pressures are managed properly and to ensure that the scenic and natural qualities of the Green Wedges are not eroded over time.

Figure 2 Melbourne's Green Wedges (source: PLAN MELBOURNE: DELWP 2017)





2. The Mornington Peninsula Green Wedge

In addition to being one of Melbourne’s designated Green Wedges, the Mornington Peninsula is also specifically identified as an environmentally sensitive area with significant recreational value under the Victoria Planning Provisions Policy Framework (PPF): Clause 12.05 - Significant environments and landscapes and is designated as one of the (four) Distinctive areas and landscapes under: Clause 11.03-5. The PPF in turn requires consideration of the *Mornington Peninsula Localised Planning Statement* (Victorian Government 2014).

The Localised Planning Statement (LPS) applies to the whole of the Mornington Peninsula, including the township areas and Port of Hastings, as well as the Green Wedge, and highlights the close relationship between the township based settlement pattern on the Peninsula, the character of the rural and coastal towns and villages and the rural character and purposes of the Mornington Peninsula Green Wedge.

The overall objective of the LPS is to recognise that maintaining the special values of the Mornington Peninsula is dependent on integrated and balanced planning, involving all agencies and having regard to the needs and aspirations of current and future generations. The LPS states that: planning for the Mornington Peninsula will be directed towards the planning and management necessary to achieve the following objectives, inter alia:

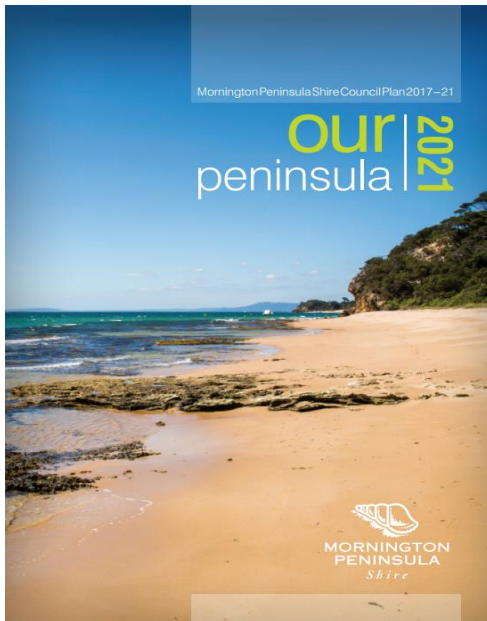
- Conservation and enhancement of natural systems and biodiversity.
- The significance of the Mornington Peninsula as part of the Mornington Peninsula and Western Port Biosphere will be recognised and given effect.
- Providing for recreational demand based primarily on the experience and enjoyment of the natural and cultural values of the Mornington Peninsula.
- Promoting sustainable agricultural use of rural land.
- The Mornington Peninsula will not accommodate major population growth and the existing Urban Growth Boundary and Green Wedge rural area will be maintained.

Sections of the LPS relating to the conservation of natural systems and biodiversity, protecting the character of the Peninsula’s towns and villages, protecting landscape and cultural values, providing for sustainable agriculture and provision for recreation and tourism provide more specific directions on each of these issues and are referenced throughout this Plan.

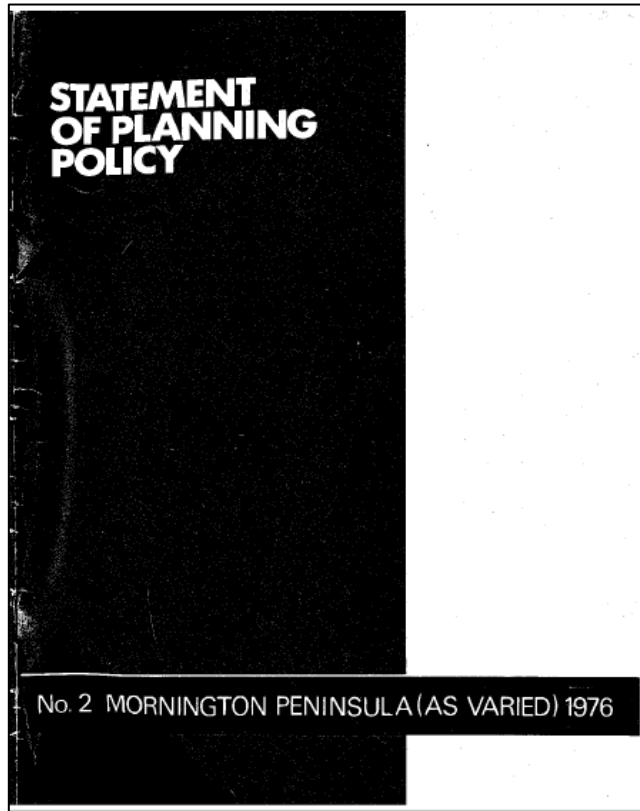
The protection of the Shire’s Green Wedge is equally important as a local policy. The Mornington Peninsula Shire Council’s (MPSC) Council Plan 2017 -21 states: Our Vision:

To value, protect and improve the unique characteristics and way of life on our peninsula.

The Green Wedge is seen as being a critical element in achieving this vision – as well being an area of State significance. In this context, the Green Wedge Management Plan is one of Council’s key policy documents and is not limited to town planning – rather it is a “whole of Council” document.



3. The Green Wedge in the Mornington Peninsula Planning Scheme



As outlined in the previous section, the Planning Policy Framework (PPF), which forms part of the Mornington Peninsula Planning Scheme includes specific provisions relating to the Mornington Peninsula Green Wedge. Other provisions of the PPF which are particularly relevant to planning and planning decisions in the Green Wedge include:

- 11.01 -1R Green wedges – Metropolitan Melbourne
- 11.03 Planning for Places
- 11.03-5S: Distinctive areas and landscapes
- 12.05 Significant Environments and Landscapes
- 14.01- 1R Protection of agricultural land – Metropolitan Melbourne

The Local Planning Policy Framework (LPPF) which consists of the Municipal Strategic Statement and Local Policies also includes substantial reference to the Green Wedge in the rural planning provisions – such as in 21.06 Strategic Framework and the Peninsula's settlement pattern and 21.09 Planning for Rural Areas – which includes:

- 21.09 – 1 Conserving environmental values;
- 21.09 – 2 Supporting agriculture and primary production; and
- 21.00 – 3 Maintaining and enhancing landscape, cultural and recreational values.

Among the local policies, the following are particularly relevant to the Green Wedge:

- 22.03 Dwelling density, excisions and realignments in rural areas;
- 22.06 Development on highways, main roads and tourist routes;
- 22.07 Commercial and industrial uses in rural areas;
- 22.08 Integrated recreational and residential development in rural areas (note, the provisions of this policy have been effectively superseded by the state-wide provisions Clause 57 Metropolitan Green Wedge Land and 57.01 Core Planning Provisions);
- 22.14 Mornington Peninsula land units;
- 22.15 Landscape protection and broiler farms.

There is substantial overlap between the provisions of the LPPF, which form part of the statutory planning scheme, and the Green Wedge Management Plan, which currently lacks this statutory status, although PLAN MELBOURNE foreshadows a resolution of this issue by providing additional statutory weight to the preparation of Green Wedge Management Plans.

It is important to acknowledge, as will be highlighted in other sections, that the basic planning policies for the area now referred to as the Mornington Peninsula Green Wedge have, in effect, been in place for more than 40 years, with the Statement of Planning Policy No 2 for the Mornington Peninsula introduced in 1970 and the Conservation Plan for the Southern Mornington Peninsula circa 1976 (Kellock, A. 2001). The continuity of planning policies and provisions since that time reflects the enduring value of the Mornington Peninsula, the level of community support for its protection and bi-partisan agreement on the need for strong planning controls.

In addition to the PPF and the LPPF, the main statutory provisions of the Planning Scheme are the zones, which determine the range of use and development in specific areas, and overlays, which primarily identify areas where special development controls are warranted, for example, areas of high environmental significance; land subject to inundation or fire risk.

The whole of the Mornington Peninsula Green Wedge, other than public reserves, and a limited number of sites covered by other zones, is included in the Green Wedge Zone.

The purposes of the Green Wedge Zone are

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
- To encourage use and development that is consistent with sustainable land management practices.
- To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
- To protect and enhance the biodiversity of the area.

The zone sets out the range of permitted, permissible and prohibited uses and a range of development controls, one of the most significant of which is the mandatory subdivision control. The mandatory minimum lot size for new subdivision is set out in the local schedules to the zone (schedules 1 – 4) which apply to different parts of the Green Wedge. The minimum lot size ranges from 40 hectares to 80 hectares, depending on which schedule applies. Under the Green Wedge Zone, all new dwellings require planning approval and no more than one dwelling can be constructed on a lot.

In addition to the zone provisions, the Mornington Peninsula Planning Scheme includes a wide range of overlay provisions. These include:

- Environmental Significance Overlays – land units (landscape types), streamlines, bushland areas, and sites of scientific significance, wetlands.
- Significant Landscape Overlays – National Trust Classified Landscapes, Ridge and escarpment areas, Scenic Roads, Scenic Vantage Points.
- Vegetation Protection Overlays – Significant Tree Lines.

- Erosion Management Overlays.
- Land Subject to Inundation Overlays; and
- Bushfire Management Overlays.

The Planning Scheme also contains a range of general and particular provisions which apply to different forms of use and/or development, as well as the statutory definitions of different land use types and particular general terms which are important in the interpretation of the planning scheme controls and requirements.



Figure 3 – Zoning map of the Mornington Peninsula

4. Purpose of the Green Wedge Management Plan

The DELWP publication *Planning Practice Note 31 Preparing a Green Wedge Management Plan* states that:

A Green Wedge Management Plan is a council adopted strategy that identifies a vision, objectives and actions for the sustainable use and development of each green wedge.

The plan will identify the values and features of each green wedge, the preferred future land use, environmental and natural resources that should be protected, and the needs of the local community.

Green wedges, like any other place are dynamic and constantly evolving. Changes identified through the preparation of GWMPs may embrace new productive land uses, investments and developments consistent with state policies for green wedges, environmental enhancement and sustainable resource management initiatives.

The Mornington Peninsula Shire Council adopted its first interim Green Wedge Management Plan in December 2012. This was an interim Plan due to a need for further policy clarification, such as through PLAN MELBOURNE 2014 and the Localised Planning Statement.

The current version of the Shire's Green Wedge Management Plan (this document) continues to express many of the directions that were included in the interim Plan, which itself reflected many of the policies and strategies that had been established from Statement of Planning Policy No.2 (in the 1970's onwards). Equally, the Mornington Peninsula Planning Scheme provides a statutory framework for land use and development within the Green Wedge, and is also based on the same set of values and basic policy directions.

In this context, the Green Wedge Management Plan is a complementary document, forming part of an overall policy framework. It aims to provide additional clarity on key issues and, in some cases, identifies potential changes to the planning scheme. It outlines a range of actions, some relating to Councils land use planning role, but extending to other policy areas and decision making by other agencies as well.

Planning for the Green Wedge to date has achieved a range of positive outcomes, which may be summarised as follows:

- A well-established Urban Growth Boundary.
- Strong rural subdivision controls that have limited land speculation and which support the core purposes of the Green Wedge.
- Protection of natural systems and habitat areas, including a network of reserves and establishment of the Mornington Peninsula and Western Port Biosphere.
- The continuing attraction of the Peninsula for visitors seeking informal recreation, as an area of outstanding natural beauty, cultural heritage and rural character
- Support for a significant agricultural sector. Diverse and high value production and a major contributor to Melbourne's foodbowl, with a strong take up of the Shire's agricultural rate by landowners.
- Tourism and leisure based development, with a strong reputation, a significant contributor to local employment, a definite "presence" but not over-developed.
- A diverse mix of uses, without severe land use conflicts.
- Infrastructure and services which support local communities and businesses.



The Mornington Peninsula Green Wedge looking from Rosebud/Tootgarook towards Cape Schanck

However, there are also many pressures associated with a future Melbourne at a population of 8 Million, including:

- Population growth, both on the Peninsula and across Melbourne;
- Increased demand for recreation and tourism, with road congestion and pressure on existing areas and infrastructure;
- Need for employment. Businesses seeking opportunities for growth but the risk of over-development /over commercialisation and the loss of rural character;
- The need for new infrastructure and the maintenance of the existing infrastructure and facilities. Questions of funding and “flow on” effects;
- Expectations of rural residents for protection of their amenity leading to potential constraints on farming (Barr, 2009);
- Recognition as part Melbourne’s “food-bowl”, but intensive agriculture can have an adverse impact on habitat and landscape;
- Climate Change brings new risks and challenges – fire, drought, and ensuring ecosystem/habitat resilience;
- An area of outstanding natural beauty and the need to monitor and manage landscape quality to avoid a “death by a thousand cuts”.

In this context, the vision for this Green Wedge Management Plan, is set out below. This remains fundamentally the same as the 2012 Vision, however the tourism statement has been varied in accordance with the (later) Localised Planning Statement (2014).

5. Vision for the Green Wedge

A place that keeps about seventy percent of the Peninsula’s land mass as a rural land resource in recognition of its value for current and future generations.

A place that protects, conserves and enhances the diversity, quality and extent of natural systems for their international, national, regional and local significance.

A place where the critical role of sustainable agriculture is recognised, protected and supported as a key land use and the productive capacity of land is conserved and enhanced for the future.

A place that retains a rural character, defined by agriculture and natural systems land uses, heritage places, attractive vistas, unobtrusive buildings and a low population settled in relatively few buildings that is:

- At its strongest in key locations including: significant landscapes, land with coastal frontage, land adjoining urban growth boundaries and separations between closely located townships, and

- Protected by population, industrial and commercial growth being located inside the Urban Growth Boundary.

A place for all people to access a high quality regional open space network and diverse rural and coastal landscapes for their health, wellbeing and learning, in particular their need for outdoor, unstructured recreation.

A place that supports tourism based use and development, including eco-tourism and agri-tourism, in appropriate locations, at a scale and in a form consistent with the rural character and function of the Green Wedge, and subject to appropriate site requirements and standards. Most accommodation, retail premises and the like will be located in the townships, but with support in the rural areas for:

- Outdoor-based leisure and recreation uses;
- Small scale host farm and bed and breakfast accommodation;
- Primary produce sales
- Uses in conjunction with established large scale rural enterprises (i.e. farming, wineries or outdoor leisure and recreation), and
- Other uses that will bring regionally significant and sustainable improvement to the protection and enhancement of natural systems or heritage places.

A place that supports landowners to provide sustainable land stewardship.

A place where infrastructure and facilities of all kinds are planned, designed, constructed and managed having regard to the needs of the community and the special character of the area.

A brief outline of the process associated with development of the Vision and the current GWMP is included below.

In pursuing this vision and responding to the challenges, the 2018 GWMP generally represents a continuation of well-established policy directions. However, there are a number of important principles and directions that may be highlighted:

- **This is a Plan for the Mornington Peninsula Green Wedge.** The specific environmental and landscape features, history, subdivision and land use pattern, character and relationships to metropolitan Melbourne are all significant factors shaping both the issues and proposed responses.

- More than 70 % of the land within the Green Wedge is privately owned. While planning controls are important, the ability to achieve planning goals, particularly seeking positive changes in relation to aspects such as land management, conservation and landscape protection, depend greatly on the engagement and cooperation of landowners.
- A strategic planning process involves an understanding of the key values of an area, the drivers of change, the development of a shared vision and a long-term commitment to appropriate actions. It is also important to recognise the impact of cumulative effects. The build-up of many “small” decisions can result in an unplanned and unintended change. Accordingly, it is important to consider the value of an overall policy position; applied consistently, rather than only decisions in relation to individual sites.
- The Green Wedge is a shared resource, but it does not have unlimited capacity and not all objectives can be treated as having equal importance. To date, a sustainable balance has been achieved within the Mornington Peninsula Green Wedge. As demands increase it is necessary to prioritise or give greater weight to the “core” objectives for the Green Wedge, over “secondary” or “conditional” objectives/purposes, while recognising that priorities may vary in different areas across the Green Wedge.
- Having regard to the distinctive values of the Mornington Peninsula Green Wedge to both the local community and wider population of Melbourne, it is considered that the natural systems, landscape qualities and inherent agricultural land capability of the Peninsula are its key assets and protection of these assets is the core purpose of the GWMP. In this context provision for unstructured/informal outdoor recreation and sustainable agriculture are also considered to be compatible or “complementary” core” uses. In particular, the critical role of sustainable agriculture should be recognised, protected and supported and is likely to become of increasing importance, as outlined in the 2018 Food for Thought report which emphasizes the role of the Green Wedge areas as part of Melbourne’s “food bowl”.
- In contrast, tourism and leisure-based use and development and some intensive forms of agriculture, for example, those that involve extensive

structures or significant changes to the soils, water supply or drainage patterns of an area, are considered to be “conditional” uses, in that some limits are necessary to protect the core environmental and landscape values and avoid land use conflicts.

- Similarly, extractive industry has strong State government policy support but is considered “conditional” in the context of the Mornington Peninsula’s higher-level goals.
- Rural living, that is, the occupation of rural land primarily for its amenity value rather than for farming, is not listed as a purpose of the Green Wedge zone. It is recognised that rural living, in various forms and to varying degrees, is already a wide spread use on the Peninsula, however, it is important to avoid further pressure on agricultural land use. In this context, Council does not support the further occupation of rural land without a strong connection to a substantial agricultural or conservation-based use, and which can be distinguished from rural living per se. The development of new dwellings is therefore considered to be a conditional use, that may be considered, but should be subject to a proposed policy outlined in later sections of this Plan.

Having regard to these principles, the Plan outlines a position in relation to a number of key issues for the Green Wedge. The Plan

- Strongly supports the retention of the current **Urban Growth Boundary** and proposes the investigation of a clear boundary around a number of the remaining small rural and coastal towns and villages to avoid any ambiguity in relation to the boundary.
- Strongly supports the current **rural subdivision controls** as critical to the purposes of the Green Wedge. (Buxton, M and Goodman, R. 2002).
- Provides an approach to **the issue of dwellings in the Green Wedge**. Dwellings will be subject to a policy requiring a commitment to a substantial, sustainable and productive use of the balance of the land for an agricultural or conservation based purpose, having regard to the capability of the site. This will be implemented through the approval of a Land Management Plan.

- **Land Management Plans may be reinforced by the use of additional controls on land titles**, but with sufficient flexibility to enable landowners to change the agricultural use of land over time. The aim is, as far as possible, to “ensure that all future dwellings in the rural area support the core purposes of the Green Wedge and improved land management.
- Provides support for the **important role of the towns and villages within the Green Wedge** as service centres and a community focus, as locations for residential occupation within a rural environment and as locations for visitor services and infrastructure. **The importance of understanding and protecting the character of these towns and villages** in the context of their rural and coastal setting is also emphasized.
- Highlights the relationship between the Green Wedge Management Plan and the State Biodiversity Strategy (and Council’s soon to be exhibited **Biodiversity Conservation Plan**) with particular emphasis on **increasing habitat areas and biolinks**, such as those being implemented by the Peninsula Landcare Network. Includes a recommended review of rates, rebates and other incentives to **promote best practice in land management and the use of conservation covenants**. Places substantial emphasis on **water and water management**, including both stream flows, ground water and the use of recycled water.
- Includes greater emphasis on **sustainable and productive agricultural use**, in other words, a level of agricultural use which is, within the capacity of the land. Support for the critical role of sustainable agriculture includes advocacy for **inclusion of the Peninsula in regional programs** and a review of rating and rebates to provide greater support for land management. The Plan also highlights ongoing support for the use of recycled water and the investigation of environmental offsets/ carbon sequestration as part of whole farm planning.
- Proposes the investigation of ways to facilitate **sale of certified local farm produce** through other participating farms and outlets within the Green Wedge.
- Recognises that **tourism and leisure-based use and development** is an important economic sector which provides recreational opportunities for both residents of the Peninsula and visitors. The Plan outlines the current level of tourism-based development in the Green Wedge and existing opportunities for

further development. The Plan indicates support for current controls over intensive uses and proposes investigation of the use of **local schedules to the Green Wedge Zone** to provide for variations, in defined areas, in the requirements which apply to restaurants and some forms of visitor accommodation.

- Proposes that all forms of tourism and leisure-based development should be subject (through local policy) to a form of the **“in conjunction with” test**, that provides that “conditional uses” may only be established in conjunction with a “core” use, such as agriculture or habitat conservation, on the same site. The Plan recommends clarification of the test to indicate a maximum footprint of development on a site.
- Proposes to investigate **further options in relation to visitor accommodation** and to introduce additional policy requirements in regard to **Camping and caravan parks**.
- Recommends the development (with the State government) of a **Recreation Strategy** to assess future recreational demands and strategies for the funding of necessary support infrastructure and facilities.
- Recommends the development of a comprehensive **Landscape Assessment**. This would provide the basis for the review of landscape protection provisions and the ongoing monitoring and reporting on landscape quality and conditions. The Plan proposes the investigation of measures to **limit the adverse landscape impacts of hedges/uncontrolled roadside vegetation, infrastructure installations, earthworks and other structures** that detract from landscape quality.
- Advocates for a joint project with the State government and Bunurong Land Council to promote greater recognition and **understanding of Aboriginal cultural heritage**.
- Highlights a number positions adopted by Council and the **need for careful planning, design and implementation of major infrastructure proposals**.



Green Wedge Management Plan – Process

Planning Practice Note (PPN) 31, released by DELWP in June 2015, sets out general expectations in relation to the content and process for the preparation of a Green Wedge Management Plan (<https://www.planning.vic.gov.au/publications/planning-practice-notes>).

While the process for development of the 2018 Green Wedge Management Plan has had regard to the principles expressed in the PPN, it has also been shaped by the particular planning context of the Mornington Peninsula. In this regard, the long history of strategic planning relating to the Peninsula's rural area, including consideration of:

- *Melbourne 2030* and *PLAN MELBOURNE 2050*
- the provisions of the Mornington Peninsula Planning Scheme
- the Shire's (2012) *interim Green Wedge Management Plan* and
- the *Mornington Peninsula Localised Planning Statement (2014)*

have all informed a decision to build upon existing foundations rather than "go back to scratch".

The Plan is also informed by a range of recent Council plans and strategies, including:

- The Mornington Peninsula Council Plan 2017 – 2019 – Our Peninsula (2017).
- The Mornington Peninsula Economic Development Strategy (2016)
- The Mornington Peninsula Tourism Destination Plan (2017)
- The Mornington Peninsula Agricultural Audit (2014)
- The Mornington Peninsula Smart Water Plan (2013) - currently under review.
- The Mornington Peninsula Domestic Waste Management Plan (2015).
- The Mornington Peninsula Housing and Settlement Strategy (2017)
- The Mornington Peninsula Activity Centres Strategy (2018)
- The Mornington Peninsula Industrial Areas Strategy (2018)
- The Mornington Peninsula Biodiversity Action Plan (in preparation)

Equally, given the level of community support for the basic directions of the Green Wedge Management Plan, expressed through previous and current consultation processes, the ongoing liaison with relevant agencies, and the direct interest and involvement of Council in the project it has been decided to proceed with the development of the draft Plan without the establishment of formal Project Steering groups or Project Working Groups.

This structure may be useful in situations where there is a limited existing policy framework or where there has been limited stakeholder consultation, but in the case of the Mornington Peninsula GWMP such a structure would represent a duplication of previous work.

It may be noted that the preparation of the interim Plan did include a broad-based Reference Group, with agency, stakeholder and community representatives, and the conclusions of that process, particularly as expressed in the Vision for the Green Wedge, are still reflected in the current draft Plan. The Vision is unusual in the level of specific detail it contains but this was considered a positive aspect by the Reference Group, and was intended to support the clear understanding of the directions and priorities.

6. Consultation 2017 - 2018

As part of the preparation of the Green Wedge Management Plan there has been substantial consultation with relevant agencies and representative groups including DELWP, Port Phillip and Western Port Catchment Management Authority, and the Victorian Farmers Federation (Peninsula Branch). There has also been both:

- an initial process of public consultation based around a series of background papers, raising issues for discussion and providing an opportunity to identify other matters that should be addressed in the Plan.
- A formal exhibition of the draft Plan and consideration of the further submissions received during that process.

The feedback from consultation has generally been highly supportive of the directions of the Plan, with many groups and individuals advocating for even stronger protection and increased enforcement.

Some submissions identified limitations in relation to existing biodiversity actions, particularly in relation to the protection of wildlife, and while these have been addressed as far as possible in the current Plan, the development of the Shire's Biodiversity Conservation Plan will provide further opportunities. Some submissions argued that tourism based development on the Peninsula is already excessive, while other submissions argued for greater flexibility and consideration of the merits of particular proposals. Establishing an appropriate framework for future tourism based development is addressed in the Plan. Finally, there were a (small) number of submissions seeking subdivision or the particular use and development of specific sites. The merits of site specific proposals are better addressed through an alternative planning scheme amendment process.

It may be noted that the Mornington Peninsula Green Wedge in fact extends partially into the City of Frankston (representing approx. 2% of the overall area of the Green Wedge). This Green Wedge Management Plan applies only to the land within the Mornington Peninsula Shire.

Mornington Peninsula Green Wedge Snap Shot

The Mornington Peninsula Green Wedge is predominantly rural in character, consisting of natural and semi-natural areas, with land used for a wide range of activities. This includes highly productive agriculture on both large farms and small land holdings, National and State Parks, and a variety of other rural and tourism-based businesses and land uses. The area provides substantial opportunities for informal recreation largely based on the natural attributes of the Green Wedge and includes activities such as leisure driving, bushwalking and horse riding. A number of small villages and townships are also located within or adjacent to the Green Wedge.

The Mornington Peninsula Green Wedge is recognised for its biodiversity and conservation value. It contains a number of important bushland reserves including Point Nepean National Park, Mornington Peninsula National Park, Arthurs Seat State Park, Greens Bush, and the Devil Bend Natural Features Reserve, as well as wetlands that are recognised by several international treaties, notably the Ramsar agreement.

Many of the landscapes of the Green Wedge are classified by the National Trust and provide significant opportunities for outdoor and unstructured recreation that makes the Peninsula one of Victoria's most visited regions. The Mornington Peninsula Green Wedge is unique among Melbourne's green wedges in being close to the coastline of Port Phillip and Western Port. The coastal panoramas and viewpoints to the sea are an important feature.

The wide range of agricultural enterprises conducted in the Green Wedge include beef cattle grazing, large scale horticulture, broiler chicken farming and wineries. Agricultural production generates more than \$1 billion in total value per year. Tourism based businesses benefit from the attraction of the Green Wedge, and in turn make a substantial contribution to the more than \$1 billion per year gained from Peninsula tourism, with the associated provision of local employment.

The settlement pattern in the Green Wedge includes townships such as Arthurs Seat, Red Hill, Flinders, Balnarring, Shoreham and Somers as well as small settlements such as Moorooduc, Merricks, Point Leo and Main Ridge

The Green Wedge has a total area of 51,204 hectares (512 km²), which comprises approximately 70% of the area of the Shire. More than 80 percent of the land within the Green Wedge is in private ownership, consisting of some 4,939 lots, some of which still remain as part of multi-title landholdings. Approximately 83 percent of the lots in the Green Wedge contain a dwelling of some kind, with a very low number of multi-dwelling sites (mainly within resort developments).

There are approximately 4116 separate dwellings in the Green Wedge, with a 71.5% occupancy rate and an estimated resident population in the order of 8,519 people (2017). The relatively low occupancy rate highlights the number of dwellings which are likely to be held as second dwellings/holiday homes, however it is consistent with the average occupancy rate on the Peninsula (of 68.6%) compared with the average for Great Melbourne of 91%.

As shown in Figure 4 below, the demographic profile for people living in the Green Wedge is generally consistent with that for the Shire overall, with a slightly lower proportion of the Green Wedge population in the 25 to 44-year-old age groups, a somewhat higher percentage in the 45-year-old to 69-year-old age groups, but with a slightly lower proportion in the 70-year-old or greater age groups.

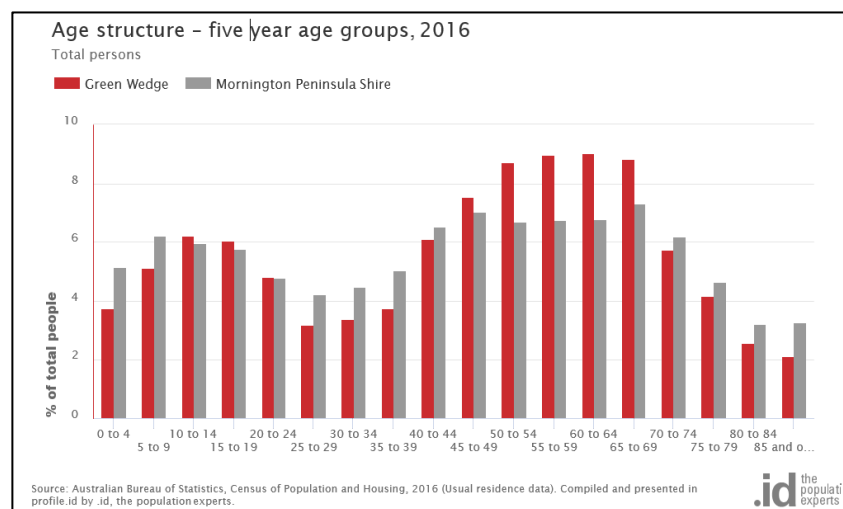


Figure 4 Demographic profile of the Green Wedge population compared with the Mornington Peninsula Shire overall.

This suggests that there are more “mature families” in the Green Wedge with young teenage children, but that people in the young adult age groups may relocate for work or education. Equally, after the age of 70, people may be leaving the Green Wedge to gain access to increased levels of support, access to health care etc.

The unemployment rate in the Green Wedge (2016), with a total labour force of 3,982 was approx. 3.1% (c.f. Peninsula average of 4.9% and Greater Melbourne average of 6.8%). However, all of the statistics for the Green Wedge are based on relatively small absolute numbers, and therefore can be sensitive to relatively small changes.

An analysis of the jobs held by the resident population in Green Wedge in 2016 shows the three most popular industry sectors were:

- Construction (12.8%). c.f. 8.2% Greater Melbourne (GM)
- Health Care and Social Assistance (10.2%) c.f. 12% GM
- Agriculture, Forestry and Fishing (9.9%). c.f. 0.6% GM

In combination, these three industries employed 32.9% of the total employed resident population. An analysis of the jobs held by the resident population in Green Wedge in 2016 shows the three most popular occupations were

- Managers (21.7%), c.f. 13.2% GM
- Professionals (20.0%) c.f. 25% GM, and
- Technicians and Trades Workers (16.0%), c.f. 12.6% GM

In combination these three occupations accounted for 2,185 people in total or 57.7% of the employed resident population.

Analysis of household income levels in Green Wedge in 2016 shows that there was a higher proportion of high income households (those earning \$2,500 per week or more) and a lower proportion of low income households (those earning less than \$650 per week). compared to with both the Mornington Peninsula overall and Greater Melbourne

Overall, 25.4% of the households earned a high income and 12.7% were low income households, compared with 17.5% and 19.7% respectively for Mornington Peninsula Shire and 22.9% and 16.7% respectively for Greater Melbourne.

Analysis of car ownership in 2016, indicates 70% of households in Green Wedge had access to two or more motor vehicles, compared to 57% in Mornington Peninsula Shire.

Interestingly, the percentage of persons travelling to work by car, either as a driver or passenger (65.3%) is comparable to that for Greater Melbourne (64.1%), and significantly lower than the Peninsula average (74.3 %). However, the percentage of persons working from home (14.2%) is significantly higher than for the Mornington Peninsula (6.5%) or Greater Melbourne (4.2%), possibly indicating the number of people both living and working on farms as well as in home-based businesses, such as construction contractors.

It is recognised that residents and businesses in the Green Wedge lack easy access to a range of urban services and facilities, including (particularly) public transport and telecommunication services. However, it is notable that the overall score under the SEIFA index (which measures the relative level of socio-economic disadvantage based on a range of Census characteristics) for the Green Wedge as a whole (in 2016) was 88% i.e. better than 88% of Australian suburbs and localities. This may be compared with the rating of 63% for the Mornington Peninsula as a whole and the Victorian average of 61%.

Further demographic information is available on the Shire's website:

<https://profile.id.com.au/mornington-peninsula/about>

7. Structure of the Green Wedge Management Plan

The Mornington Peninsula Green Wedge Management Plan builds upon previous work, including the framework provided by the Mornington Peninsula Localised Planning Statement, to provide a strategic assessment and policy response to key issues shaping the future of the Mornington Peninsula Green Wedge.

The Plan includes six main themes:

- Subdivision, rural dwellings and the role of townships
- Conservation and biodiversity
- Agriculture, agri-business and agri-tourism
- Tourism and leisure based use and development
- Landscape, recreation and heritage
- Infrastructure planning and design

Each section commences with an extract of the most relevant element(s) of the vision. It then provides context/background material, outlines the strategic assessment and strategic directions informing the response to the key issues. Each section concludes with a number of actions which are intended to support the vision objectives.

The actions range from statements of general direction, which generally express a policy position on a particular matter, through to more specific tasks and initiatives.

The actions in each theme focus on Council's role in relation to that action e.g. to advocate, investigate, review, develop or implement. Where appropriate the role of other groups and agencies is also highlighted

A general order of priority (high, medium, low) is also indicated, with the indicative timeframe being: high actions in 1- 2 years, medium within 2 – 4 years and low within 4 – 5 years. However, many of the actions are listed as ongoing.

All actions are subject to Council review and any funding requirements will be subject to further consideration as part of the annual budget process.

Subdivision, rural dwellings and the role of townships in the Green Wedge



10. SUBDIVISION, RURAL DWELLINGS AND THE ROLE OF TOWNSHIPS IN THE GREEN WEDGE

VISION

- *A place that keeps about seventy percent of the Peninsula's land mass as a rural land resource in recognition of its value for current and future generations.*
- *A place that retains a rural character, defined by agriculture and natural systems land uses, heritage places, attractive vistas, unobtrusive buildings and a low population settled in relatively few buildings that is:*
 - *At its strongest in key locations including: significant landscapes, land with coastal frontage, land adjoining urban growth boundaries and separations between closely located townships; and*
 - *Protected by population, industrial and commercial growth being located inside the Urban Growth Boundary.*

CONTEXT

The current occupation and settlement pattern of the Mornington Peninsula Green Wedge is an expression of the Peninsula's particular physical characteristics and development history.

It is important in responding to the issues and pressures which result from the existing pattern of subdivision and land ownership to emphasize that this is a plan for the Mornington Peninsula Green Wedge and not a general strategy for rural land use planning. The Peninsula already has a well-established and diverse pattern of land use and occupation, and therefore relevant strategies need to respond to this specific context.

Subdivision and township boundaries

The land use and subdivision pattern on the Peninsula reflects a movement from early pastoral leases on Crown Land which date back to the 1840s, to the subdivision and sale of land in 30 to 40-hectare parcels later in the 19th century, and then to closer settlement and subdivision which occurred from the early 1900s. Many of the smaller rural towns were established in earlier periods as coastal fishing villages or rural service centres.

Over time, grazing on the original pastoral leases was replaced by more intensive agriculture and horticulture, particularly around the Red Hill / Dromana area, and including extensive orchards in parts of the Shire, for example, around Somerville.

The post WW2 period saw a number of key changes –

- Significant immigration and population growth in Melbourne, expanding the urban fringe.
- The terms of trade for agricultural production continued to tighten, with previous trade patterns (for example, with the United Kingdom) changing significantly. This tended to result in the need for ever increasing economies of scale for broad acre farming/cropping.
- Improvements in roads and greater use of motor vehicles increasing accessibility to and from Melbourne.

The combined effect of these changes was a decline in the predominance of broad scale agricultural land use on the Peninsula and a shift towards the more diverse and mixed pattern that exists today. This was accompanied by increasing land values and a period of relatively small lot rural subdivision. For example, 10 acres (4 hectares) was a commonly accepted "rural" lot size on the Peninsula in the 1950's and 60's, and was considered at that time to be sufficient to support a small scale commercial orchard, even though it would not be supported today.

At the same time there was an increase in more intensive uses, such as vineyards, based in part on the visitor market of the Peninsula, as well as broiler chicken farming and market gardening/ horticulture, where proximity to markets and processors was a more significant factor. During the 1960's there was also an increasing emphasis on environmental values, and the beginning of sea change/tree change trends.

By the mid 1960's the potential impact of Melbourne's growth pressures on the Mornington Peninsula (and other Melbourne fringe areas) was apparent. The State government of the time subsequently engaged in a process of regional planning to determine the role of the Peninsula in the future pattern of metropolitan development – in short, whether the Mornington Peninsula would become an urban growth corridor.

In 1970, the first Statements of Planning Policy (SoPP) were introduced. SoPP No.2 determined that the southern Mornington Peninsula would be planned and managed for its conservation and recreation values and would not become an urban extension of Melbourne.

Planning controls were subsequently developed and introduced in the mid 1970's by the Western Port Regional Planning Authority (WPRPA) to manage and control development pressures, particularly, and most controversially at the time, through the introduction of rural subdivision controls. The Planning Scheme produced for the southern Peninsula by the WPRPA, circa 1975, was also known as the Conservation Plan.

The key provisions, included in the Conservation Plan were based on the notion of "Land Units", or landscape types, and a form of holistic assessment, which had regard to land use capability, environmental systems and landscape character in assessing land capacity and associated rural subdivision and development density controls

Under this scheme, the minimum lot areas required for new subdivision were generally in the order of 20 hectares to 40 hectares, although the required minimum lot size was as low as 10 hectares in the undulating landscape around Red Hill and as high as 80 hectares in the Cups/Cape Schanck area.

These subdivision controls reflected the limited ability of the Peninsula to "absorb" further development while still achieving the aims of State policy and, in effect, provided an upper limit to the level of further development in the Peninsula's rural area.

There was significant opposition to the introduction of rural subdivision controls at the time, however, the Western Port Regional Planning Authority outlined their justification in the following terms:

- They are necessary to achieve the State government's policy objectives. Conservation, retention of agricultural production and the value of the Peninsula for outdoor unstructured recreation cannot be achieved while still allowing urban (or even rural residential) development.
- There is no "right to subdivide". Under Australian law, the government retains the legal right to decide where the creation of new titles (subdivision) can occur and under what conditions. Given there is no right to subdivide there is no compensation necessary for the regulation of subdivision.

The impact from the introduction of rural subdivision controls on long term farm owners was to some degree alleviated by provisions which allowed for the "excision" of existing dwellings (to create a separate title around an existing dwelling) and the ability to create a further excised lot for family purposes. These excision provisions remained in the planning scheme until 2004.

In addition to subdivision controls, policies were also introduced with the aim of containing the growth of rural towns and coastal villages within their existing boundaries and to

ensure that any new use and development was consistent with their existing size, function and character.

These policies are still reflected in the Shire's general settlement and activity centre strategies which direct the majority of new development to the Major Activity Centres in the Shire (Mornington, Rosebud and Hastings) which are better able to accommodate growth and in turn can provide a higher level of service to a larger population.

In the mid 1970's a further review of the extent of metropolitan development also occurred. The Land Requirements and Recommended Designated Areas report (1975) concluded that the Baxter Balcombe valley was not a preferred area for future urban expansion.

In this context, by the early 1980's local planning schemes had essentially established the future urban boundary in the north of the Shire and extended the Conservation Plan policies, through the introduction of Farming and Rural Zones, to the whole of the rural Peninsula. At the same time separate policies were developed for the port area to the north of Hastings and east of Crib Point.

The Mornington Peninsula Planning Scheme retains many of the features from the original Conservation Plan and the form of the Conservation Plan, with land use zones complemented by "overlays" indicating important environmental and cultural heritage features, was a forerunner of the structure now applied across the State through the Victoria Planning Provision.

The maintenance of clear boundaries to growth and consistent rural subdivision controls for more than 40 years has substantially reduced speculation and increased certainty in relation to the future of the Green Wedge. These critical elements are strongly supported by Council.

Dwellings and rural living

At the time the Conservation Plan was introduced, the construction of a dwelling on a lot in the Green Wedge was "as of right" (no planning permit required), subject to various siting and design requirements.

In effect, the WPRPA accepted further development of dwellings on existing lots and the trend towards "rural living". That is, a shift in ownership away from those who valued the land primarily on the basis of productive agricultural capacity to those primarily seeking a rural lifestyle, or to enjoy rural amenity, and often with greater ability to subsidise farming activity from off farm income.

This shift was considered, at least in part, to be consistent with the objectives of Conservation Plan, with the new owners likely (and able) to support conservation and landscape protection objectives.

In contrast, in 1999 the Chair of new format planning schemes panel commented:

“The panels’ experience in dealing with the new format planning schemes leads to the conclusion that, in rural areas, the greatest challenges, which will face planning in the new millennium, will be to:

- maintain agricultural land in productive use;
- ensure an ongoing supply of water for irrigation and stock purposes; and
- manage water supply catchments to ensure an adequate supply of high quality water for domestic consumption.

The greatest threat in this respect is the growth of residential use and the conflicts this creates ... land holdings are being fragmented in ownership, with new owners frequently purchasing them for residential purposes. They move in with quite different expectations about what constitutes rural amenity and what farming means in practice compared to farmers themselves.

The panels consider that unresolved conflicts between residential use and agriculture have the potential to inhibit the growth of agriculture and the contribution it can make to the economy or create ongoing dissension and dissatisfaction within communities.”

In this context, the need to exercise greater control over rural living and its potential impacts has received greater emphasis in State policy since 2002. For example, State Planning Policy (Protection of agricultural land 14.01-1S) aims to limit new housing development in rural areas, by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Equally, rural living, or the provision for new dwellings, is not listed as a purpose of the Green Wedge Zone. Accordingly, while it is a dwelling is a use that may be permitted, it is critical that applications for dwellings are required to demonstrate consistency with and support for the higher-level objectives of the Green Wedge.

The development of the remaining pool of vacant lots purely for “rural living” purposes is potentially in conflict with the State and local policies which aim to limit further consumption of rural land for quasi –residential purposes. However, there is also some evidence that land management may be improved where land is occupied rather than held by absentee owners (refer Square Pegs in Green Wedges DPI 2008 report).

In this context, as will be outlined below, Council has sought to develop a policy which provides for consideration of dwellings as part of the integrated use of rural land in conjunction with a substantial and sustainable agricultural or conservation-based use. This “integrated” use can be distinguished from “rural living” which involves no such requirements.

Existing Subdivision and occupation pattern of the Mornington Peninsula Green Wedge.

The existing subdivision and development pattern is important to future planning as it highlights the potential pressures on the Peninsula’s rural land “resource base” i.e. the potential level of future development applications, and the need for a policy response to key issues, particularly the potential increase in rural living as form of land use.

The following maps and tables are intended to provide a snap shot of the current distribution of lot sizes, vacant land and land use across the Peninsula.

Figures 5 and 6 highlight the mixed pattern of lot sizes on the Peninsula and the size and distribution of those lots which are currently vacant, that is, those which do not currently contain a dwelling, as further summarised in the Tables below.

Tables 1 and 2 provide an overview of the number and size of vacant rateable lots in the Green Wedge compared with the total number of lots and total area of lots in various lot area/size categories.

Table 1 Lots numbers in the Mornington Peninsula Green Wedge – April 2018

Lots	Less than 0.4 hectares	0.4 – 2 ha	2.0 ha – 4 ha	4.0 ha - 10 ha	10.0 ha – 20 ha	20 ha – 40 ha	40 ha or greater	Total Lots
Total rateable lots in the GWZ	666	755	896	1369	614	491	148	4,939
Vacant (rateable) lots in the GWZ	118	82	73	184	144	159	63	823 (17%)
Percentage of lots in each size category	13%	15%	18%	28%	13%	10%	3%	
Percent vacant (no.) in each size category	18%	11%	8%	13%	23%	32%	42%	

Table 2 Lot areas in the Mornington Peninsula Green Wedge – April 2018

Lots	Less than 0.4 hectares	0.4 ha – 2 hectares	2.0 ha – 4 hectares	4.0 ha - 10 hectares	10.0 ha – 20 hectares	20 ha - 40 hectares	40 ha or greater	Total Areas (hectares)
Total Area of rateable lots in each size category in the Green Wedge (hectares)	98.3	827.7	2479.0	8132.0	8873.3	12460.0	10058.6	42,920.9
Total area of vacant rateable lots in each size category (hectares)	15.5	73.8	227.7	1,120.9	2,058.5	4,134.1	3,627.0	11,257.5 (26%)
Percentage of vacant lots (by number of lots) in each size category	16%	8.9%	9.1%	13.8%	23%	33%	36%	
Area of vacant lots in each size category as a percentage of the total area in each size category	1%	2%	6%	17%	21%	29%	24%	
Area of vacant lots in each size category as a percentage of the total area of vacant lots in the GW (11,257 ha)	0.13%	0.65%	2%	10%	18%	38%	32%	
Area of vacant lots in each size category as a percentage of the total area of lots in the GW (42,920 ha)	0.036%	0.17%	0.53%	2.6%	4.7%	9.6%	8.5%	26%

Figure 5: Distribution of Lot Sizes on the Mornington Peninsula April 2018 (note: unshaded land is not within Green Wedge Zone).

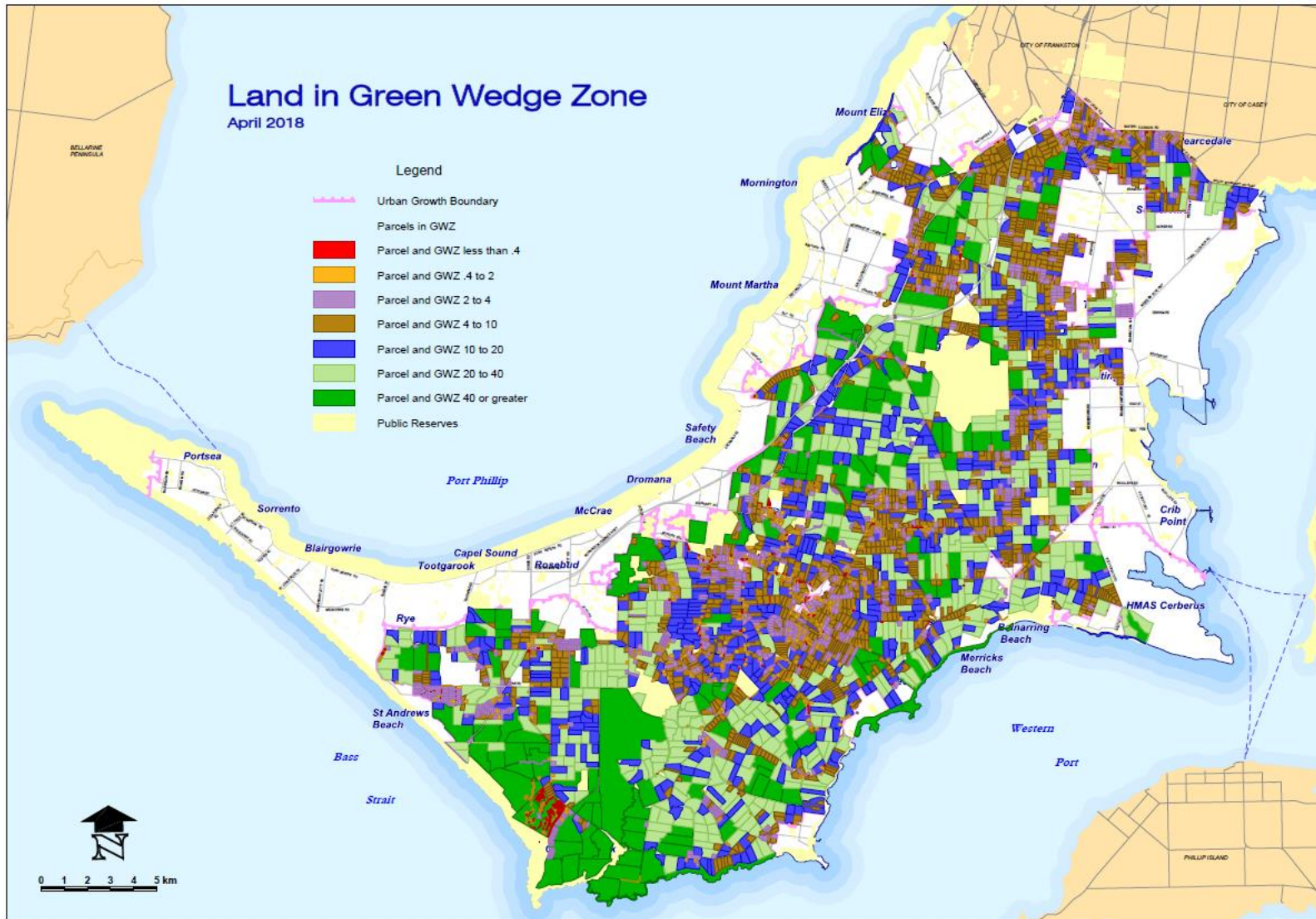
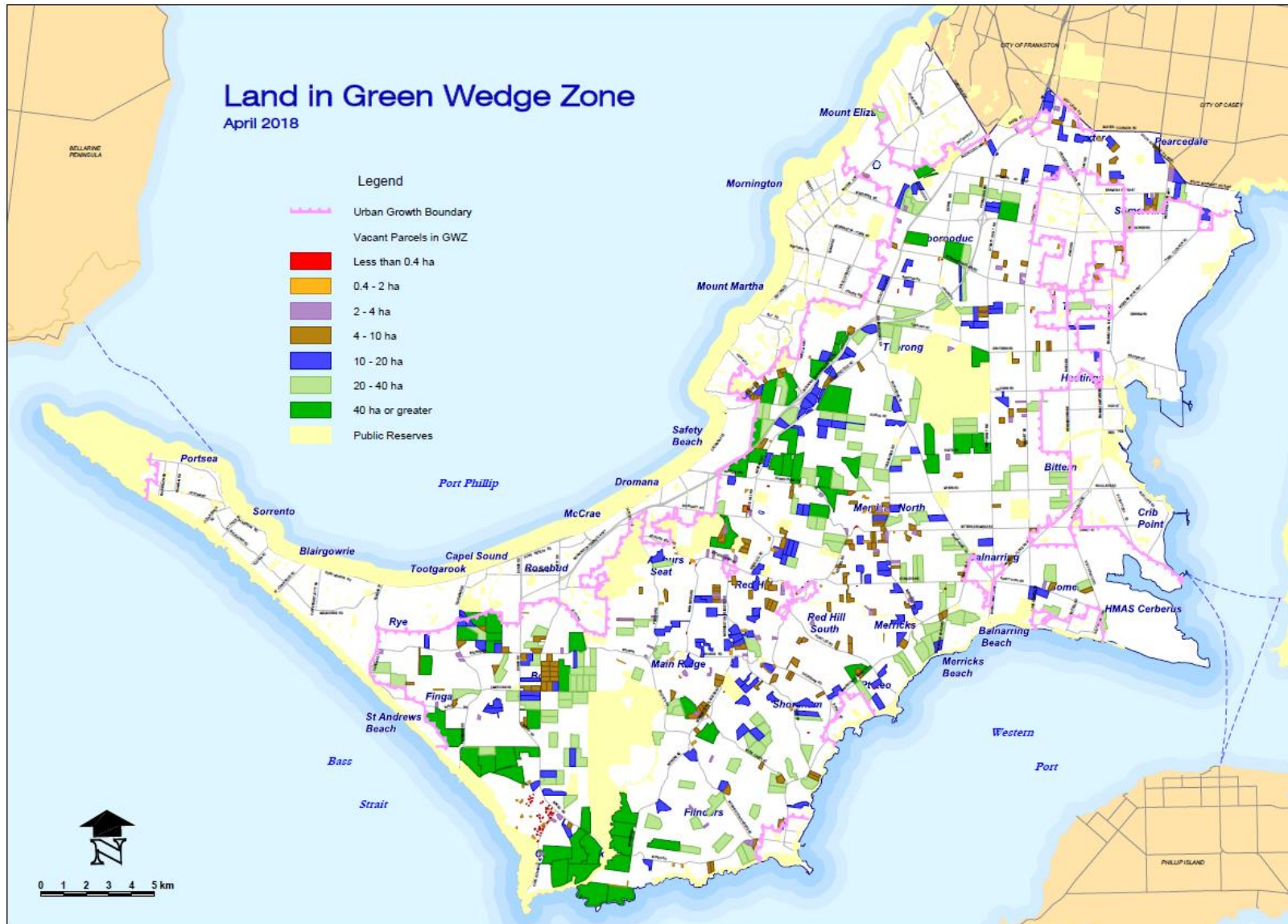


Figure 6: Distribution of Vacant Lots on the Mornington Peninsula April 2018



These figures and maps, combined with other available information, indicate that (as at April 2018):

- 823 lots or 17% of all lots within the Green Wedge are still vacant i.e. they do not contain a dwelling, although they may be currently used for some farming purpose, particularly where they form part of a larger land holding.
- Vacant lots account for 26% of total area of all lots in the Green Wedge. This indicates that there is still a substantial area of “uncommitted” land and it is therefore important to establish a clear policy regarding the future use and development of vacant lots, as these will have a significant impact on the objectives established for the Green Wedge.
- 75% of lots in the Green Wedge (3,686 lots) are less than 10 hectares in area and represents 27% of the total land area. The smaller lots also tend to have a higher level of existing development – only 12.5% of these “smaller” lots are vacant – compared with 32% of the lots with an area of more than 10 hectares.
- To the extent that smaller lots are more likely to be used for rural living these figures provide an indicator of the existing level of this form of occupation in the Mornington Peninsula Green Wedge. There is a concentration of smaller lots in the Red Hill/Main Ridge area as well as west of Somerville and south /west of Baxter.
- The greatest number of vacant lots (457) are small lots (less than 10 hectares or less). These also constitute the highest percentage of vacant lots (56%) but they account for a relatively small proportion of the vacant land area (12.8%) and an even smaller proportion of the overall area of lots in the Green Wedge (3%).
- In this context, land use and development on the remaining small lots may have less direct impact than the high number of lots would suggest, however, it is also important to consider the constraints that additional dwellings may have outside of their immediate site, for example, in terms of reducing separation distances to agricultural uses on adjoining land. Figure 7 shows areas of land affected by a notional dwelling buffer with a radius of only 200 metres, extending beyond individual property boundaries. The introduction of additional dwellings on small lots could constrain the use of much larger areas of rural land as well as the site of the dwelling itself. Accordingly, it is important to consider the effect of the siting of any proposed dwelling on the use of adjacent land.

- Equally, it is important to be emphasize that Council does not support the use of land in the Green Wedge for rural living, being essentially residential occupation with only incidental use for agriculture or biodiversity conservation ,and that there is clear statutory framework to ensure that land within the Green Wedge is only used for the purpose of a dwelling where it is proposed in conjunction with a substantial use of land for an agricultural purpose and/or increasing habitat areas. A focus on conservation/increasing habitat may be more appropriate on lots, where agricultural use may be impractical or unsustainable. In all cases there needs to be a focus on proper land management.
- There are a smaller number (222) of larger vacant lots (20 hectares or greater), which account for only 4.4% of the total number of lots in the Green Wedge (and 27% of all vacant lots). However, these make up a significant proportion of the remaining vacant land (69% of the area in vacant lots) and 18% of the total area of all lots in the Green Wedge. This suggests that policies relating to the future use and development of these larger lots, for example in relation to the construction of a dwelling on these lots, provides a real opportunity to support the higher-level objectives for the Green Wedge, in relation to agricultural use and conservation.
- Figure 6 indicates the relatively dispersed distribution of vacant lots, although there are some “clusters” possibly indicating a number of titles currently held as a single landholding (in one ownership). Many of the very small vacant lots (less than 0.4hectares) also appear to be concentrated within or adjacent to the Cape Schanck resort. Planning approvals indicate that there has been an average of 34 dwellings approved per year between 2012 and 2017, involving a combination of new dwellings on vacant lots and replacement dwellings (approx.50% new and 50% replacement).
- In terms of the distribution of existing land uses there is no clear correlation between lot sizes and land use that can be established by mapping, although of course in terms of broad acre grazing larger properties are able to support greater animal numbers (subject to other land capacity factors). There is also no clear breakdown of the Peninsula into specialised land use districts or precincts where one form of agriculture is obviously dominant, although there are clusters of activity such as vineyards around Red Hill/ Main Ridge and market gardening in Boneo and east of Tyabb, in part based on soil types and water supply. These factors are further discussed in a later section of this report in relation to Council’s Dwellings in the Green Wedge and Special Use Zones policy.

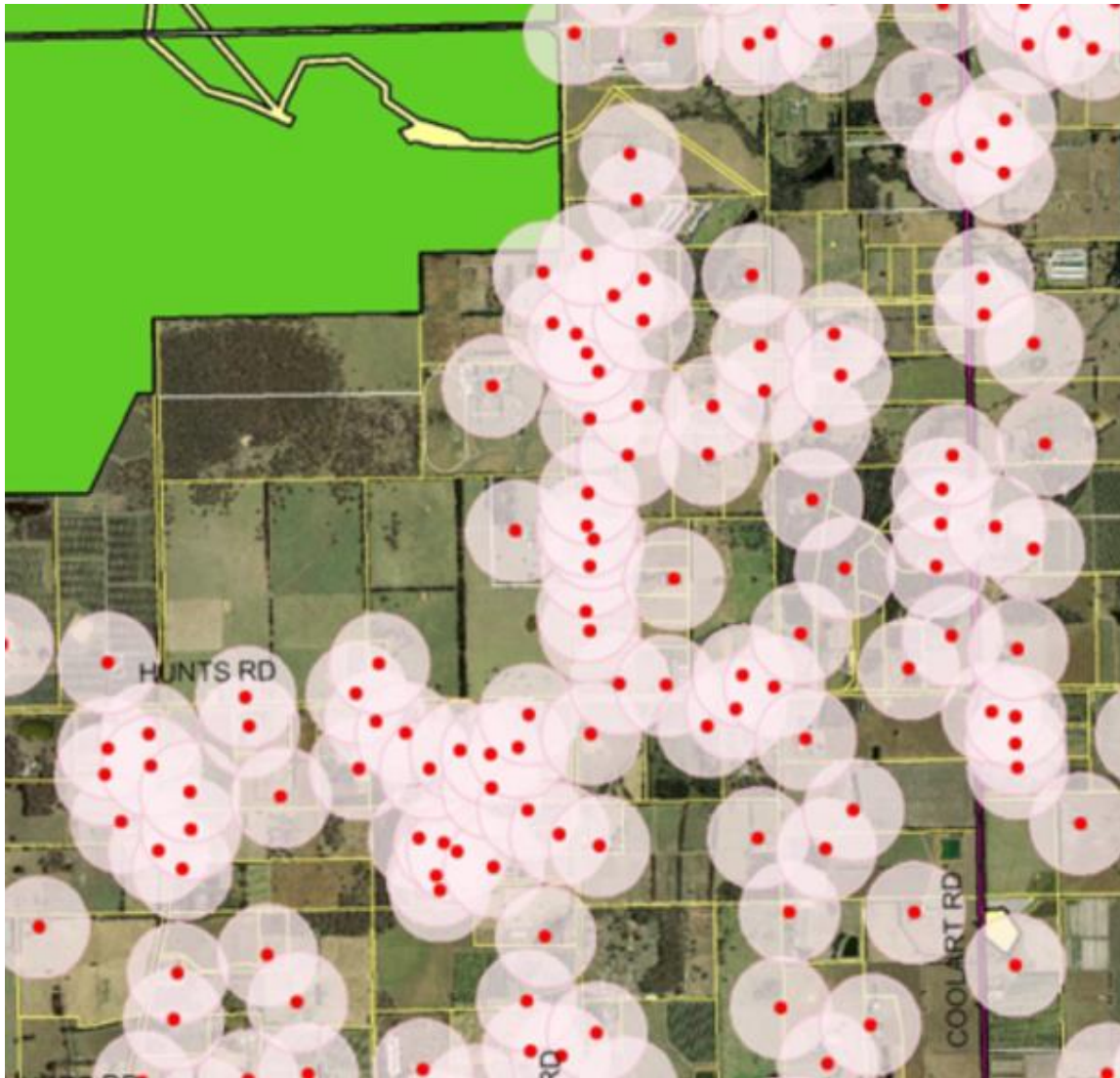


Figure 7 – Notional 200 m buffer distance around existing dwellings in the Green Wedge – Source MPSC GIS

STRATEGY

As outlined above, the planning strategy to protect the Mornington Peninsula Green Wedge from the pressures for urban expansion and residential development have primarily focussed on:

- The definition of strong boundaries to metropolitan expansion and township growth (Urban Growth Boundaries).
- Effective subdivision controls within the Green Wedge, reflecting land capability and landscape capacity.
- A relatively neutral position on the use of land for 'rural living', which has been substantially tightened since 2004.

These measures have been complemented by:

- Siting and design provisions which have aimed to avoid siting of buildings and other works in areas which are sensitive from an environmental or landscape point of view.
- Provision for a range of non-residential land uses which include agricultural and recreational uses as well as a level of tourism and leisure-based development.
- Provision for increased commercial and service-based use and development within the defined rural township areas.

The planning provisions have facilitated a balance between a diverse range of land uses and land owner interests, without major amenity conflicts between agricultural producers, recreational visitors and rural residents.

There has been some loss of agricultural land to other rural and non-rural uses such as golf courses, tourist accommodation, and restaurants (as will be discussed in later chapters), and particularly, rural living (as discussed above). However, it is considered that the primary landscape qualities and land use capability of the Green Wedge have not been fundamentally compromised by change to date.

A key issue at this time, some 40 years after the introduction of the Conservation Plan, is whether current strategies and planning provisions are still adequate to support the planning objectives for the Green Wedge and to address emerging issues, including the increasing cost of land in the Green Wedge and competition for land from non-agricultural uses.

Pressures on the Urban Growth Boundary and rural subdivision controls

The pressures for development and subdivision in the Green Wedge are likely to continue as the Melbourne population continues to grow and as access to the Peninsula improves.

Population growth within the Shire will also generate its own pressures, with projected population growth from 164,246, in 2018 to 181,097 by 2036.

The location of the Peninsula adjacent to the edge of metropolitan Melbourne means that the threat of urban expansion is never completely resolved and in fact is likely to intensify due to a range of factors including:

- the continuing expansion of urban development into fringe/interface areas;
- ongoing advocacy by the development industry for the release of more land (particularly linking land release to housing affordability);
- the extension of major infrastructure such as Peninsula Link and the prospects for electrification of the Baxter rail line, which may be used to support an argument for "corridor development";
- the aging of the existing landowner base, with owners seeking to "realise" the value of their land asset and downsize, or with the generational change to new owners less interested in agriculture;
- the financial pressures on agriculture and the limits on commercial farming from both environmental controls and the amenity expectations of other landowners using land primarily for rural living;
- the argument that owners of Green Wedge land are entitled to gain a benefit from their land and if it can't "pay its own way" (e.g. through commercial agriculture), then the Green Wedge should be opened up to development;
- the potential for defacto residential development, for example, in the form of large scale mobile home parks ("caravan parks"), which may undermine the credibility of rural subdivision and development controls;
- arguments that different parts of the Green Wedge should be subject to different zoning provisions, particularly different subdivision requirements, on the basis that the land use pattern in some areas is already clearly dominated by "rural living". Some proponents of this view suggest that Green Wedge objectives would be better achieved by allowing a reduction in the minimum lot area. e.g. promoting more intensive land management and potential habitat restoration; and
- Submissions in relation to individual sites based on changes in the personal circumstances of landowners.

The importance of the Urban Growth Boundary (UGB).

There appear to be two key arguments put forward for changes to the UGB. One is that more land is required to be released to support Melbourne's projected housing needs or to support the provision of more affordable housing. The other is that the Green Wedge already features a range of different lot sizes, including some relatively small lots, and therefore some "minor" changes will have no significant impact. This is also combined with a claim that current lots are too small to support agricultural use and therefore more "manageable" lot sizes should be permitted.

The argument for changes to the Urban Growth Boundary and the "release" of Green Wedge land to support Melbourne's housing needs to be considered in the context of the designation of the Mornington Peninsula Green Wedge as part of the overall Plan Melbourne strategy, which identifies some areas for urban growth, with associated services and infrastructure, while the Green Wedge is to be retained to fulfil a different and complementary role.

The principle of different areas having different long-term roles, with different priorities and being planned accordingly is a critical aspect of a comprehensive strategy. In this context, it is important to emphasize the "public value" of maintaining and supporting the Mornington Peninsula Green Wedge, both for the residents of the Peninsula and for the wider Melbourne and Victorian community, in terms conservation, recreation, landscape value and productive agriculture.

On a pragmatic level, the release of land from the Green Wedge for residential development is unlikely to have any significant effect on housing affordability, unless undertaken on a very large scale, particularly given the financial incentive to simply hold land (or "land bank") until the market value (and price) increases. It is important to emphasize that given the planning controls that have been in place for more than 40 years (including the previous opportunity for excisions) there should be no reasonable expectation by current landowners of further subdivision potential.

The planning policies for the Mornington Peninsula Green Wedge also provide a degree of certainty that supports a strong land market. In this sense, they also provide a level of private benefit to landowners. It is important to emphasize that the majority of landowners within the Green Wedge in fact strongly support the protection of the Green Wedge.

However, it is not simply a matter for individual land owners to decide that they no longer wish to retain a "large" property. The Mornington Peninsula Green Wedge represents a pool

of rural lots suitable for many purposes, but its long-term future depends on maintaining the current controls, not simply reducing all lots to smaller and smaller sizes so that they remain "manageable" as people continue to age, even if this may result in changes in ownership over time

It is understandable that some landowners, particularly with the changing needs and abilities of older owners, may seek "just a minor change" to the UGB or other controls. It may be argued that there is already a wide variation in lot sizes, and a minor change to the UGB can provide a significant private benefit with what appears to be a (relatively) small impact on the Green Wedge overall.

However, what is at stake is not just the immediate impact of an individual decision but the likely cumulative effect of such changes and the loss of policy certainty. This is likely to result in a "zone of impermanence", and land speculation based on the expectation of a future changes. Despite individual circumstances, planning policy needs to be based on a coherent strategy and consistent implementation.

Accordingly, Council is strongly opposed to any change in the current Urban Growth Boundary which would reduce the area of the Green Wedge. In this context one change that may have value is to establish a clear UGB around the existing Coastal Villages. While the existing zonings already prevent expansion of the Coastal Villages, the definition of a UGB (which would require State government support) may resolve any uncertainty regarding the status of the current boundaries and would not reduce the area within the Green Wedge.

A further issue which has recently been identified is the effect of the exemption of some sites from the Metropolitan Green Wedge Core Planning Provisions (Clause 51.02). The Core Planning Provisions (CPPs) were introduced in 2003 to reinforce controls over use and development in the Green Wedge and, among other matters, prohibit the use and development for the purpose of Accommodation, including retirement villages. However, a local schedule to Clause 51.02 exempt some sites from the Core Planning Provisions. This applies to seven sites within the Mornington Peninsula Green Wedge, which are included in a Special Use Zone (SUZ 2 or 7) and the Moonah Links Comprehensive Development Zone. There appears to have been no review of the SUZ provisions at the time the exemption was applied.

As a result of the exemption and the way in which SUZ2 is drafted, it is possible to apply for a retirement village on the exempt sites within the Green Wedge, even though this would effectively displace the "special use" on the land and is inconsistent with the principle of containing residential development within the Urban Growth Boundary. In this context it is

proposed that the exemption schedule and the SUZ provisions should be reviewed to ensure that any exemption is only applied to the specific special use which forms the basis of inclusion in the SUZ. Any change to the special use would then be subject to the consideration of existing use rights and the planning scheme amendment process.

The value of the current rural subdivision controls.

The argument that lots in the Green Wedge are too small to support viable agriculture needs to recognise the wide range of uses and the existing value of agricultural production on the Peninsula. This value exceeds \$850 million per year, or more than \$1 billion including value adding, and has grown substantially over the last 10 years.

Section 12 of this Plan (Agriculture, agri-business and agri-tourism) sets out the further attributes and advantages of the Mornington Peninsula, which support a wide range of sustainable agricultural enterprises and the long-term role of the Mornington Peninsula as a key part of Melbourne's "food bowl." This is highlighted in the Foodprint Melbourne report (July 2018).

In addition, more than 1,273 properties claim the Agricultural rate, which provides a discount of 65% on the General Rate for land which meets criteria for a commercial agricultural activity. Of these properties, 429 (33%) are on lots of between 0.4 ha and 20 ha. This indicates that not all agricultural uses require larger land areas and there are further options to consolidate land, utilise multiple sites or lease land which can provide economies of scale.

However, larger lots do provide greater flexibility of use in the long term and the ability to provide on-site buffers to adjoining properties, increasing the range of potential uses. While the existing mixed pattern of land use in the Green Wedge does not appear to be imposing excessive constraints on sustainable agricultural activity, the higher the density of development the greater the risk to agricultural uses and rural character.

Council is therefore opposed to further land fragmentation, which reduces the flexibility for future land use, and considers that even realignments of title boundaries, which do not increase the number of lots, but which may still reduce the range of lot sizes, should not be supported unless there is a good land management justification.

In regard to alternative zoning options, while some areas do appear to have a lower average lot size, such as the concentration of lots of less than 10 hectares in the Red Hill/Main Ridge area, there is still a mix of different sizes in this area which maintains a predominantly rural

landscape character. This is one of the key values of the Mornington Peninsula Green Wedge which would be threatened by an increased density of development.

Defining areas such as this as a "precinct" for infill development would change the character, and potentially increase the expectation of further erosion of the subdivision controls over time. Equally, there are different expectations which relate to the Rural Living Zone (2 ha standard lot size); the Green Wedge A Zone (8ha standard lot size) and the Green Wedge Zone proper.

Having regard to these matters, Council considers that although there are many lots which are already below the minimum lot area now required in the Green Wedge Zone, the purposes of this zone are actually more consistent with the planning objectives for the Mornington Peninsula Green Wedge and that this zone (with some strengthening of policy provisions) is still preferable across the whole of the Mornington Peninsula Green Wedge to any of the alternative zones that are currently available under the Victoria Planning Provision.

Dwellings in the Green Wedge

Although the existing rural subdivision controls mean that there are now very limited opportunities to create additional lots in the Green Wedge, tables 1 and 2 indicate that there is still a significant pool of vacant lots that may be the subject of future applications for dwellings. Unless this type of land use is carefully managed, the current balance may be disrupted, effectively reducing the potential for productive agricultural use as well as impacting on rural landscape character.

As outlined in Section 12, Council does not support "agriculture at all costs" but does recognise that maintaining the opportunity for productive and sustainable agricultural use is a policy priority at both the State and local level, and that this should not be put at risk by poorly located dwellings used exclusively for the purpose of rural living.

The aim therefore is to ensure that all future applications for dwellings in the Green Wedge support the core purposes of the Green Wedge, that is, habitat conservation and landscape protection, combined with sustainable agriculture (including a high standard of land management).

The Mornington Peninsula Localised Planning Statement (2014) already provides some significant directions on this issue. The Planning Statement provides the following objectives:

- 32 *The use of land for rural living will be managed to limit the impact on the sustainable agricultural use of land and to ensure recognition of the need of farms to operate without excessive constraint in a rural environment.*
- 33 *The residential occupation of rural land in the Green Wedge will be linked to and conditional upon measures to limit:*
- a. *the impacts on agriculture, biodiversity, cultural heritage significance and landscape character*
 - b. *the impact of the proposed dwelling on both the existing and potential use of adjoining rural land.*
- 34 The residential occupation of rural land in the Green Wedge will be linked to and conditional upon the occupiers clear recognition and acceptance of the potential for agricultural use of nearby land to affect future amenity and a clear proposal to ensure a positive contribution to the objectives of sustainable agriculture, or the protection and enhancement of heritage, biodiversity and landscape values, or some combination of these goals consistent with the values, opportunities and constraints of each site.

Council's position/strategy on this issue consists of the following elements:

- There should be no presumption that a dwelling will be approved on every existing title within the Green Wedge.
- There are some vacant titles within the Green Wedge which are unsuitable for the construction of a dwelling, either due to environmental constraints, such as high bushfire risk, or because they were not created with the intention of being separately occupied and would therefore undermine the credibility of the Green Wedge subdivision controls. The main examples of this are "lots" created as part of land acquisition by public authorities (and which are now regarded as surplus to requirements), or remnant titles from former Crown Allotments (effectively survey gaps). In these cases, the lots are usually far below current minimum standards, and it is more appropriate for them to be consolidated with adjoining titles (or, in some cases retained for a conservation purpose) rather than being developed as a separate entity.
- Where several titles are currently held as a single land holding, Council would strongly encourage land consolidation, and may consider incentives to promote such action. The breakup of larger rural landholdings consisting of existing multiple

titles into a number of smaller lots, providing less land use flexibility, is undesirable and options for minimising impact, through re-subdivision or even site-specific provisions may be warranted in some cases.

- While the scale and intensity of an agricultural or conservation-based use may not strictly necessitate the construction of a dwelling, it is considered that applications for the use and development of dwellings in the Green Wedge Zone must rigorously demonstrate a significant positive contribution to the achievement of Green Wedge objectives. This is in effect a form of the "in conjunction with" test applied to the issue of dwellings i.e. dwellings should only be approved in conjunction with a proposal for a substantial and sustainable agricultural or conservation based use on the land, having regard to the location and size of the lot and the physical/environmental characteristics of the site, as well as the use of other land in the vicinity of the site..
- Applications which propose the use and development of a dwelling must avoid:
 - Adversely affecting significant view lines or the landscape character of the rural area.
 - Direct or indirect changes that can adversely affect biodiversity and natural systems.
 - Changes which unnecessarily exclude or significantly limit agricultural land use and farm management practices, both on site and on adjoining land.
 - Creation of demand for services and infrastructure that is often difficult to provide in the rural area.
- To ensure all relevant matters are properly considered, including the purposes and decision guidelines of the Green Wedge Zone, Council considers that it is essential for every new dwelling application to include an integrated Land Management Plan that clearly sets out the intended future use of the land, and which is consistent with and supports the objectives of the Green Wedge.
- The requirement for a Land Management Plan is further expressed in the draft policy included in Attachment 1, which is intended to form the basis for a future planning scheme amendment proposal. The draft policy is very similar to that previously adopted by Council, (in 2012) other than to clarify that the intention is for applicants to demonstrate a substantial, sustainable and productive agricultural use of the balance of the land (with a limited building "envelope" designated for the dwelling and its curtilage) – but not necessarily to prove that the proposed

agricultural use “necessitates” the construction of a dwelling on the land, or that such agricultural use would be the primary source of income for residents. This clarification is intended to promote a more realistic assessment of the capacity of land and appropriate and sustainable land use, with the corollary that such proposals will be regarded as a strong commitment by the landowner.

- As outlined in Section 11 (Biodiversity and conservation), in some cases it may be more appropriate for a proposed Land Management Plan to focus on re-vegetation and increasing habitat area rather than seeking to maximise agricultural use in a way that is unrealistic, unsustainable and ultimately counterproductive. As noted above this may be the case on smaller rural lots, particularly where they are located within or adjacent to areas of high conservation value and where there are opportunities to extend habitat areas and bio-links. This approach is consistent with recognition of the importance of maintaining a functional landscape which provides a high level of environmental services as well as the opportunity for recreation in an area of outstanding natural beauty.
- That said, even where new dwellings are approved on the basis of a habitat restoration, owners must recognise that the Green Wedge remains a predominantly agricultural area and that there are obligations e.g. regarding domestic animal controls and land management and reasonable expectations (regarding the operation of farming enterprises) which need to be accepted as part of living in the Green Wedge.
- In assessing future Land Management Plans (whether based on agricultural use, conservation use or some combination), Council will consider how such commitments will be secured, for example whether a proposed plan provides for the inclusion of land within covenants (where habitat restoration is proposed) or long-term land management lease agreements (for agricultural use), and whether, once implemented, the plan would meet the criteria to qualify for the Agricultural Rate or Land Sustainability Rate.
- Having regard to the policy of requiring Land Management Plans as part of dwelling applications, it is important to secure the implementation of approved Plans and to ensure a system of effective monitoring and compliance. While VCAT has not supported the use of S173 Agreements as a routine means of reinforcing permit conditions, in the experience of Council the requirement to enter into an agreement highlights the necessary level of commitment to applicants, and, of

equal importance, ensures that prospective future owners of land are made aware of the ongoing obligations through a notation on title. This potentially avoids future disputes and the need for costly and time-consuming compliance actions. Council supports any means to reduce the time and resources necessary to apply S173 agreements and will advocate for other means to secure the notification of prospective purchasers of land, but at this stage is not satisfied that any suitable alternative exists.

- As part of an effective monitoring and compliance system, more responsibility should also be allocated to the applicants/landowners. In this regard it is proposed to require (through planning conditions and the S173 agreements discussed above) that:
 - a) Prior to the commencement of any dwelling there is a demonstrated substantial commitment to the implementation of the Land Management Plan. In this regard, a Plan may include a staging proposal indicating the works or activities to be undertaken prior to commencement, or a cost schedule indicating the level of bond to be provided to secure implementation of the Plan
 - b) Within 12 months of the granting of a planning permit the land owner must provide an audit by a suitably qualified person (depending on the nature of the Land Management Plan) demonstrating compliance with the approved plan or the progress to date and intended future program.
 - c) The land owner would then be required to provide updates every three years, for a period of ten years.
- This self-reporting approach will complement the establishment, maintenance and ongoing review of a register of approved Land Management Plans by Council.
- While the focus of the policy is primarily on new dwellings on previously vacant lots, the substantial re-development/ major extension of existing dwellings, at times following a change in ownership, is also significant.
- Such re-development may see a change in the balance of the use of land from being predominantly agricultural to predominantly rural residential (or even part time residential) in nature. While the “use” of land for the purpose of a dwelling may be established through a previous permit (or be subject to existing use rights),

the development aspects are still important in terms of where dwellings are located, the footprint of development, whether they facilitate the use of the balance of the land for a “core” purpose or act as a barrier, as well as the environmental and landscape impacts. In this context, the need for a Land Management Plan as part of an application, and associated reporting, will still be considered in relation to the particular circumstances of the land and proposed application.

- Finally, the conversion and retention of existing dwellings for “non-residential” use, once they are replaced by a new dwelling, is also of concern; both in terms of ongoing compliance with the planning scheme and the proliferation of “dwelling like” structures in the rural landscape. It is considered that, other than in exceptional circumstances, the existing dwelling should be demolished or removed from the site once the new dwelling is completed.

The role of the townships and villages within the Green Wedge

In addition to providing residential opportunities, the small townships and villages within the Green Wedge, such as Red Hill, Merricks, Flinders and Balnarring, provide a range of services to their residents, the surrounding areas and to visitors. The Mornington Peninsula Activity Centres Strategy 2018 highlights the important role of the commercial centres within the rural townships.

In this context, it is considered that the existing village and town centres should remain the focus of most commercial and service-based activity, and Council is strongly opposed to any changes that would enable out of centre commercial development or the extension of commercial strip development on the Peninsula’s rural roads.

While other sections of this Plan (see Section 13) address the scope for tourism and leisure-based use and development in the Green Wedge, it is also critical to recognise the role of the towns and villages in the Green Wedge in meeting this demand. In this sense the existing towns and villages are already established as recreation and tourism nodes, and planning for future infrastructure requirements (for example under the Tourism Location Framework and Recreation Plan discussed in other Sections of this Plan) needs to have regard to this role.

Separate planning projects will also focus on the functional requirements and protection of character within the townships and villages. In this regard the Mornington Peninsula Planning Statement already provides a number of clear directions, with the objective of protecting the role and character of the Mornington Peninsula’s settlements, towns and villages.

The relevant strategies include:

- The hierarchy of settlements on the Mornington Peninsula will be recognised and maintained, with provisions to reinforce the distinction between major activity centres and other townships through appropriate density, height and built form controls and provisions to avoid out of centre commercial development.
- For the purposes of commercial centre planning the Mornington Peninsula will be considered separate from metropolitan Melbourne.
- The character and functions of the towns and villages will be protected and there will be no linear development between towns along the coast or expansion into the areas between townships. Development within each settlement will only be of a scale and character appropriate to the role, function and location of that settlement.
- Future planning for the settlements on the Peninsula will be based on principles of good design, Integrated Local Area Planning and Environmentally Sustainable Development, all in accordance with the character, scale, role and functions of each settlement ...”

Objective 1 - Support the key purposes and retain the rural character of the Green Wedge

The core purposes of the Green Wedge, including:

- encouraging sustainable farming activities and providing opportunity for a variety of productive agricultural uses;
- protecting, conserving and enhancing the cultural heritage significance and the character of open rural and scenic non-urban landscapes;
- protecting and enhancing the biodiversity and conservation of the area;
- recognising, protecting and conserving green wedge land for its recreational and tourism opportunities;

are all dependent on maintaining an essentially rural area, preventing further land fragmentation and ensuring that any future development of existing lots is managed so as to support these key purposes and objectives. This in turn requires maintenance of a clear Urban Growth Boundary, continued support of rural subdivision controls and appropriate use and development controls, including provisions in relation to new (and replacement) dwellings in the Green Wedge.

Ref	Actions	Priority
1.1.	Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land, with particular attention to the high exposure areas around and between townships which are critical to the distinctive settlement pattern of the Peninsula and to maintaining the relationship between rural and township areas.	Ongoing
1.2.	Contain residential and other urban development, including service stations, freeway service centres, fast food restaurants and medical centres, within the Urban Growth Boundary.	Ongoing
1.3.	Advocate to the State government for a review of the Schedule to Clause 51.02 (Metropolitan Green Wedge Core Planning Provisions) and the associated Special Use Zone provisions, to ensure that any exemption from the Core Planning Provisions applies only to the specific special use that forms the basis for the inclusion of that site in the Special Use Zone. Seek an interim amendment to suspend the use of the exemption schedule pending the completion of the review.	High
1.4.	Investigate with DELWP the potential to establish a clear Urban Growth Boundary around the existing small coastal and rural villages, which are already defined by existing zonings, to remove any uncertainty regarding the status of the existing boundaries.	Medium
1.5.	Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size requirements or introduce excision provisions for dwellings.	Ongoing
1.6.	Advocate for a consistent set of planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all non-urban areas on the Peninsula including land in the Farming Zone and the Special Use Zones.	Medium

Ref	Actions	Priority
1.7.	Further Investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation.	High
1.8.	Advocate to the State government that where surplus land is proposed to be sold, if the title does not meet the current minimum lot area requirements for new lots it should be either consolidated with an existing adjoining lot, or where appropriate, retained for conservation purposes to increase the area of suitable habitat.	High – Ongoing
1.9.	Seek a planning scheme amendment to include the Dwellings in the Green Wedge Policy (generally as shown in Appendix 1) as part of the Local Planning Policy Framework. Land within the Cape Schanck resort and small lots (under 1 hectare) on the western side of Cape Schanck Road would be excluded this from this policy.	High
1.10.	Ensure proposals to construct dwellings demonstrate a commitment to a substantial, sustainable and productive agricultural land use and/or substantial and sustainable habitat restoration on the balance of the property through the preparation and approval of a Land Management Plan (LMP). These Plans should also clearly recognise the nature of the Green Wedge as a rural area, the expectation of farming activities in the Green Wedge and the obligations on new landowners in terms of land management and the control of domestic animals.	Ongoing
1.11	Require applicants/proponents to enter into Section 173 agreements as necessary to secure the implementation of approved Land Management Plans.	Ongoing
1.12	Advocate to the State government for means, other than S173 agreements, to ensure that prospective purchasers of land are notified of their obligations under approved Land Management Plans. This may, for example, include a review of the requirements relating to property information certificates and the opportunity to include relevant information with rates notices.	High
1.13	As part of the implementation of approved Land Management Plans require that: a) Prior to the commencement of any dwelling there is a demonstrated substantial commitment to the implementation of the Land Management Plan (LMP). In this regard, an LMP may include a staging proposal indicating the works or activities to be undertaken prior to commencement, or a cost schedule indicating the level of bond to be provided to secure implementation of the Plan. b) Within 12 months of the granting of a planning permit the land owner must provide an audit by a suitably qualified person (depending on the nature of the Land Management Plan) demonstrating compliance with the approved plan or the progress to date and intended future program. c) The land owner be required to provide updates on the implementation of the LMP every three years, for a period of ten years.	High

Ref	Actions	Priority
1.14	Establish a register of approved Land Management Plans and S173 agreements to ensure regular reviews and compliance with the approved plans.	High
1.15	Provide information and advice to new and existing residents in the Green Wedge, and to the real estate industry, on the objectives of the Green Wedge, for example through the use of Council's website and industry information sessions. This should include the promotion of sustainable agriculture, habitat restoration and land stewardship.	Ongoing
1.16	Advocate to the Department of Environment, Land, Water and Planning that greater control be provided in regard to the replacement dwellings. This should ensure that existing dwellings are removed or demolished when the new dwelling is completed and enable consideration of land use impacts where such new development involves a significant change in location and/or a significant change in the footprint of development.	High
1.17	Reinforce that, where it is proposed to replace an existing dwelling with a new dwelling, the existing dwelling should be demolished or removed from the site, rather than converted for non-residential use to avoid the proliferation of "dwelling like" buildings in the Green Wedge.	Ongoing
1.18	Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the number of lots) should not be supported unless there is a good land management justification and should not generally reduce the area of the larger lot.	Ongoing
1.19	Revise the local policy 22.03 in relation to Dwelling density, excisions and realignments in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 51.02)	High

Objective: Support and reinforce the role and character of the Green Wedge townships

The townships and villages within the Green Wedge have a strong and complementary function to the rural area, providing opportunities for living in a rural environment and providing important services for the local communities and visitors to the Peninsula.

The role and character of the Green Wedge townships and villages needs to be protected from inappropriate use and development, and all use and development proposals need to provide sufficient infrastructure, including carparking, to meet the demands generated by that proposal. The design of new development should respect and respond to the existing character of the townships including a careful assessment of appropriate scale, height, form and materials.

Ref.	Actions	Priority
1.20	Promote the existing settlements as the key focus and location for the provision of tourism facilities within the Green Wedge, with facilities appropriate to scale, function and character of each settlement.	Ongoing
1.21	Ensure all development within Green Wedge settlements is of a type, scale and form consistent with the existing size, role and character of these settlements and that larger scale development is directed to a Major Activity Centres.	Ongoing
1.22	Undertake a character study and develop design policies and guidelines for the Green Wedge townships, including consideration of the potential impacts of climate change.	High

Conservation and biodiversity



11. CONSERVATION AND BIODIVERSITY

Vision

- *A place that protects, conserves and enhances the diversity, quality and extent of natural systems for their international, national, regional and local significance.*

Context

The introduction of special controls for the protection of the Mornington Peninsula in the early 1970's was substantially based on a recognition of the conservation value of the area in terms of what is now usually referred to as biodiversity and habitat. Many of the most significant areas, including major State and National reserves are included within the Green Wedge. Equally, substantial areas of native vegetation, providing the basis for habitat value, are located on privately owned land in the Green Wedge.

With increasing pressures on the natural environment, from factors including urban expansion, land clearance and climate change, the importance of the Peninsula's Green Wedge as a conservation area will continue to increase, and there is a need to control and reverse some existing negative trends.

Protecting Victoria's Environment - Biodiversity 2037, the State government's key biodiversity policy document released in 2017, highlights that biodiversity across the State is continuing to decline, despite previous government policies and programs, primarily due to the legacy of historic land clearing and the continuing spread of weeds and pest animals.

Historic land clearing has also resulted in extensive vegetation loss on the Mornington Peninsula, with only an estimated 18.5% of the pre-contact area of native vegetation remaining, and with the majority of the remnant vegetation classified as being of medium quality, according to modelled vegetation condition data. A further 10% of land on the Peninsula retains some level native vegetation cover, primarily in the form of scattered urban and paddock trees.

Land clearance has also led to an overall decline across all groups of fauna relative to pre-contact conditions, which mirrors declines that have occurred across Victoria. Natural systems studies produced in the mid 1970's concluded that, even then, the biological systems of the Peninsula were precariously balanced and were very sensitive to further disturbance.

Over the last 30 years, and despite the introduction of state-wide native vegetation clearing controls (in 1989) and pro-conservation policies, there has still been a major decline in species such as the Southern Brown Bandicoot, Growling Grass Frog and the Dwarf Galaxias due to loss of habitat, predation by foxes and cats, and habitat displacement by the introduced species. The isolation of fauna species through land fragmentation and loss of habitat linkages is also a significant concern. For most species, single patches of bush are insufficient to support a viable population in the long term.



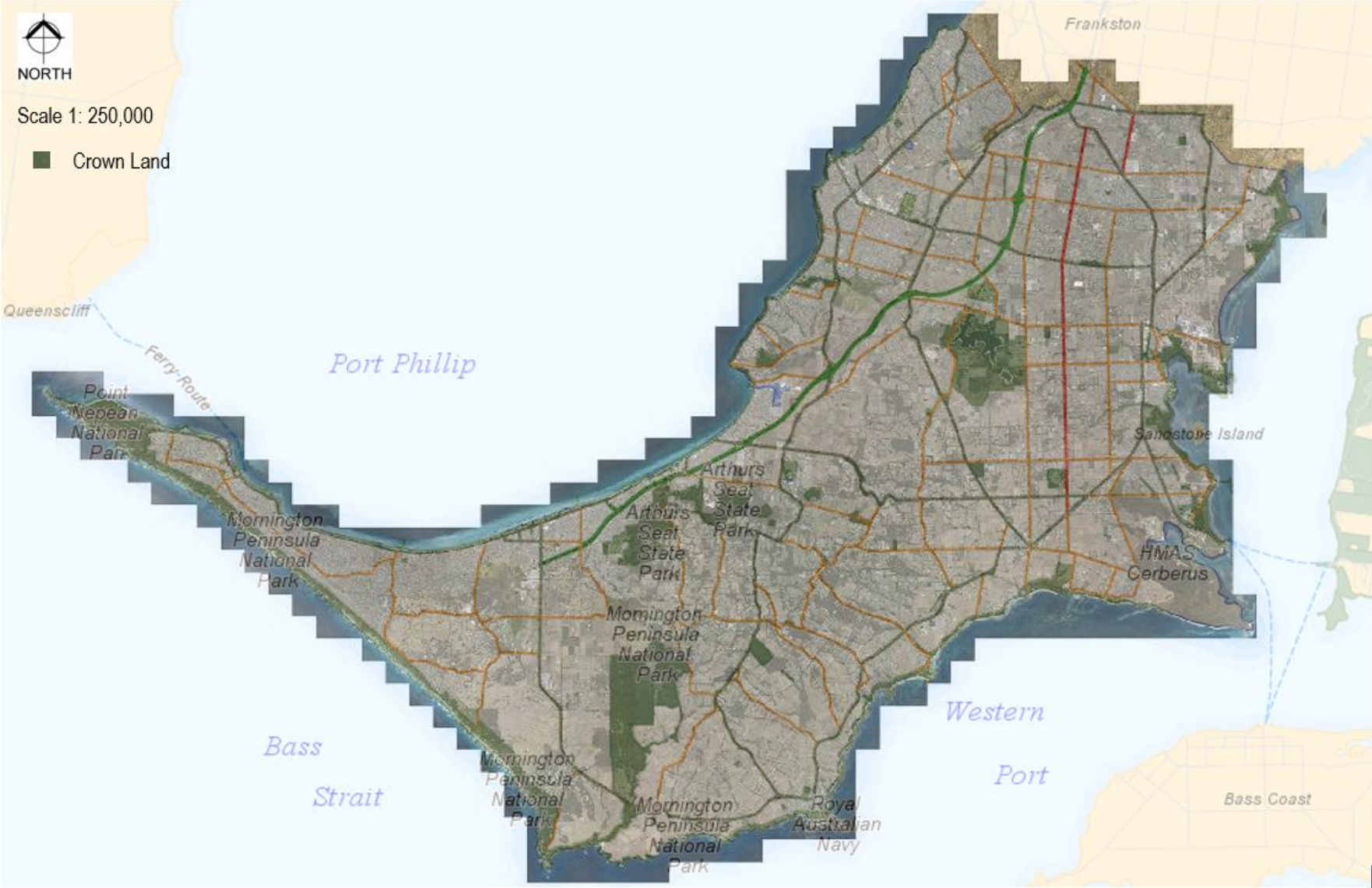
Powerful Owls

The Peninsula's proximity to Melbourne's expanding metropolitan area, growing population and climate change, continue to place pressures and demands on the environment.

However, despite these pressures, the Mornington Peninsula continues to support a number of ecologically important areas designated under international conventions.

Many sites on the Peninsula are considered ecologically significant for the number and diversity of species they support, their rarity, or as representative examples of formerly widespread ecosystems. More than 46 Ecological Vegetation Classes (EVCs) are found on the Peninsula. This includes vegetation types that are under-represented in Victoria's reserve system; including herb-rich woodlands, plains woodlands, coastal scrubs and riparian scrubs (TFN 2013).

Figure 8 Mornington Peninsula – showing location of major Crown land reserves



A snap shot of the important reserves and conservation status of the Mornington Peninsula is provided below:

- The Mornington Peninsula forms part of the Mornington Peninsula and Western Port Biosphere Reserve (MPWPBR), which covers five Local Government Areas adjoining Western Port Bay, including the Cities of Frankston and Casey, and Shires of Cardinia, Bass Coast, and Mornington Peninsula, as well as French Island. The MPWPBR was declared a Biosphere Reserve by UNESCO in 2002, in recognition of the area's significant natural values; it is one of 14 in Australia, and one of 631 world-wide.
- The Mornington Peninsula includes part of the Western Port Ramsar Site. Coastal habitats, particularly along the Western Port coast, are extremely important ecologically and have been recognised through a number of international treaties, for instance the Ramsar Convention on the conservation of wetlands, and migratory bird agreements with Japan and China (JAMBA and CAMBA). Although most coastal areas are not within the Green Wedge per se, the interaction between coastal and adjoining areas is a critical consideration, particularly in terms of resilience to future climate change.
- The Mornington Peninsula is part of the Port Phillip and Western Port Catchment Management Authority region and a partner in the implementation of the Regional Catchment Strategy.
- There are some 185 conservation reserves on the Mornington Peninsula, including 120 Council-owned bushland reserves, coastal foreshore reserves, Point Nepean National Park, the Mornington Peninsula National Park, Arthurs Seat State Park, Devil Bend Natural Features Reserve (refer Figure 8) and other state conservation reserves, which are protected and managed by public agencies. Approximately 27% of the Peninsula's remnant vegetation is located on public land.
- The natural environments of the Mornington Peninsula are also considered vital to the liveability and sustainability of the wider metropolitan area, and provide much of the appeal for residents and visitors to the Mornington Peninsula. The accessibility of the Peninsula from Melbourne provides visitors with a range of recreational opportunities and the ability to experience a diversity of natural environments.

- Planning policies since the 1970's have highlighted the importance of protecting and enhancing the conservation values of the Peninsula – and continue to do so.
- Important steps have been taken - through the control of urban sprawl, the purchase and expansion of national parks and bushland reserves, and stronger planning controls. The Mornington Peninsula Localised Planning Statement 2014 (referred to in the State Planning Policy Framework Clause 11.03-5S 2 Distinctive areas and landscapes) states:
 - The natural systems of the Mornington Peninsula, on both public and privately-owned land, will be conserved and managed for their habitat and biodiversity values and to maintain and enhance the experience of natural environment. This will include the conservation of areas of significant flora and fauna value and sites of geological significance.
 - Planning for the Mornington Peninsula will be directed towards maintaining and increasing biodiversity and increasing the resilience of natural systems. Where the development of land requires environmental offsets, these will be provided on the Mornington Peninsula and in the local area where appropriate.
 - The significance of the Mornington Peninsula as part of the Mornington Peninsula and Western Port Biosphere will be recognised and given effect.
 - State of the Environment reporting or other appropriate monitoring frameworks will be established to evaluate the effectiveness of this policy statement in achieving the intended aims and to ensure an appropriate and timely response to emerging issues.

A State of Biodiversity Report (Ecology Australia 2016) produced as part of the development of a Biodiversity Conservation Plan for the Shire, outlines the biodiversity values of the Peninsula – much of which focusses on the Green Wedge. A current summary of natural asset on the Mornington Peninsula, their current condition and a number of the key threats is summarised in Table 3.

Table 3 Summary of natural assets on the Mornington Peninsula, their current condition and threats (Source Ecology Australia 2018 draft)

Conservation Estate	The Mornington Peninsula's parks and reserve system covers approximately 10% of the Shire's land mass and 85% of public land. It includes 3156 ha of National Park, 2380 ha of State parks and reserves, and 1947 ha of land under local government management. The Mornington Peninsula is also part of the UNESCO Mornington Peninsula and Western Port Biosphere Reserve, and the Western Port coastline is covered by the Western Port Ramsar Site, designated under the Convention of Wetlands of International Importance and recognised for supporting a high diversity and large numbers of waterbirds.
Native Vegetation	Approximately 70% of native vegetation on the Mornington Peninsula has been cleared. The remaining 30% (c. 22,000 ha) is mostly of medium quality, according to state-wide modelling of vegetation condition. There are more than 46 ecological vegetation classes (EVCs) found on the Peninsula. Forest and woodland vegetation types, followed closely by heathlands and scrubs, are the most extensive and are considered to be in the best condition, while grasslands are the most severely depleted and in poorest condition. There are five vegetation communities on the Mornington Peninsula, listed as threatened nationally or in Victoria, the most extensive of which is the nationally vulnerable Subtropical and Temperate Coastal Saltmarsh (Ecology Australia 2016). The majority of remnant native vegetation is located on privately owned land (approx. 73%), with 27% on publicly owned land and reserves. There are 125 species listed as rare or threatened in Victoria
Flora	The flora of the Mornington Peninsula is diverse, representing almost one fifth of Victoria's indigenous plants; the composition reflects a flora adapted to dry coastal conditions. There are 698 indigenous taxa recorded for the Peninsula, 6% of which are threatened. They include six nationally-threatened species which have a highly restricted distribution on the Peninsula (one of which is locally extinct), and 38 species that are considered rare or threatened in Victoria, nine of which are listed as threatened under state legislation.
Fauna	The diversity and composition of the vertebrate fauna on the Mornington Peninsula reflect the broad habitat types and their remaining extent on the Peninsula. There are 402 native vertebrate fauna species recorded for the Mornington Peninsula, 10 of which are now considered to be locally extinct and 81 of which are threatened nationally, or in Victoria. There is the potential that many more species may be close to extinction, or have already been lost from the Peninsula. Those species which have suffered the greatest declines are ground-dwelling grassland and woodland birds and small mammals.
Waterways and Wetlands	Nine of the Peninsula's waterways were assessed as part of the latest Index of Stream Condition (DEPI 2010), two of which were rated as "Very Poor", two as "Poor", and three as "Moderate", with only one stream in "Good" condition. Waterways on the Mornington Peninsula are affected by poor water quality and modified hydrology; however, most rate well for physical form and stream side zone indices, which reflect the quality and extent of riparian vegetation and degree of physical modification. There are few naturally occurring inland wetlands on the Mornington Peninsula. The largest naturally occurring wetland is Tootgarook Swamp, a groundwater-dependent wetland system estimated to cover 380 ha. Coastal wetlands are extensive along the western port coastline.
Biodiversity Threats	<ul style="list-style-type: none"> • Vegetation Clearance and land use change – including unauthorised vegetation removal, unrestricted grazing in areas of high biodiversity value and excessive intensity of recreational use • Climate change • Invasive species and pathogens – noxious and environmental weeds ("transformer weeds" that affect ecosystem function) and pest animals • Pollution - primarily water quality – but also dumping of garden wastes • Altered disturbance regimes – for species dependent on fire or seasonal flooding • Lack of public awareness - relates to many of the other threats

Strategy - General

As with all other elements of GWMP, the strategy relating to biodiversity and conservation has been framed in the context of the existing conditions, the policies and strategies of other agencies, particularly State and Commonwealth governments, and the role and resources of local government in relation to key issues.

A significant consideration in relation to the biodiversity strategy is that the majority of remanent vegetation, which can be considered a key building block of habitat and biodiversity, is located on privately owned land. In addition, land values on the Peninsula are relatively high, and aside from the major public conservation reserves, much of the remaining vegetation occurs in relatively small and dispersed patches.

In this context, the prospects for major increases in the area of public conservation reserves are limited and therefore, in order to retain and enhance existing vegetation and habitat areas, there needs to be combination of actions to safeguard and promote increases in biodiversity on privately owned land.

It is recognised that there are ever increasing pressures on farmers to increase their efficiency and productivity through increasing the scale and intensity of use. However, where this conflicts with maintaining the health of environmental systems some constraints must apply in order to retain a functional landscape that provides a range of values in the long term. The benefit of this approach in terms of “public value” needs to be complemented by other elements of policy (including financial incentives) to support landowners in this “stewardship” role.

It is anticipated that the Shire’s Biodiversity Conservation Plan to be released for comment later in 2018, will examine the relevant issues, including potential avenues to restore vegetation on private land, in far more detail. The co-operation of owners through programs such as the biolinks projects delivered by the Mornington Peninsula Landcare Network, as outlined in Figure 9, is one key example.

In addition to engaging private landowners in biodiversity conservation, one of the most critical issues is ensuring the most effective investment in biodiversity protection and improvement. There are a range of possible actions that can improve biodiversity outcomes, including adding to the reserve system, targeted pest plant and pest animal programs, increasing the area of protected habitats, identifying and protecting habitat refugia, and restoring connectivity across the landscape. A strategic approach is necessary to provide direction on choosing between alternative courses and to determine the distribution of

funding and other resources between a range of concurrent actions.

In this regard, the State Government’s *Protecting Victoria’s Environment - Biodiversity 2037* (State of Victoria 2017) strategy highlights a new approach by the State government to determining priorities, based on achieving a 100% net positive change in “suitable habitat” (for the widest range of threatened species with co-benefits for non-threatened species) over the next 50 years.

Change in suitable habitat is an indicator of the increase in likelihood that a species (plant or animal) will still exist in a location at a future time in response to sustained management of relevant threats. It is expressed as the percentage increase in likelihood when comparing sustained management with no management.

This approach, in effect, places greater emphasis on net improvement in the outlook across all species (plant and animal), rather than an emphasis on endangered and critically endangered (plant and animal) species. The Biodiversity 2037 Strategy in fact recognises that some endangered and critically endangered species may not benefit from the wider landscape scale approach and will require specialised interventions. Where these interventions are very expensive and/or have relatively poor chance of success, these options will need to be balanced against what can be achieved for other species.



Southern Brown Bandicoot

Figure 9 Mornington Peninsula Landcare Network Map of Potential Biolink Linkages



The Strategy also notes a need to consider the “game changing influence of climate change”, which has a significant impact on the assessment of options, from consideration of the potential value of non-indigenous vegetation in providing suitable habitat, to the consideration that some endangered species may only be conserved by translocation to areas more resilient to climate change.

New tools for implementing the suitable habitat principle have been developed (at least to the first stage) including the mapping of Strategic Management Prospects (SMP), which estimate (based on a combination of expert opinion and modelling) the benefits of different management actions under climate change in particular locations. An example of the SMP map for the Mornington Peninsula is shown in Figure 10.

Strategic Management Prospects Version 1.2 is available on the State Government website (<https://www.environment.vic.gov.au/biodiversity/naturekit>). The next version, Strategic Management Prospects Version 2, will use improved terrestrial biodiversity input data, and is expected to be available in mid-2019.

At this stage, Biodiversity 2037 has also identified a number of contributing targets at the State level (that are to be reviewed every 5 years) and which include:

- 200,000 ha of revegetation in priority areas for connectivity between habitats;
- 200,000 ha of new permanently protected areas on private land;
- 1.5 million ha of weed control in priority locations;
- 1.5 million ha of pest predator control in priority areas; and
- 4 million ha of pest herbivore control (rabbits, goats, deer, feral horses) in priority locations.

As part of biodiversity response planning under Biodiversity 2037 it is proposed that area based forums will be established (through DELWP), with a wide range of agencies and stakeholders, including the Catchment Management Authority, to focus on responding to the state-wide targets over a five-year period

These forums will seek to establish “pledges” or statements of intent from contributors, which are to be reviewed annually.

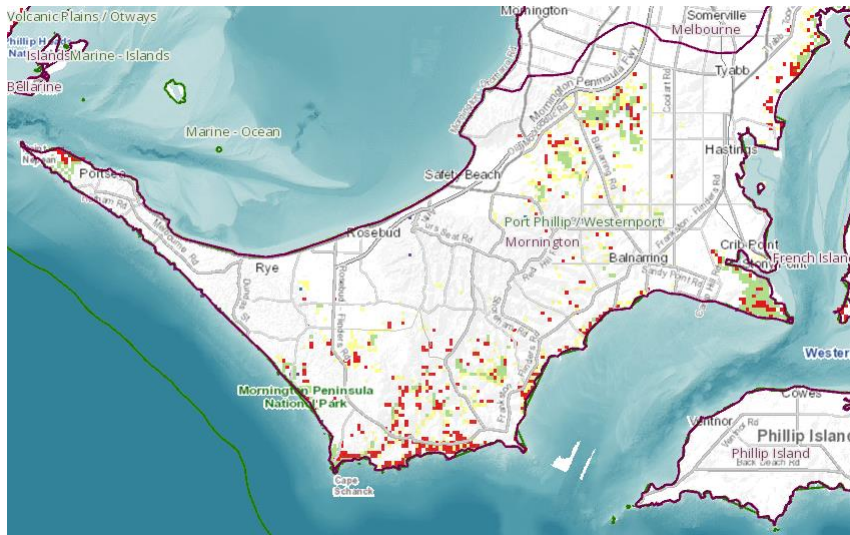
The SMP tool will be used to help determine priority areas and management actions that provide the highest potential return on investment and will be brought together with other information, such as feasibility, opportunities for partnerships, risks and new knowledge to build a suite of priority conservation actions for priority areas. Government investment including community grant programs will be directed towards these priority projects and they will also feed into Biodiversity Investment Prospectuses, to provide new investors the opportunity to partner in the most strategic and effective actions.

An adaptive management approach will be applied, which requires a greater emphasis on monitoring and the collection of targeted information to support evidence based decision making over time.



Damp Sands Herb-rich Woodland at Main Ridge Bushland Reserve

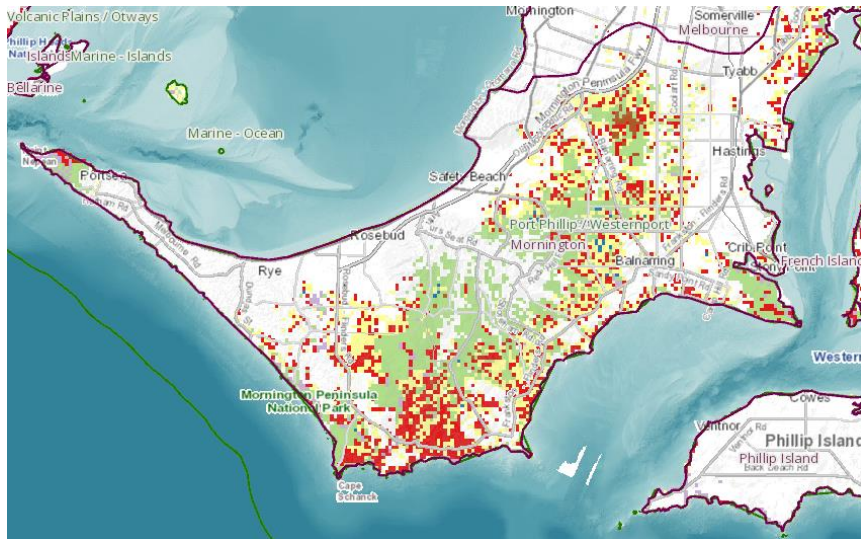
Figure 10 Strategic Management Prospects – Nature Kit Mapping - 20% and 40% priority levels Mornington Peninsula 2018



Highest rating 20% of sites for strategic management.

Strategic Management Prospects - Cost effective actions

- Control weeds, predators
- Control rabbits, predators
- Control weeds, rabbits, predators
- Control domestic grazing, predators
- Permanent Protection & Control Domestic Grazing, Predators



Highest rating 40% of sites for strategic management

The Shire's current biodiversity strategies and programs follow a similar logic to Biodiversity 2037 in seeking to maximise the benefit of investment in biodiversity and habitat protection on both public and privately-owned land, particularly with regard to areas of high biodiversity significance (refer Figure 11).

Equally, the Shire's Biodiversity Conservation Plan will follow and extend similar principles, particularly in regard to the need to encourage and support conservation on privately owned land through a range of actions, incentives and controls. The extension of habitat areas and strengthening connectivity across the landscape through bio-links are likely to be key goals. The extent of vacant land (i.e. lots which do not currently contain a dwelling) as shown in Figure 12, also indicates the potential for habitat restoration and extension of bio-links as part of future applications.

In terms of coordinating with State government priorities and funding, the biodiversity response planning process foreshadowed in Biodiversity 2037 provides some potential opportunities for the Shire in terms of proposing and informing the identification of high priority conservation actions.

However, while the focus on suitable habitat at the state-wide level has advantages it may undervalue the role of local conservation in building landowner support and the "stewardship" ethos. The objectives of Biodiversity 2037 include increasing opportunities for all Victorians to have daily connections with nature and increasing opportunities for all Victorians to act to protect biodiversity, which are arguably dependent on engagement at the local level.

Engagement at the local level will be particularly important where a strategy depends on building a broad base of community and landowner support for conservation/habitat extension on private land.

Similarly, the State Planning Policy Framework (Clause 12.01-2) in relation to native vegetation management and the associated Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land Water and Planning, 2017), requires a three-step approach to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

The three steps consist of:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

However, the offset calculation process allows the offsets to be provided for vegetation removal in one area to be located in any suitable location within the same catchment. While this may achieve the aim no net loss at the bio-regional level it may still result in significant loss at the local level, and particularly in areas such as the Mornington Peninsula where land values, and therefore the costs of offsets, may be relatively high.

To avoid the risk of further local depletion it is considered that the Shire strategy needs to be complementary to the State directions but with greater emphasis on protection of conservation values at the local level and on Council's role as a land manager.

Due to the complexity of natural systems management, any effective strategy for biodiversity and habitat conservation on the Mornington Peninsula will require a multi-faceted and integrated approach. This approach may be summarised in terms of a number of overlapping elements:

- Knowledge – in terms of basic information, evaluation and monitoring to support adaptive evidence based management;
- Biodiversity Planning and coordination between agencies - to ensure effective investment and delivery;
- Stewardship ethos – across the public sector and the wider community, extending to the commitment to improvements in biodiversity on privately owned land;
- Regulation – to provide a legal safeguard for important aspects of biodiversity management; and
- Resources – to implement policies and strategies, and to provide incentives for private land management.

Figure 11 Mornington Peninsula Biodiversity Significance Map (Ecology Australia 2018)

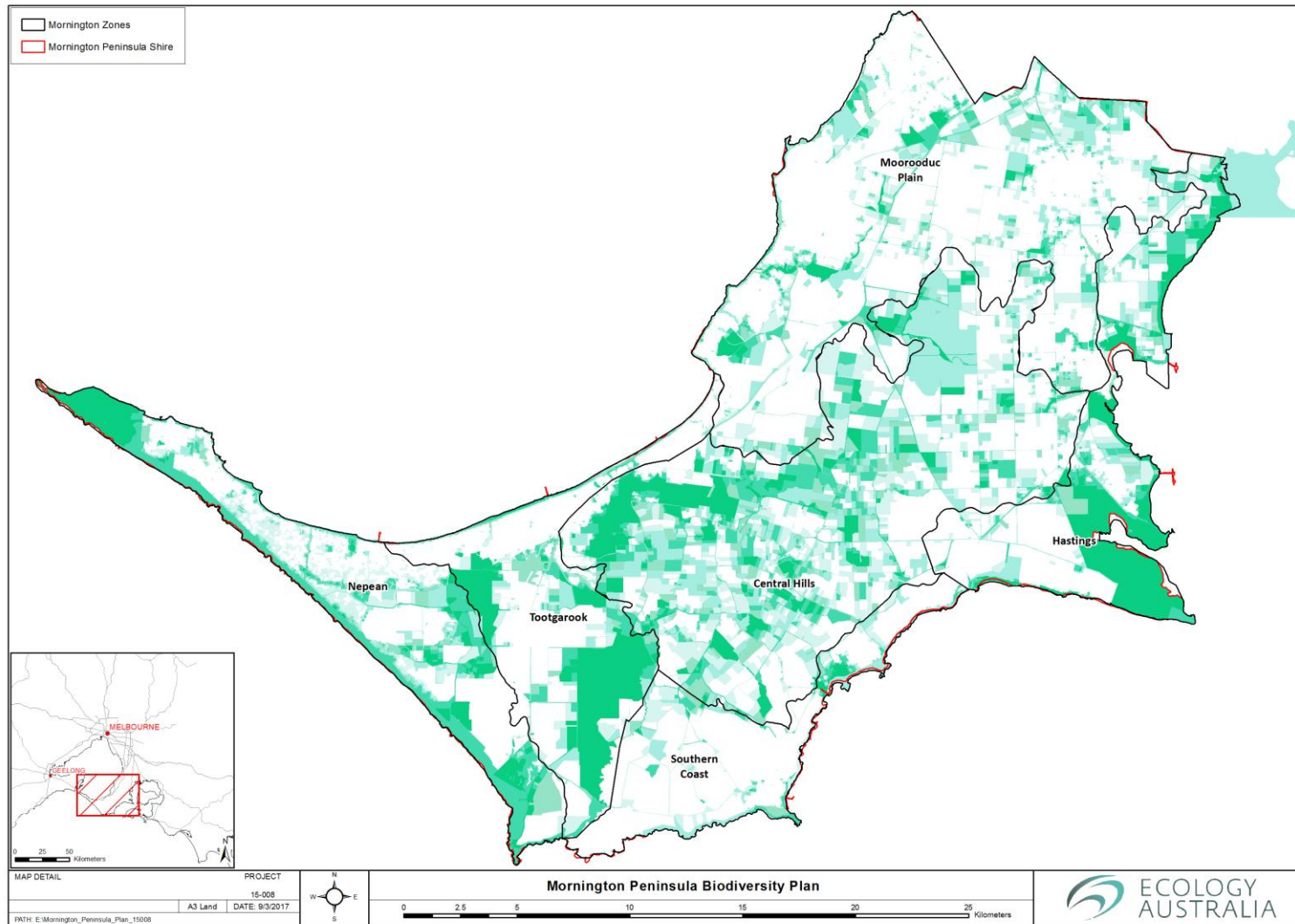
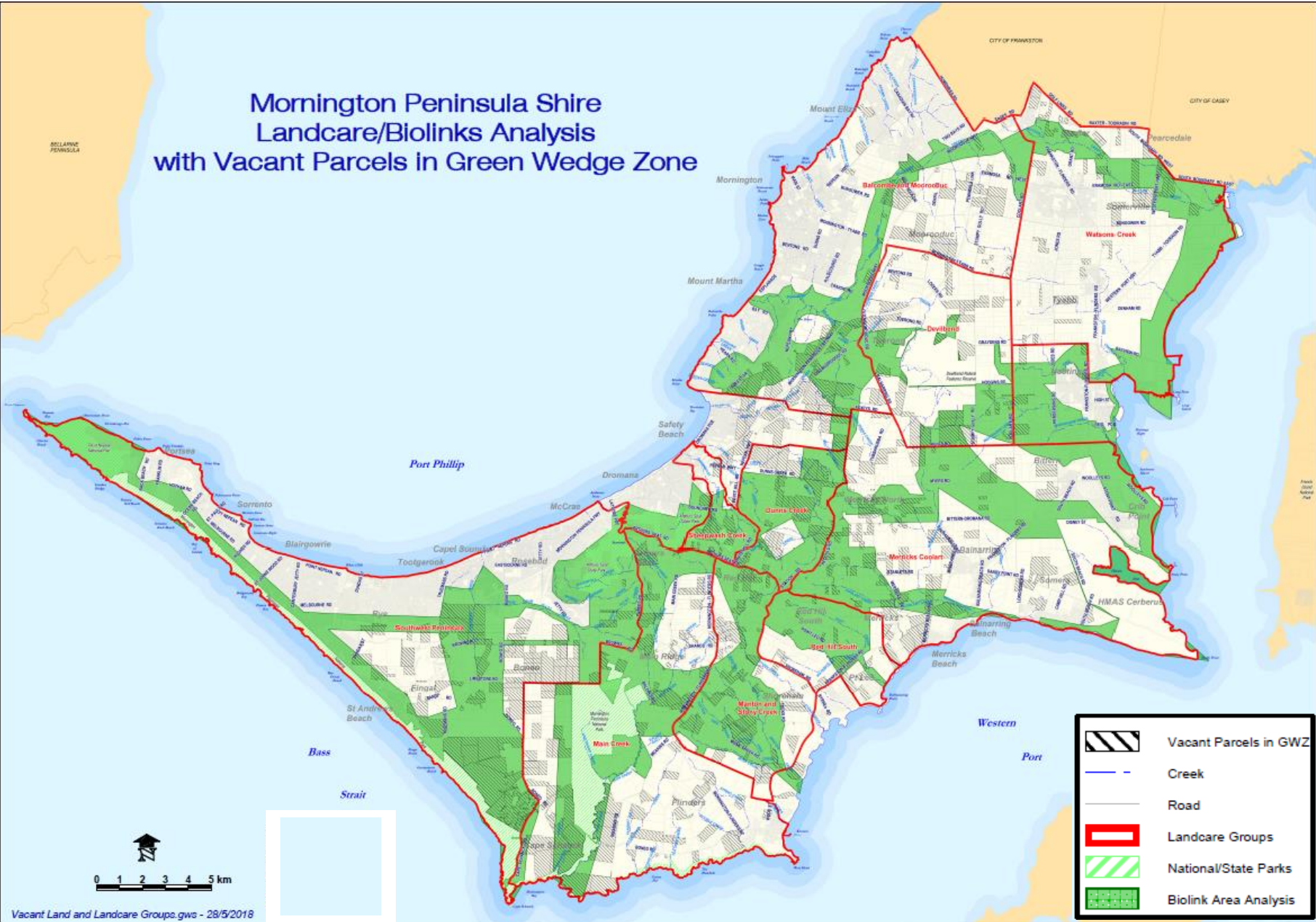


Figure 12 Mornington Peninsula Landcare Network Map of Potential Biolink Linkages Showing Vacant Land Parcels



Objective - Build a strong knowledge base and improve knowledge sharing

The Mornington Peninsula Shire has made a significant commitment to investigating the natural values of the Peninsula, working with other government agencies including DELWP, PPWPCMA, Melbourne Water and Parks Victoria, and organisations such as the Mornington Peninsula and Western Port Biosphere Foundation, the Mornington Peninsula Landcare Network, the Trust for Nature and Birdlife Australia. It is vital to continue to build a strong knowledge base, to ensure that up-to-date information is available to inform decision making on public and privately-owned land, support bushland reserve management, and provide the basis for effective advocacy to other levels of government in seeking support for projects and programs.

Actions

Ref	Actions	Priority
2.1.	Share available biodiversity information with the community through the Shire's public GIS interface and other means.	Ongoing
2.2.	Identify and prioritise research and survey programs to maintain the Shire's current knowledge base and close biodiversity knowledge gaps	High
2.3.	Continue to implement program of surveys and research to inform and improve management decisions to protect fauna habitat in shire-managed bushland reserves	Ongoing
2.4.	Advocate to the state government for the continuous improvement of state government databases and mapping, such as the Victorian Biodiversity Atlas and Nature Kit, and contribute information from Council sponsored research where appropriate.	Ongoing
2.5.	Continue to seek opportunities for information and data exchange with other land management agencies.	Ongoing
2.6.	Continue to advocate at state and regional catchment level for increased monitoring programs on the Mornington Peninsula in relation to key environmental indicators, including <ul style="list-style-type: none">- The extent and condition of native vegetation and suitable habitat on public and privately-owned land- Fauna on public and private land, including threatened and endangered species.- Stream health and water quality- Groundwater health- Salinity- The spread of weed, feral animals, and pathogens	Ongoing

Objective - Lead and demonstrate best-practice biodiversity planning and management

The Mornington Peninsula Shire is committed to leading and demonstrating best-practice principles in environmental planning and stewardship. Leading the way will involve engaging with the State government, other agencies, landowners and the community in developing effective strategies and practices to support biodiversity and increase habitat areas and connectivity across the municipality.

Ref	Actions	Priority
2.7.	Complete the Mornington Peninsula Biodiversity Conservation Plan	High
2.8.	Promote awareness and a collaborative culture within the Shire to ensure biodiversity conservation is considered early in the planning and implementation of Shire projects and programs.	Ongoing
2.9.	Apply a whole of system approach to support co-operation between the Shire, public land managers, landowners and the local community	Ongoing
2.10	Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected.	Ongoing
2.11.	Seek participation in the Biodiversity forums proposed under the State Government's Biodiversity 2037 strategy and advocate for a biodiversity response plan and associated funding for the Mornington Peninsula that recognises the value of increasing suitable habitat on the Mornington Peninsula, in order to: <ul style="list-style-type: none"> - support State-wide targets - increase opportunities for the community to connect with nature, - enable people to act locally to protect biodiversity and - provide opportunities for nature based recreation and tourism in more accessible locations. 	High
2.12.	Advocate that the State government support the provision of native vegetation offsets on the site of vegetation removal, or the provision of offsets in the local area, including on State government and Council owned land, to avoid the potential depletion of local vegetation.	High
2.13.	Ongoing advocacy to the State government regarding the need to consider the opportunities for increases in suitable habitat and landscape connectivity through the use of "surplus" government land.	Ongoing
2.14.	Support the State Government's Living with Wildlife Action Plan that encourages positive attitudes towards living with wildlife and includes a proposed review of the Authority to Control Wildlife system under the Wildlife Act 1975 and the review of the Flora and Fauna Guarantee Act.	High
2.15.	Seek to further secure high-value areas on privately owned land, for example through Trust for Nature covenants.	Ongoing

Ref.	Actions	Priority
2.16.	Develop a decision tool through which the Shire and community may consider the social, environmental, and economic merits of potential biodiversity improvement programs and actions in specific areas/locations including revegetation, weed management, feral animal control, and bio-link proposals. It is important to recognise that while connectivity is an important objective, there are limitations in the habitat value of narrow “corridors” and the value of increasing the <u>effective</u> area of “core” reserves, either on adjacent private land – or through land transfers should not be underestimated.	Medium
2.17.	Use the decision support tool to strategically invest in biodiversity protection works on Shire-managed land, creek corridors and roadsides to improve landscape connectivity and ecosystem health.	Ongoing
2.18.	Investigate opportunities to achieve native vegetation offsets on Council controlled land via an “across the counter” offset scheme	Ongoing
2.19.	Continued targeted programs in relation to feral animals and invasive weed species, applying a risk based approach. the prioritisation of vegetation types most vulnerable to weed invasion and the weed species that pose the greatest risks in these areas.	Ongoing
2.20.	Continue to improve decision-making processes to strategically manage biodiversity in our bushland reserves and roadsides, including feral animal control, environmental weed control, planned burning, and the rare species protection program.	Ongoing
2.21.	Work with DELWP to develop specific response planning and biodiversity protection works for species for which climate change is particularly challenging including beach nesting birds, migratory shorebirds and listed threatened species	Ongoing
2.22.	Identify Bushland Reserves where recreational uses can be sensitively accommodated and promoted, and ensure those reserves support the required infrastructure and signage that identifies appropriate use. Continue to invest in infrastructure (paths, fences, interpretive signs) in key bushland reserves to support community use whilst minimising impact to biodiversity.	Medium
2.23.	Improve collaboration with other public land managers (Parks Victoria, Melbourne Water) and private land managers in the planning, promotion and implementation of biodiversity management programs across landscapes.	Ongoing

Objective - Engage with the community to foster biodiversity stewardship

Engaging with the community to promote the value of biodiversity to society and increase understanding of biodiversity values is critical to reducing human impacts on the environment. A local community that feels connected to the natural environment is more likely to actively work towards protecting it, and participate in and support conservation initiatives. The Mornington Peninsula Shire is fortunate to have a strong network of dedicated conservation volunteers, who currently undertake on-ground works in local Bushland Reserves. Their efforts provide the Shire with valuable support in the management of public land across the municipality. It is therefore, vital that the Shire continues to work with the existing conservation community, to support conservation work undertaken to date, and to engage local knowledge.

Diversifying community involvement will also be important in encouraging the wider community to act to support biodiversity. This will involve providing educational resources, improving access to information, and engaging the community in a way that fosters behaviour that have a positive impact on the environment.

Ref.	Actions	Priority
2.24.	Deliver a dedicated campaign to promote the unique natural environments of the Mornington Peninsula and the benefits and opportunities for connecting with nature, which may also inform planning decisions in the Green Wedge.	Medium
2.25.	Support and provide information relating to voluntary conservation programs such as Land for Wildlife, Mornington Peninsula Landcare projects, Trust for Nature and Melbourne Water's stream frontage protection program, which may also inform planning permit conditions.	Ongoing
2.26.	<p>Improve biodiversity information available on the Shire website, to encourage and support appropriate planning permit applications, which may include information on:</p> <ul style="list-style-type: none"> - The importance of habitat restoration and habitat corridors; - Avoiding pollution of all kinds – effluent, noise, light, etc; - Landowner responsibilities in relation to the control of domestic animals and pests; - Ways landholders can help fauna – e.g. breeding boxes, water troughs, retaining mature hollows and understorey; - Contacts for injured fauna; and - pest plant and pest animal control – including the importance of controlling environmental weeds on privately owned land. 	High

Objective - Encourage biodiversity conservation on private land

Private land plays a critical role in conserving biodiversity. While the public reserve system provides the foundation for the conservation of biodiversity, approximately 80% of land within Mornington Peninsula Shire is within private ownership, and 57% of remaining native vegetation occurs on private land. Thus, improving land management practices and reducing threats to biodiversity on private land is essential.

Although small landholdings sometimes place pressures on habitats and native bushland, landowners also often have time and resources to help improve the environment and to contribute significantly to the maintenance of the functional landscape. Programs such as Council's Land Sustainability rebate, Melbourne Water's waterways management scheme, and the native vegetation credit market provide examples of incentive programs to support biodiversity conservation on privately owned land.

There are also opportunities to develop and work with local community groups. Landcare and Friends Groups are the most prominent such groups and they are very active on the Peninsula. Council supports these groups through direct grants, training courses, and hosting a dedicated Landcare Facilitator and Friend's Group Coordinator. The Mornington Peninsula Landcare Network (MPLN) is a strong example of local landowner participation in biodiversity conservation and sustainable land management. A copy of the MPLN Potential Biolink Linkages Map is shown in Figure 5.

Ref.	Actions	Priority
2.27.	Develop improved educational resources to provide practical guidance for landowners on biodiversity conservation.	High
2.28.	Provide a welcome pack to new landowners in target areas providing information on local biodiversity and to providing practical guidance on how they can protect and manage biodiversity and manage their land sustainably.	Ongoing
2.29.	Partner with Landcare to increase the program of educational events for private landholders with an emphasis on peer-to-peer learning such as workshops, field days, site tours, open days.	Ongoing
2.30.	Promote sustainable agricultural land management practices on private land to reduce impact on biodiversity values and avoid pollution in waterways and wetlands.	Ongoing
2.31.	Work with Melbourne Water to encourage private landowners to undertake biodiversity conservation works along creek corridors to improve landscape connectivity and support the objectives of Melbourne Water's Healthy Waterways Strategy.	Ongoing
2.32.	Continue to provide support to the Mornington Peninsula Landcare Network to deliver their Bio-links Plan.	Ongoing
2.33.	Review the effectiveness of the Land Sustainability Rebate scheme and other options, including alternative concession and incentives to improve biodiversity outcomes. Consider refinement of eligibility criteria to align with biodiversity objectives – including weed and feral animal control. Continue to provide the Land Sustainability Rebate pending the review of this program.	Medium
2.34	Advocate to the State government for a review of State government financial mechanisms that could be used to support landowners in their conservation stewardship role.	High
2.35.	Investigate the provision of an annual rebate or other incentive for properties with a conservation covenant (for example, through the Trust for Nature) to provide a strong signal of support to encourage new conservation covenants.	Medium
2.36.	Investigate the use of differential rating and other financial mechanisms to encourage improved land management	Medium
2.37.	Investigate current opportunities and barriers to the inclusion of land on the Mornington Peninsula on the Native Vegetation Credit register and seek to support registration of appropriate land for the provision of offsets in the local area.	Medium



Objective - Strengthen planning policies and controls to better protect biodiversity values on the Peninsula

The planning scheme, consisting of both State and local policies and a range of statutory provisions, is an important tool through which to support improved biodiversity outcomes. The planning scheme can ensure proper assessment of proposals that may have significant impacts on the environment and provides a mechanism to prevent or mitigate such impacts.

The key elements of the planning scheme include the provisions relating to the removal of native vegetation, and the requirements, where removal is unavoidable, for the provision of replacement offsets. Given the risk of continuing decline in vegetation cover and associated habitat values, it is considered that there should be a strong emphasis on avoiding (further) native vegetation removal in the Green Wedge and strong encouragement for significant replanting of native vegetation.

Having regard to the area of the lots within the Green Wedge, there should be very few properties which cannot accommodate an appropriate level of development without the need for vegetation removal. In the event that vegetation removal is unavoidable, then there should be strong direction in favour of onsite offsets or at least provision of offsets in the local area, to avoid local depletion. This is considered a vital aspect of building support for a stewardship approach in the community i.e. in order to provide assurance that local conservation activities will not be undermined by the transfer of offsets to other parts of the bio-region/catchment, with little benefit to the local environment.

The approval of offsets outside the municipality should be considered only as a final option to be avoided wherever possible. To support this approach Council should investigate means to facilitate identification and registration of local vegetation offset sites, including the potential of Council owned land.

In addition to the provisions relating to vegetation removal, the planning provisions for the Green Wedge require planning approval for all new dwellings, and consideration of the need to protect and enhance the biodiversity of the area. It is therefore considered appropriate to ensure that dwelling applications respond to these requirements (and to the objectives of the zone) by requiring an integrated Land Management Plan as discussed in more detail in Section 10.

Ref.	Actions	Priority
2.38.	Update the Local Planning Policy Framework to refer to and support the Green Wedge Management Plan 2018 and the Shire's Biodiversity Conservation Plan	High
2.39.	Introduce a local planning policy that gives high priority to conservation of biodiversity in the assessment of planning applications and provides strong emphasis to the need to avoid the removal of native vegetation, including the removal of hollow bearing trees, and that supports the provision of offsets on the site of any removal – or if necessary, in the local area, with more remote provision (not on the Mornington Peninsula) opposed unless there are exceptional circumstances.	High

Ref.	Actions	Priority
2.40.	<p>As part of the policy relating to dwellings in the Green Wedge(refer Section 10), require planning applications to include an integrated Land Management Plan, including as appropriate, and particularly in locations adjacent to existing bushland reserves, along waterways or in areas providing for substantial increased habitat connectivity:</p> <ul style="list-style-type: none"> - provision for substantial biodiversity protection and enhancement on the site through major revegetation and other measures. This may be combined with proposals for the sustainable use of the land for an agricultural purpose; - provision for ongoing land management, including the control of weeds and feral animals; and - provision for securing the requirements of an approved Land Management Plan through S173 agreements or other comparable mechanisms e.g conservation covenants. 	High
2.41.	Investigate introduction of a policy requiring the planting of a minimum number of indigenous trees or provision of minimum area for revegetation as part of all new dwelling applications in the Green Wedge as a contribution to habitat restoration on the Peninsula. In the interim require a minimum of 100 indigenous trees to be planted , either on the subject site or on Council controlled land to the satisfaction of the responsible authority.	High
2.42.	Develop and maintain a database/register of planning permit applications and approvals that include Land Management Plans or requirements for the provision of native vegetation offsets, and implement a system to monitor and audit compliance, and enforce planning permit conditions.	High
2.43	Investigate further means to monitor and control the removal of native vegetation and other actions likely to have adverse impact on environmental values.	High
2.44.	Investigate the potential costs and benefits of a Mornington Peninsula Shire over-the-counter offset scheme, in order to direct regulatory offsets and fund the protection of high-value sites within the Mornington Peninsula Shire.	Medium

Objective - Improve Stream Condition and Water Quality in the Green Wedge

One of the major resources of the Mornington Peninsula Green Wedge is a relatively stable and available high-quality water supply, from rainfall and ground water, as well as opportunities to access recycled water. These resources are likely to become even more significant over time as climate change poses further the threat of a hotter and drier regime.

While water supply provides a competitive advantage for agricultural industry on the Peninsula it is also important to have regard to the condition of streams and wetlands and to ensure appropriate environmental flows to maintain and improve their condition over time. In this context, the level of farm dam construction and the effect on environmental flows is a significant issue, noting that licencing of dams that divert water from streams and waterways is primarily controlled by Southern Rural Water. In addition, while the South-East Water sewerage backlog program should improve water quality in township areas over time many properties within the Green Wedge will remain un-sewered, and there is potential for local water quality issues particularly with commercial /rural industrial uses that generate high levels of waste water and effluent.

There are two main groundwater resources in the Shire; which are the Nepean and Boneo aquifers, and are collectively known as the Nepean Groundwater Management Area. Licenses to extract water from these aquifers are issued for livestock, domestic purposes, irrigation and industry. Excessive extraction can threaten the long-term viability of an aquifer by causing it to compact and reduce its capacity, or by promoting water intrusion from sea water or polluted surface water. It is therefore important for water management agencies to monitor aquifer condition. Finally, the use of recycled waste water provides significant opportunity for agricultural use in the Green Wedge, however in addition to continuing advocacy and promotion of pilot programs it is also important to support appropriate hydrological and environmental assessments as part of reuse proposals.

Ref.	Actions	Priority
2.45	Advocate that Melbourne Water maintain a regular monitoring and reporting program in relation to stream health.	High
2.46.	Seek support from DELWP, Melbourne Water and Southern Rural Water to identify the level of risk facing water resources on the Peninsula, including: <ul style="list-style-type: none"> - Investigation of the environmental flows necessary to maintain stream health. - Review of the criteria for issuing permits for dams and waterway diversions to ensure there is no significant adverse impact on stream flows to tributaries or riparian habitat areas. - Review of the level of ground water extraction and establishment of sustainable rates of extraction 	High
2.47.	Assist the protection of streams and waterways by review and implementation of the Shire's Domestic Waste Water Strategy,	Ongoing
2.48.	Complete the review of the Shire's Smart Water Plan 2013 in conjunction with the State Government's Integrated Water Management Forum process, and include strong requirements for biodiversity protection and for storm water management that supports healthy waterways.	High
2.49.	Ensure recycled water reuse proposals include appropriate hydrological and environmental assessments	Ongoing

Objective – Support an integrated approach to the management of bushfire risk

Fire management on the Mornington Peninsula is jointly undertaken by DELWP, Parks Victoria, Country Fire Authority (CFA) and Mornington Peninsula Shire, to reduce fuel loads and mitigate fire risk, as well as promote ecological objectives. Planned burns are undertaken by DELWP, in association with Parks Victoria and the CFA, for ecological purposes, but generally cover only small areas of the Peninsula.

Fire management at Bushland Reserves is undertaken by Mornington Peninsula Shire, in accordance with Fire Management Plans; these Plans consist of maps that delineate Fuel Management Zones and outline annual works programs. Similarly, fire risk is managed on roadsides across the Shire, in accordance with a Roadsides Fire Management Plan, which identifies priority roadsides for fuel reduction (MPS 2014).

The high degree of habitat fragmentation, levels of modification, and patterns of human settlement on the Mornington Peninsula, make fire management across the landscape difficult. For those areas where burning is feasible, appropriate fire management regimes should be investigated, that could potentially meet risk mitigation objectives while also having regard to ecological factors – such as the structural integrity of bushland areas and the needs of particular flora and fauna species.

The use of alternate disturbance mechanisms, such as the manual removal of fuel loads and use of a forestry mulcher, is preferable for high priority areas, where prescribed burning is not feasible.

Ref.	Actions	Priority
2.50.	Ensure a coordinated approach to fire management that integrates ecological objectives with bushfire risk mitigation	Ongoing
2.51.	Continue to develop and implement Fuel Management Plans for high bushfire risk Council Reserves as part of the Integrated Fire Management Planning Process.	Ongoing
2.52.	Increase awareness of options and encourage vegetation management for fire hazard reduction in such a way as to maintain, as far as possible, biodiversity and landscape values	Ongoing

Agriculture, agribusiness and agritourism



AGRICULTURE, AGRI-BUSINESS AND AGRI- TOURISM

VISION

- *A place where the critical role of sustainable agriculture is recognised, protected and supported as a key land use and the productive capacity of land is conserved and enhanced for the future.*
- *A place that supports landowners to provide sustainable land stewardship.*

CONTEXT

Agricultural Land Use on the Mornington Peninsula

The Mornington Peninsula developed primarily as an agricultural area and agriculture remains a dominant land use in the Mornington Peninsula Green Wedge. Favourable climatic conditions, underpinned by a range of fertile soils support a variety of high quality food and fibre production systems. Significant agricultural industries include poultry farming, horticultural (fruit, vegetable, salad mix) enterprises, vineyards, livestock and fibre enterprises; and an increasing diversity of artisan and value-added businesses.

In 2014, the total value of agriculture on the Peninsula was estimated at \$1.1 billion (including \$280 million in added value associated with processing) showing a substantial increase in value from 2012. The most recent figures, as outlined in the Mornington Peninsula Agricultural Audit 2014 (refer Table 4) indicate that vegetable production has now outstripped chicken meat as the most valuable commodity, although poultry production combined with processing value is still the highest value sector.

The seasonal diversity of production is an important risk management strategy for the region. The cycles of annual production systems tend to buffer the impacts of specific climatic events (frost, hail, water logging, disease, crop failure), provide full time employment and ensure secondary and tertiary industries (transport, distribution, processing, sales) benefit from consistent business. The strategic location of many market gardens, on the lower areas of the landscape, ensures

minimal frost impacts with full land utilisation and crop rotations across the whole year.

A number of larger horticultural businesses have supply contracts with major food companies, whilst many smaller businesses take advantage of local farmer markets, independent retailers, farmgates and other distribution systems to supply local food and hospitality businesses. The largest areas of land are used for livestock grazing on treated pastures but agriculture on the Peninsula is highly diverse, and vegetable and fruit growing are important activities, particularly around Red Hill / Main Ridge, Boneo and east of Somerville.

In addition, more than 1,100 properties, just under a quarter of the total number of properties in the Green Wedge and representing approximately half the land area of the Green Wedge, claim the Agricultural Rate. Eligibility for the Agricultural Rate requires the landowner to be engaged in an agricultural use that has a significant and substantial commercial purpose or character. This highlights the extent and diversity of agricultural activity on the Peninsula.

In regard to farming on the Mornington Peninsula, it is also important to recognise a distinction between commercial viability and technical viability. Technical viability refers to whether land has the potential for agricultural production in a sustainable way. Unlike commercial viability, is not a measure of economic performance per se, that is, it does not necessarily indicate that a property will be able to operate as an independent economic unit that will provide a family income or a competitive return on investment.

Not all lots and landholdings in the Mornington Peninsula Green Wedge will be capable of achieving commercial viability, although this ability depends significantly on the type of production being undertaken and the interests and capacity of the landowner and is not related to land area alone (Parbery, P etal 2008). In some cases, the physical and environmental conditions of the land will also make sustainable production more difficult, or in fact inappropriate where environmental or habitat values may be compromised.

However, much of the rural land on the Peninsula is capable of supporting a sustainable and productive use, particularly when combined with flexibility in management and/or leasing of land to establish larger production units. Given uncertainties regarding the impact of future climate change and food security it is considered vital to retain this capacity for the future.

Table 4 Value of Agricultural Production – MPSC Agricultural Audit 2014

Commodity	Description	Primary Value (\$m)	Processing value (\$m)
Vegetables	Annual crops	216	
Equine	Breeding, agistment, recreation	142	
Nurseries	Wholesale & retail	125	
Poultry	Meat production and processing, eggs, pullets	90	200
Grapes	Grape production	8	70
Salad Mix	Annual salad crops	50	
Allied industries	Seed, fertiliser, machinery, chemicals	43	
Poultry by- products	Deep litter, manure	25	
Livestock	Beef and sheep products	24	
Compost	Plant media	20	
Berries	Strawberries, raspberries, blueberries	20	
Artisan	Nuts, rare fruits, milk, deer, garlic, meats, organic vegetables, farmgate, honey, alpaca, cut flowers, heritage seedlings, meats, truffles, saffron, potatoes, condiments	20	10
Seafood	Aquaculture, seafood, fishing	13	
Fruit	Apples, pears, olives, avocados, cherries	12	
Forestry	Trees for timber, Christmas trees	10	
Hay products		2m	
Total		820m	280m
Total (combined value)			\$1.1b

Agricultural Land Capability on the Mornington Peninsula

Soils across the Mornington Peninsula vary in structure, texture, fertility and water holding capacity. In 2003 Council produced a preliminary Sustainable Rural Land Strategy with assistance from the State government planning department and Agriculture Victoria.

In part, this study assessed land capability and versatility for a range of agricultural crops and activities, having regard to the combination of soil types, climate and other factors. Land versatility as assessed through this study is indicated on Figure 13 below and highlights that from a land versatility point of view the Peninsula provides many opportunities for agricultural use.

In 2013, the Mornington Peninsula Shire was involved in a further soil mapping study (by the Victorian Eco Innovation Laboratory – VEIL) to improve understanding of land capability for agriculture. This study classified land according to four main types, as follows

- Class 1. Land suitable for intensive cropping.
This land is most suitable for maintaining intensive horticultural production. Land characteristics permit cultivation on short rotations or annually. Safe management practices are required to minimise environmental deterioration.
- Class 2. Land suitable for cropping and/or grazing.
This land is suitable for a diversity of horticultural purposes but is more prone to land degradation than Class 1. One or more land characteristics are not compatible with intensive cropping, however longer rotations between crop and pasture, combined with normal safe management, will generally minimise environmental deterioration.
- Class 3. Land suitable for grazing only.
One or more land characteristics are not compatible with cultivation. Moderate degree of hazard can be largely overcome by normal safe

management practices with emphasis on the maintenance of vegetative ground cover. Flexible control of grazing pressure will further reduce risk of environmental deterioration.

- Class 4. Land not suitable for cropping or grazing
This land has no sustainable agricultural potential and is not compatible with cultivation due to the high degree of hazard imposed by the land characteristics

The summary map for the Mornington Peninsula is shown in Figure 14 and indicates that:

- Class 3 land systems make up the 61% of Mornington Peninsula or approximately 44,000 hectares;
- Class 1 land systems are the next most widespread (15,000 hectares or 21%); Class 2 land systems cover 11,000 hectares (16%);
- Class 4 covering 1000 hectares (2%);
- Class 1 and 2 lands lie across much of the southern and central areas of the Shire, including approximately 1300 hectares within the UGB near Hastings that has not been intensely developed for urban use. This land is mainly within the area currently designated as a State Significant Industrial Precinct, being part of the Hasting Port Planning area.

Figure 13 Agricultural Land Classification (AV 2006)

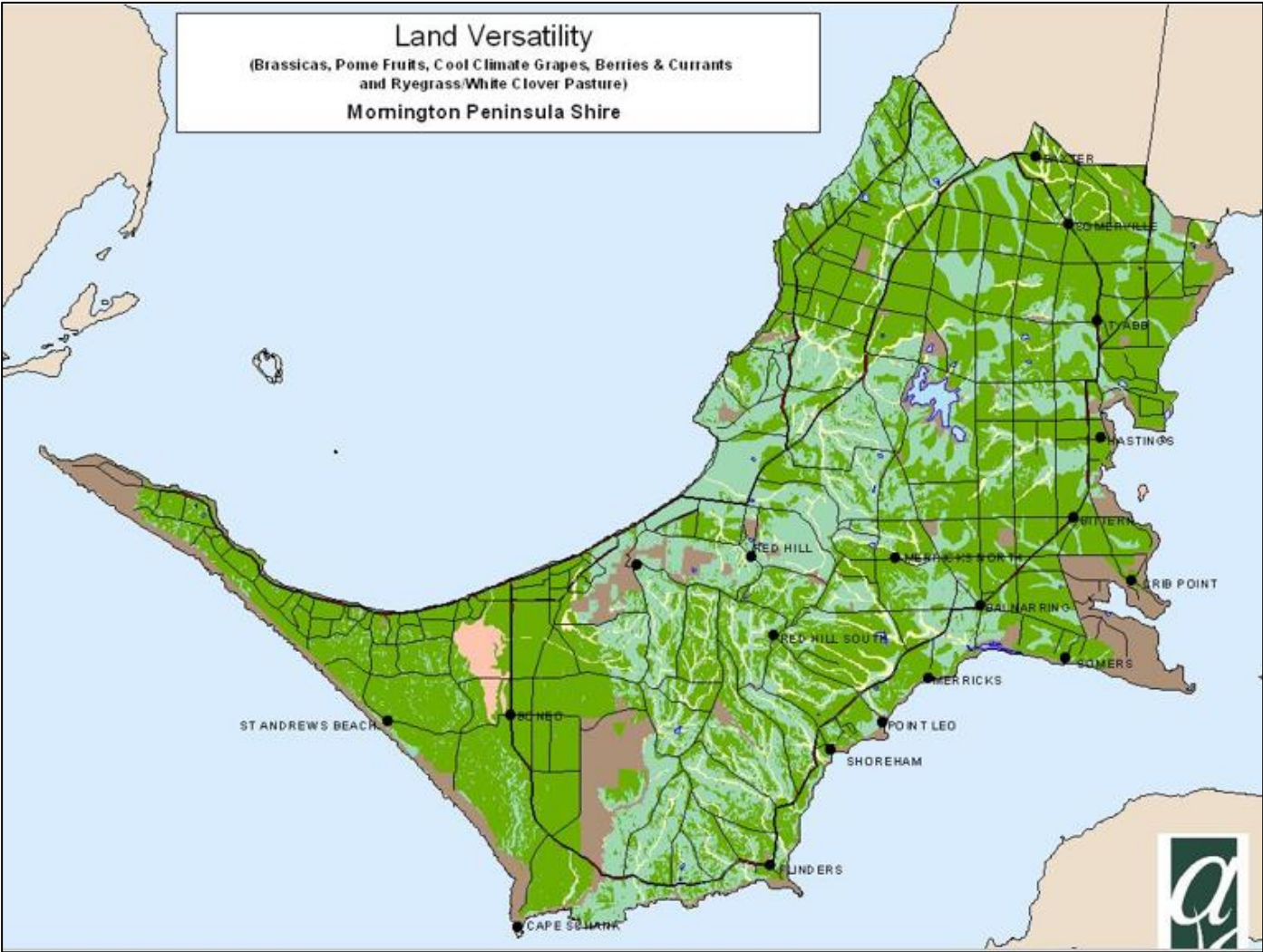
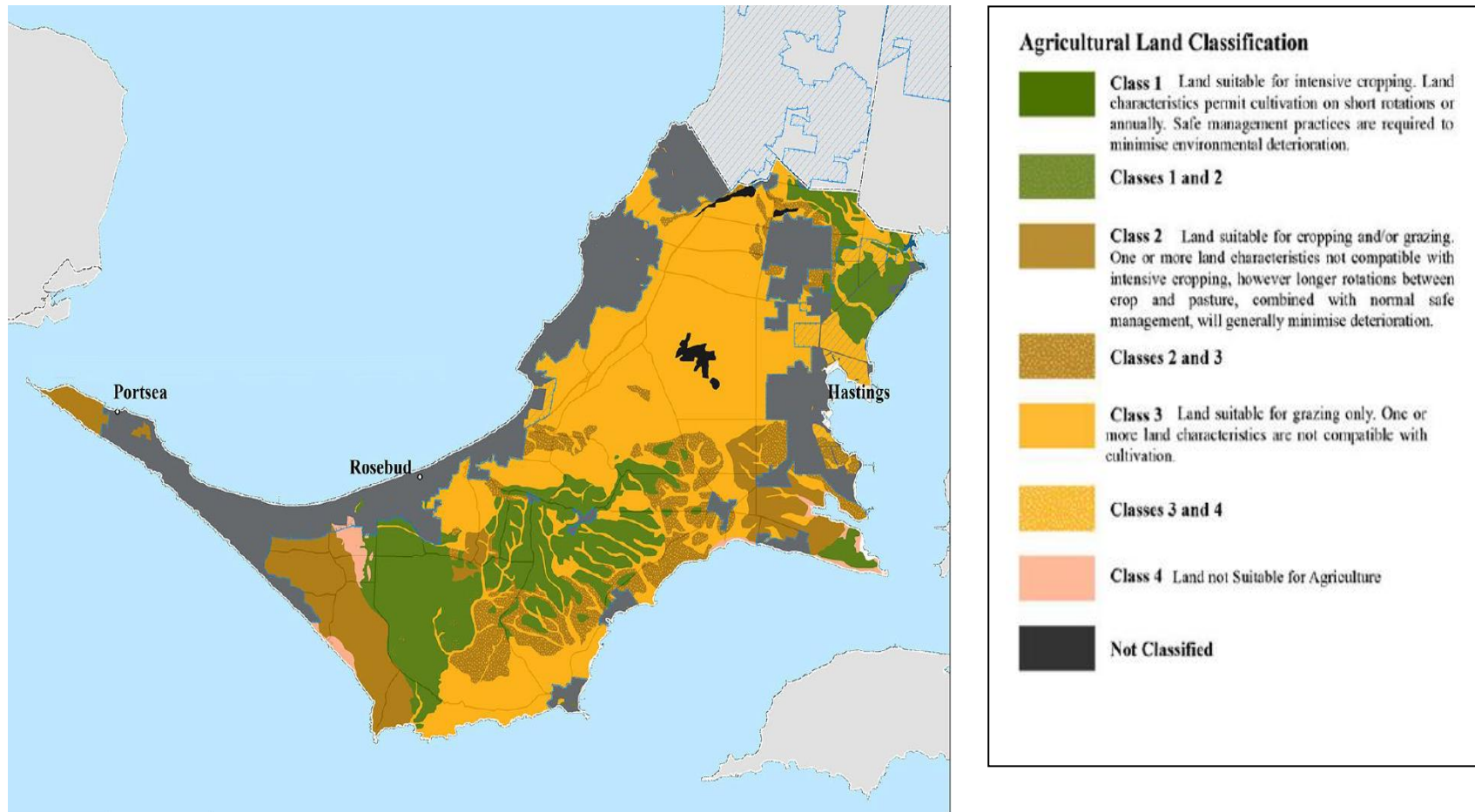


Figure 14 Agricultural Land Classification (Vic. Enviro- Innovation Lab. 2013)



While the VEIL mapping is to some degree consistent with the current distribution of agricultural land use on the Peninsula, there are still some limitations. The VEIL classification does not include all factors (such as water supply) and there are significant areas designated as Class 3 which are in fact used for intensive agriculture, vineyards and the like. This suggests that the versatility of agricultural land on the Peninsula may be greater than the VEIL classification suggests, and in accordance with previous AV mapping.

In this regard, a 2016 report by Deloitte Access Economics on Melbourne's food bowl indicated that (based on 2010 figures), the Mornington Peninsula produced more than a quarter of the total value of agricultural production across all interface Councils, second only in production value to the Cardinia Shire. This indicates that the Mornington Peninsula is an important agricultural resource and may become even more important in the future, given the productive capacity of the Peninsula, proximity to markets, increasing demand for food security, access to (re-cycled) water supply and opportunities for value adding. The critical importance of Green Wedge areas as part of Melbourne's foodbowl is further highlighted in the 2018 report Food for Thought: Challenges and Opportunities for Farming in Melbourne's Foodbowl, which forms part of the Foodprint Melbourne project.

The MPSC 2014 Agricultural audit identified a number of agribusiness opportunities including:

- an expanding wholesale nursery and compost sector;
- potential for an expanded horticultural sector (subject to increased recycled water access);
- potential for increased and diverse seafood and marine production;
- support for expansion of an innovative allied agribusiness sector;
- protection of Class 1 and 2 soils for long term food production;
- support for U-pick and farmgate capacity building;
- increase in niche food crops and products;
- development of cooperative marketing groups;

- an emerging Agritourism sector based on food, fibre and farming practices; and
- an equine industry expected to rise in value over time.

While the diversity of farming and farmers on the Peninsula makes it difficult to generalise, recent consultations have highlighted a number of issues that are of concern to local farmers:

- The effect of ongoing demand for "rural living" i.e. the occupation of rural land for its amenity value rather than primarily for agricultural production, both in terms of increasing the price of land on the Peninsula and the potential for conflict between the expectations of new landowners and the needs of farming to operate commercially.
- The increasing level of tourism and leisure-based development, with significant effects in terms of land costs, congestion on roads, and the expectations of both visitors and business operators that may result in pressures to constrain agricultural activities.
- The failure to classify the Mornington Peninsula as a regional area which limits the ability of Peninsula farms to access farm labour market programs. This affects the costs of farming on the Peninsula – particularly in terms of the peak demand for labour at picking /harvest time, which in turn affects the ability to compete with producers in regional areas.
- The relatively small size of landholdings on the Mornington Peninsula which makes it difficult to achieve the economies of scale necessary for a viable agricultural business. Farming (particularly investment in major equipment) often depends on income derived either from other activities on the site or from elsewhere.

- Due to the importance of scale, it is necessary to encourage more land to be used/ “released” for farming and not simply “sat on” e.g. for rural living.
- The model of one farming business operating over several properties is reasonably common, for example with vineyards. However, it is not necessary for the land to be in the same ownership. Land can be leased for production if the owners are willing to “release” it for use.
- Measures to incentivise amalgamation of farming lots on the Peninsula could be useful, so that where a farm runs across several parcels there is some incentive to make them ‘one’ thereby reducing fragmentation rather than just maintaining the current level.
- The “farm rate” is important but doesn’t necessarily encourage very active use.i.e it doesn’t recognise different levels of agricultural use above the threshold set for eligibility for the rate. It might be worthwhile considering a “bonus” farm rate based on a more productive/intensive use, or where lots are consolidated for agricultural use.
- It is particularly difficult to maintain the scale of production throughout the year necessary to maintain an ongoing level of processing, packing etc (i.e. and to keep farm workers employed). It is sometimes necessary to “import” produce to keep processing /packing lines in work.
- Different rural enterprises have different needs. Some are more closely connected with the tourism and hospitality industry. There is a real need for more opportunities for training in hospitality as the availability of trained staff is a significant constraint to businesses.
- Some producers have submitted that there is no provision in the Planning Scheme for the provision of onsite accommodation for farm workers and this adds to the costs of production.
- Water supply is a further key factor in determining the potential productivity of farms, the number of crop cycles and range of produce. The initiatives to increase access to reliable recycled water supply are important, particularly in attracting/encouraging new producers who have not yet invested in their own water supply systems.
- In the previous Agri-business fora, it has been indicated that many producers do not necessarily want to run their own farm shop, in part due to bio-security concerns, but would like the opportunity to sell their produce through other farm outlets, to at least capture some of the value of selling direct to the customer. The current provisions relating to Primary Produce Sales allow produce from “adjacent land” to be sold from a property, but not from a wider range of properties. The establishment of a network of outlets or farmers markets would be useful, possibly enabling all businesses within the Mornington Peninsula food certification program to sell produce from each other’s farms.
- A further issue for farm shops is the level of signage that is allowed under the planning scheme. There may be scope for Council to pursue directional signs, possibly as part of a Food/Farm Shop Trail.

The Food for Thought (2018) report also highlights a number of challenges, to agriculture on the urban fringe. These include lack of certainty (if the UGB is changed) which limits investment and fuels speculation, the need for State investment in key infrastructure, including water recycling and the importance of building public support and awareness of the benefits of Melbourne’s foodbowl and green wedges to protect the region in the long term.



STRATEGY

State policy provides strong support for the protection of productive agricultural land and sustainable agricultural land use (refer State Planning Policy Framework Clause 14.01 Agriculture). This is reinforced by the provisions of the Mornington Peninsula Localised Planning Statement which include:

Providing for sustainable agriculture

Objective

To recognise and protect the value of the Mornington Peninsula for agriculture and to support and encourage sustainable agricultural land use.

Strategies

29. Due account will be given to the value of the Mornington Peninsula for agriculture and other rural pursuits and to the role of primary producers and other land managers.

30. Planning for the Peninsula will recognise the opportunities to combine agricultural land use at all scales with provision for conservation of environmental systems, recreation and agri-tourism.

31. Subdivision of rural land must be strictly limited to avoid further fragmentation and to ensure that the intensity of land use and development is appropriate to the agricultural capacity and natural attributes of the land and to the protection of the environment and landscape. The re-subdivision of land will only be approved on the basis of a clear proposal to improve land management and to avoid adverse impact on landscape values.

32. The use of land for rural living will be managed to limit the impact on the sustainable agricultural use of land and to ensure recognition of the need of farms to operate without excessive constraint in a rural environment.

33. The residential occupation of rural land in the Green Wedge will be linked to and conditional upon measures to limit:
a) the impacts on agriculture, biodiversity, cultural heritage significance and landscape character

b) the impact of the proposed dwelling on both the existing and potential use of adjoining rural land.

34. The residential occupation of rural land in the Green Wedge will be linked to and conditional upon the occupiers clear recognition and acceptance of the potential for agricultural use of nearby land to affect future amenity and a clear proposal to ensure a positive contribution to the objectives of sustainable agriculture, or the protection and enhancement of heritage, biodiversity and landscape values, or some combination of these goals consistent with the values, opportunities and constraints of each site.

These strategic directions highlight the support of Council for sustainable agriculture, which has regard to land capability, the protection of biodiversity and landscape character, maintaining a functional landscape rather than maximising production per se. They also emphasize the need to ensure that the future approvals of dwellings in the Green Wedge will be closely linked to the substantial use of the land for either an agricultural or conservation-based purpose, as further outlined in Section 10 of this report.

In terms of land use planning, the key strategy to support agriculture on the Peninsula has been to prevent urban encroachment and further fragmentation of rural land and, as far as possible to exclude incompatible uses. This has been primarily pursued through the establishment of an Urban Growth Boundary and implementation of strong rural subdivision controls (as outlined in greater detail in the section 10 of this Plan).

However, it is also important to recognise that the Green Wedge Management Plan (and Council policy) is not limited to consideration of planning scheme provisions as it can consider a wide range of complementary actions and advocacy priorities. The employment of an Agribusiness & Food Industry Facilitation Officer by the Shire and the extensive networking undertaken through this position is a key example of support for agriculture outside of the planning system.

In addition to the general strategies to sustain and promote agricultural land use on the Peninsula there are a number of specific issues which may be noted:

Land Management

Due to the nature of the Mornington Peninsula Green Wedge, there are a wide range of landowners with differing experience and capacity in relation to all aspects of land management, including:

- Matching agricultural activities to land capability and soil management
- Weed and pest control
- Management of water and runoff
- Protection of native vegetation, wildlife and biodiversity, and
- Bushfire prevention

The majority of the land in the Green Wedge is privately owned and so successful land management will necessarily involve the commitment and support of private landowners. While there are many landowners with a strong land management ethic and the necessary knowledge and resources to manage their land sustainably, others will require active engagement and support through measures such as education, information, training, and financial incentives.

Landcare networks and the Small Rural Landholder Network provide an important avenue for improving land management on private land in terms of providing land management advice and access to funds for appropriate projects. The number of groups has doubled in recent years and Council has an important role in coordinating their activities through its Land Protection Officer.

Rural Industry

Agriculture often involves some level of supporting rural industry to handle, process and pack products or to repair or service plant or equipment. Local examples include wine making, the treatment and packaging of produce such as fruit or vegetables and the servicing of farm equipment.

Rural industries may occur on the same site as agricultural production or on other sites. There are opportunities to encourage the use of locally grown produce in such industries, rather than using products imported from outside the Peninsula.

As with any industrial use it is necessary to ensure that sites for rural industry are well located, properly established and serviced, and that the use is operated with regard to the impact on the environment, other land users and neighbours. The treatment and disposal of waste water is often a key issue for consideration in the assessment of planning applications for rural industry

Financial Assistance

There are a number of local, state and national financial measures available to assist farmers. At a local level, there is the Agricultural Rate which is available to farms which are run as a business on properties over 2 hectares. There is also assistance available for improvements such as fencing of watercourses, revegetation, and weed control as well as the Land Sustainability Rebate (outlined in the Section 3 on Biodiversity)

At a state and national level there are also incentives available through programs such as EcoTender and the Emissions Reduction Fund.

EcoTender is a Victorian initiative which invites landholders to tender for contracts that deliver environmental benefits, for instance through native vegetation management and revegetation on their properties. The Emissions Reduction Fund (previously known as the Carbon Farming Initiative) commenced in December 2015 and allows farmers and land managers to earn carbon credits by storing carbon or reducing greenhouse gas emissions on the land. These credits can then be sold to people and businesses wishing to offset their emissions

Objective: Ensure Planning Scheme provisions support sustainable agricultural land use in the Green Wedge

As outlined above, the provisions of the Planning Scheme are only one aspect of the Green Wedge Management Plan. However, by managing pressures for urban encroachment, land fragmentation and incompatible uses, the planning scheme does provide an essential component of a strategy to support agriculture on the Peninsula in the long term.

Ref.	Actions	Priority
3.1.	Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land.	Ongoing
3.2.	Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size requirements or introduce excision provisions.	Ongoing
3.3.	Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the number of lots) should not be supported unless there is a good land management justification and should generally avoid any reduction in the area of the existing larger lot(s).	Ongoing
3.4.	Advocate for a consistent set of rural planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all non-urban areas on the Peninsula including land in Farming Zone and the Special Use Zones, to the extent these are used for rural purposes.	Medium
3.5.	Further Investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation.	High
3.6.	Ensure proposals to construct dwellings demonstrate a commitment to an appropriate, substantial and sustainable agricultural or habitat restoration use on the balance of the property through the preparation and approval of a Land Management Plan, in accordance with Attachment 1 to this report	Ongoing
3.7.	Investigate the potential to provide for onsite farm worker accommodation, subject to the current review of Land Use definitions by DELWP	Medium
3.8.	Investigate means to facilitate the sale of certified produce grown on the Peninsula through local outlets, including farm gate sales from other farms participating in the certification program, farmers markets or similar outlets within the Green Wedge.	High
3.9.	Investigation the potential for directional signage as part of a food /farm shop trail.	High

Objective: Support sustainable agricultural land use in the Green Wedge through a range of further initiatives and programs

In addition to the provisions of the Planning Scheme there are wide range of other policies and actions that impact on agricultural land use in the Green Wedge. It is important to ensure “alignment” across all areas of Council, and as far as possible with other agencies and stakeholders, to support the sustainable future agricultural use.

Ref.	Actions	Priority
3.10.	Strongly advocate for Peninsula farmers to be able to access regional support and labour market programs.	Ongoing
3.11.	Continue to offer a farm rate over land areas actively used for agriculture, excluding the dwelling curtilage, and review rating and rebate policies to better promote appropriate land management and productive use of rural land.	Ongoing
3.12.	Continue to support industry support and development programs, such as Chicken Care and the Mornington Peninsula food certification, branding and promotion program.	Ongoing
3.13.	Continue to support the Food Industry Advisory Body and the implementation of Local Food Strategy.	Ongoing
3.14.	Continue to support research and investigation of issues relevant to the agricultural industry on the Mornington Peninsula, including opportunities for existing and emerging farming systems.	Ongoing
3.15.	Investigate opportunities for land use “brokerage” to promote agricultural partnerships and to encourage the lease of underutilised land for agricultural purposes.	Medium
3.16.	Continue to promote and support sustainable agriculture and best practice land and water management in the Green Wedge, through the dissemination of information: and engagement with Landcare groups, the Port Phillip Western Port Catchment Management Authority and State agencies	Ongoing
3.17.	Continue investigation and strong advocacy for waste water recycling projects, including support for appropriate hydrological and environmental assessments.	Ongoing

Objective: Support information sharing and networking between landowners in the Green Wedge and encourage a positive relationship between the farming community and other landowners.

There are a variety of opportunities available to new and established landowners on the Green Wedge to gain information and advice in regard to sustainable agriculture.

At the local level, Council offers environmental and land management information through workshops for landowners and Friends Groups, including site visits to other farms, information packs and Fact Files which address a wide range of environmental and planning issues. Landcare networks, the Small Rural Landholder Network and Friends Groups may also be of particular value for small landowners and newcomers to the Shire, with knowledge and experience communicated in a practical, hands-on style by local people.

In addition, with changes in land use over time, there is now greater potential for differences in expectations between farmers, owners primarily occupying rural land as residents, operators of tourism-based businesses and the like. Education and information programs are needed to ensure that Green Wedge residents and business owners have realistic expectations of living in the Green Wedge, and to foster a positive relationship between these groups and the farming community. This is in part addressed through Council's proposed Policy on Rural Dwellings but as this will only apply to new development it is also important to reinforce the need for cooperation on a more general level.

Ref.	Actions	Priority
3.18.	Promote the availability of existing information and resources, including the Common Ground Information sheets https://www.mornpen.vic.gov.au/About-Us/Business-Economy/Agricultural-Matters#section-2	Ongoing
3.19.	Promote awareness of industry support groups including the Victorian Farmers Federation, Landcare groups and the Small Rural Landowners Network	Ongoing
3.20.	Engage with agencies and relevant industry groups to identify opportunities to promote best practice sustainable land use and land management.	Ongoing
3.21.	Advocate to the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) for increased support for land management, advice on best practice farming methods and financial resources.	Ongoing
3.22.	Ensure that Land Management Plans required as part of applications for new dwellings/replacement dwellings clearly recognise the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on all landowners in terms of land management and the control of domestic animals.	Ongoing
3.23.	Investigate means of promoting a shared understanding among all landowners in the Green Wedge of the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on new landowners in terms of land management and the control of domestic animals.	Ongoing

**Tourism and leisure based
use and development**



13. TOURISM AND LEISURE BASED USE AND DEVELOPMENT

VISION

- *A place that supports tourism based use and development, including eco-tourism and agri-tourism, in appropriate locations, at a scale and in a form consistent with the rural character and function of the Green Wedge, and subject to appropriate site requirements and standards. Most accommodation, retail premises and the like will be located in the townships, but with support in the rural areas for:*
 - *Outdoor-based leisure and recreation uses;*
 - *Small scale host farm and bed and breakfast accommodation;*
 - *Primary produce sales*
 - *Uses in conjunction with established large scale rural enterprises (i.e. farming, wineries or outdoor leisure and recreation), and*
 - *other uses that will bring regionally significant and sustainable improvement to the protection and enhancement of natural systems or heritage places*

CONTEXT

The Mornington Peninsula has a long history as a place where Melburnians seek opportunities for recreation and relaxation, and the Peninsula has often been referred to as “Melbourne’s playground”. Coastal areas and countryside have both attracted high levels of visitors, and the development of a large pool of holiday homes within the coastal townships. However, by early 1960’s the potential for expanding urban growth to change the fundamental character and role of the Peninsula was recognised and became the focus of explicit government policy.

In this context, Statement of Planning Policy No.2 (SoPP2) for the southern Mornington Peninsula, introduced by the Victorian State government in 1970, was “directed primarily to the regional planning necessary for the conservation of part of the Mornington Peninsula as a recreation outlet and place of scientific interest”. The introduction to the varied version of the policy approved in 1976 provides more detail on the purpose of the policy:

Statement of Planning Policy No. 2 comes to grips with the question of environmental management in an area of outstanding natural resources on the south-eastern fringe of Melbourne. The basic premise behind this policy is that

the resources of the Peninsula provide such a variety of outstanding landscapes and seascapes, places suitable for a wide range of recreation, wildlife habitats, and areas of special interest related to the natural sciences that these resources should not merely be preserved, but protected, managed and utilized for the benefit of both present and future populations.

The policy is therefore directed primarily to the planning and management necessary for the conservation and enhancement of the southern part of the Mornington Peninsula as a recreation outlet and place of scientific and natural interest. Many of these resources are an important part of the natural heritage of the State and it is considered that this heritage should be kept for future generations.

It is clear that the recreational role of the Peninsula was a key factor in the introduction of the planning policy and that it was intended that the southern Peninsula would act as a long-term recreation outlet for all of the Melbourne community. In current terms, protecting the area now referred to as “the Green Wedge” was seen as a critical factor in supporting Melbourne’s “liveability” or quality of life.

It is important to note that the background statement accompanying the policy refers primarily to the opportunity for people to enjoy outdoor “unstructured” recreation, based on landscape qualities and the natural environment of the Peninsula, that is, informal recreation such as trips to the beach, bushwalking and scenic drives. There is limited reference to tourism, and specific comment on the need to contain resort development to a few selected locations.

That said, the policies and provisions that were developed under the planning scheme developed in the mid 1970’s to implement the SoPP (known as the Conservation Plan for the Southern Mornington Peninsula) made provision for a wide range of tourism and leisure based use and development, notably including restaurants and various forms of visitor accommodation. This increased the range of opportunities available for both residents and visitors to the Peninsula, enabling businesses, including farm based enterprises, to capture additional value from the visitor market.

However, it is considered useful in terms of planning to consider tourism and leisure-based use and development separately from recreation per se, as tourism-based development tends to have a different character and level of impact. This relates to various factors including the scale of buildings and works, the concentration of activity and traffic movements, the need for carparking, the demands on infrastructure and the potential impact on the natural environment.

Existing Tourism and Leisure Based Use and Development on the Mornington Peninsula

From the introduction of the first planning controls in 1960, through to relatively recent changes (circa 2004) there were in fact relatively few specific controls over the location, scale, siting and design of tourism-based use and development, with decisions primarily dependent on the exercise of discretion by Council and VCAT (formerly the Administrative Appeals Tribunal).

Under the Conservation Plan, a Recreation Zone was established on the edge of the Dromana and Rosebud urban area, specifically to provide an opportunity for residential resort type development. There were also provisions for integrated recreational and accommodation-based development in certain zones, which linked the number of accommodation “units” to the site area. However, it was possible to seek planning approval for a wide range of other tourism and leisure focussed use and development across the whole of the rural (now Green Wedge) area.

From the early 1980’s onwards the policies that were applied originally to the southern Peninsula through SoPP2 were extended, through State and local policies, to apply to the whole of the Peninsula. This was reflected in the 1999 Municipal Strategic Statement and most recently in the Mornington Peninsula Localised Planning Statement (2014) and clause 11.03-5S of the VPP Policy Framework (2018).

In this historic context, a substantial level of tourism related development has already occurred, with particular concentrations in the Arthurs Seat/ Main Ridge/Red Hill area (based on wineries and restaurants) and on the Nepean Peninsula/Cape Schanck (with a number of golf courses and, more recently, the Peninsula Springs hot springs spa).

It is important to note that tourism and leisure based use and development not only attracts and serves visitors to the Shire but also provides recreational opportunities enjoyed by many residents of the Shire as well. The accessibility of a wide range of recreational and leisure opportunities, in part, also explains and continues to support the high level of holiday home ownership /part time occupancy, particularly on the southern Peninsula.

There are currently more than 62 registered cafés and restaurants in the Green Wedge, with an additional 70 wineries (which may also provide food and drink); as well as a wide range of other attractions ranging from the Eagle Skylift at Arthurs Seat to major golf courses, U-

Pick farms, trail riding, ornamental gardens and mazes, adventure parks, children’s farms and sculpture gardens.

The total expenditure related to tourism activity within the Shire (based on 2016 work by the consultants Urban Enterprise for the Mornington Peninsula Regional Tourism Board) is estimated at \$1.15 billion and creating 8,636 direct and indirect jobs or 20% of the Shire’s total employment. The Urban Enterprise report also estimates that there are 5.98 million visitors to the Shire each year.

There is no separate estimate of the breakdown in the distribution of tourism activity between that which occurs in the Shire’s townships and Major Activity Centres, and that which is attributable specifically to the Green Wedge, however, both expenditure and employment are very heavily skewed towards the Port Phillip coast and Nepean Peninsula areas, accounting for approximately 70 % of the total.

Tourism development opportunities in the Green Wedge

With the growing population of Melbourne, increased accessibility (for example via Peninsula Link) and a well-established reputation, there are significant opportunities to increase tourism activity on the Peninsula, although with that opportunity come significant pressures.

Council’s Economic Development Strategy (EDS) 2016 -2019 identifies tourism as one of the Shire’s strategic industries. The EDS, and the Mornington Peninsula Region Destination Management Plan 2017 (produced by the Mornington Peninsula Region Tourism Board) both recommend the establishment of a Tourism Location Framework to delineate appropriate locations for tourism development and appropriate activity levels for different areas of the Shire, including areas within the Green Wedge.

It must be noted that recognition and conservation of green wedge land for its tourism opportunities is included within the purposes of the Green Wedge Zone, which aim (among other objectives) :

*To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and **tourism** opportunities, and mineral and stone resources. (emphasis added).*

However, since 2004 and through changes to the provisions of the Green Wedge Zone by the State government, there has been some “tightening” of the planning controls in relation to some forms of tourism and leisure-based use and development, notably in regard to

restaurants and function centres (as standalone uses) and some forms of visitor accommodation, which now:

- require a minimum site area equal to the minimum lot size under the zone (usually 40 hectares but greater in some areas),
- are subject to some limits on scale (150-person maximum seating capacity for restaurants and other limits for accommodation-based uses), and
- are required to meet the “in conjunction with test”, specified in Clause 64.02 of the Planning Scheme. This requires that they may only be established on a site in conjunction with one or more of the “core” green wedge uses (agriculture, natural systems, outdoor recreation facility, rural industry or winery).

Despite this tightening, in addition to the existing tourism-based sites, there are still more than 150 further sites with an area greater than 40 hectares which are not currently developed for tourism purposes.

These sites meet the current minimum site area requirements for restaurant and visitor accommodation-based use and development, although not all applications would necessarily gain approval, given that maintaining agricultural production on larger landholdings is a key planning objective.

There are also a wide range of tourism related uses which are either as of right (no permit required) or permissible (subject to a planning permit). Table 5 below summarises some of these opportunities. Further discussion of agri-business /agri-tourism is also provided in the Agriculture and Agribusiness section of this Plan.

Table 5 Tourism based use and development in the Green Wedge Zone (N.B. This is not a statutory document).

As of right (no planning permit required)	May be subject to Building and Health Act requirements
Bed and breakfast accommodation (AirBNB etc)	Provided by a resident of a dwelling and accommodating no more than 10 persons (or more with a permit). Note: outbuildings “usual to a dwelling” are also considered to form part of a dwelling.
Home based business	Employing up to two people who are not residents and using up to 100 sqm of floorspace. A permit may be granted to employ up to 3 people who are not resident and use up to 200sqm. A home-based business may include any use that would otherwise require a planning permit – or which would be prohibited – other than brothel.
Primary produce sales	The sale of produce grown on the land or on adjacent land. It may include processed goods made substantially from the primary produce. A maximum floor area of 50 sqm may be used without a planning permit – and the “farm shop” must not be within 100 metres of a dwelling not on the same property.
Permissible	No mandatory site area requirements or patron limits, and not subject to the “in conjunction with” test
Art and craft gallery	
Camping and caravan park	May include “glamping” and cabin based accommodation
Exhibition centre	Includes art gallery and museum
Host Farm	“An agricultural property used to provide accommodation for persons away from their usual place of residence ...”
Indoor recreation facility	Only for equestrian based leisure, recreation or sport
Leisure and recreation	This is a broad use group definition which includes (but is not limited to) activities ranging from: Adventure park, children’s farm, farming displays, fauna park, golf course, golf driving range, maze, ornamental gardens, paint ball facility, zoo, trail riding, etc.
Major sports and recreation facility	For outdoor recreation, leisure and sport
Market	Land used to sell goods, including foodstuffs, from stalls
Plant nursery (retail and wholesale)	It may include the sale of gardening equipment and horticultural products (but not landscape garden supplies).
Restricted Place of assembly	For up to a maximum of 30 days in a calendar year
Rural industry	with the ability to sell goods produced as “manufacturing sales”
Winery	(includes the sale of food and drink)

Permissible	Subject to mandatory site area requirements (usually a minimum site area of 40 hectares) and only in conjunction with agriculture, natural systems, outdoor recreation facility, rural industry or winery on the same site (refer Clause 64.02 of the Mornington Peninsula Planning Scheme)
Function centre	No more than 150 patrons
Restaurant	No more than 150 patrons (if also used as a Function Centre the combined limit is 150 patrons).
Group accommodation	No more than 40 “dwellings” - to accommodate people away from their usual place of residence. Note: a residential village or retirement village for permanent occupancy is prohibited.
Residential building .	No more than 80 bedrooms - to accommodate people away from their usual place of residence. This could include: hostel, backpackers lodge and boarding house, residential hotel and motel
Other uses and rights that may apply	
Any other use not specifically prohibited.	This includes both uses defined in the planning scheme and innominate uses i.e. uses without a specific definition.
Ancillary uses	Activities which are considered ancillary to the substantive use of a site – this may include cafés and restaurants at an ancillary scale. Refer Clause 64.01 of the Mornington Peninsula Planning Scheme – Land used for more than one use.
Existing use rights.	May enable consideration of the expansion or variation of a use on a site established prior to the current planning controls.
Site specific provisions	Development of sites with specific approvals (such as RACV Cape Schanck, and Moorooduc Coolstore) under the provisions of Clause 52.03 of the Planning Scheme - Specific Sites and Exclusions.
Recreation Zone or Comprehensive Development Zone	Development of land within the in accordance with the zone requirements and the Metropolitan Green Wedge provisions. (such as Moonah Links)
Uses which are permissible – but not related to tourism	
Animal boarding	
Place of Worship	
Primary School	
Research and development centre	Subject to the minimum site area requirement and in conjunction with test.
Secondary school	
Veterinary centre	

A number of factors which relate to this table – such as the statutory definition of uses, ancillary uses, and existing use rights are the open to interpretation and have been the subject of VCAT determinations.

Tourism development in the Green Wedge – Finding the balance

The previous comments have indicated the extent of existing tourism and leisure based use and development in the Green Wedge and the scope provided under the current planning scheme controls for further increases.

However, as noted, in the period from 2004 onwards the planning scheme provisions have to some degree been tightened, with an emphasis in policy at the State level on “strengthening” the protection of the Green Wedge.

These actions indicate an increasing level of concern regarding some aspects of tourism based development and the capacity of the Green Wedge to absorb further change without a significant change to the rural character and function/role of the area. The current experience of road congestion and intrusive activities that already occurs in some areas during peak periods, issues with on-site effluent disposal and car parking, and impacts on the amenity of other landowners, point to capacity limits and a need to control further development so that the peak time problems do not become the norm.

The Mornington Peninsula Localised Planning Statement (2014), seeks to provide a stronger framework for tourism and states:

The value of tourism, including eco-tourism and agri-tourism will be recognised and supported in appropriate locations. In rural Green Wedge areas tourism based development will play a complementary role to the primary values of the rural Peninsula, being biodiversity, agriculture and landscape

In rural Green Wedge areas tourism based developments of a kind, scale and location appropriate to the natural environment and rural character of the Peninsula will be considered provided:

- a) *they operate in conjunction with and support significant agricultural, recreational or conservation activity on the land, and*
- b) *there is sufficient on-site buffer provided to avoid constraining the use of adjacent land*

This statement highlights that in “finding the balance”, tourism based development should be supported only to the extent (and in the form) that is consistent with protecting core values in the long term.

The requirements for a minimum site area and the use of the “in conjunction with” test for restaurants, function centres and some forms of accommodation, to some degree aim to ensure that these forms of tourism-based development are complementary to the core values.

It is still the case that each proposal (and each site) has its own particular characteristics – and it is also important to avoid excluding appropriate use and development that may contribute to the community value of the Green Wedge in terms of both recreational opportunities and economic/employment benefits.

In addition, some of the greatest immediate impacts arise from a range of “design” issues. These include insufficient onsite parking and subsequent road congestion and roadside parking, unscreened carparking areas, the location of driveways, roadside signage, inadequate waste water treatment and disposal facilities, poor landscaping and poor siting and/ or building design. These “design” issues can be addressed by good decision making in regard to location, design and siting.

It is also important to recognise that most tourism based businesses have invested in the Green Wedge because they appreciate its attraction and support measures to protect the character of the area, although some businesses may seek greater flexibility to enhance their business viability, for example in relation to increases in maximum patron numbers.

However, although the details of each individual site are important, the cumulative effect of use and development decisions is also critical and the assessment of how and when a change in character and function of an area occurs is complicated. This is, in part, because no individual proposal is likely to have a determining impact.

This applies to both character and function, and there is a risk that tourism activity will not only change the “look and feel” of the Green Wedge but also constrain and ultimately displace the agricultural use of land.

As with many planning issues, the question of appropriate development in the Green Wedge relates to the intended level of change, and the need to strike a balance between the benefits of tourism and the risk of over-development.

One way of considering possible policy positions is by considering the preferred level of change – as outlined in Table 6 below.

It is arguable that the policies in relation to the Green Wedge have previously expressed a position somewhere between limited and moderate change – and have been reasonably successful in achieving an outcome where there is a moderate “presence” of tourism activity in many areas but where the rural character and function is still dominant.

However, the more recent tightening of controls also reflects a view that further change needs to be more carefully managed and assessed.

Table 6 – Managing the Level of Change

No Change	Limited Change	Moderate Change	Substantial Change
<p>Strong distinction between primary and secondary purposes.</p> <p>Exclusion of use and development other than in accordance with the primary purposes/ objectives.</p>	<p>Primary purposes identified and given high priority.</p> <p>Precautionary approach to proposals.</p> <p>Reverse onus applies – e.g. applicants are required to provide justification in terms of the need for a proposal to support the primary purposes/objectives.</p> <p>Definition of strong limits/caps to future development consistent with a “preferred future character”.</p>	<p>Primary purposes identified and given priority.</p> <p>Risk management approach to proposals.</p> <p>Shared onus – proponents to address risks.</p> <p>Low level of dispersed activity (within the capacity of an area to absorb change) or containment within defined areas.</p> <p>Strong design controls, which may act as potential cap to future development.</p>	<p>Limited distinction between primary and secondary purposes/objectives.</p> <p>Presumption in favour of development – Onus on authorities to justify exclusion of a proposed use or development.</p> <p>Some design controls – but no set limits.</p> <p>No caps – potential for cumulative conversion in character and function over time.</p>

STRATEGY

A key theme of the Green Wedge Management Plan is that while there are a range of purposes and objectives for the Mornington Peninsula Green Wedge, not all purposes should be given equal weight and finding a balance does not mean accommodating all activities to the same degree, which may well be impossible. Rather, there is a need to establish priorities so that the long-term assets and values (and beneficial uses that are based on those assets) are not compromised.

In this context, the natural systems and landscape quality/character of the Mornington Peninsula Green Wedge are regarded as the key assets, and their protection must be given priority. Informal recreation is considered to be a compatible and complementary use which is consistent with maintaining the “resource base” of the Peninsula. Equally, the use of land for productive agriculture, and associated agri-business and agri-tourism is considered generally compatible, provided it is undertaken in a way which sustains the landscape and biodiversity values of the land.

Tourism and leisure-based use and development is also recognised as a purpose of the Green Wedge but is one which does have the potential to change both the character and function of the area, and therefore greater caution is warranted. In this context, tourism and leisure-based use and development, along with dwellings and some intensive agricultural uses are considered to be “conditional uses”, that is, uses which may be compatible in certain circumstances and subject to certain conditions, but where greater control and limits are necessary.

In this regard, the Mornington Peninsula Localised Planning Statement provides a number of strategic directions in relation to tourism-based use and development in the Green Wedge, including the following:

Objective: *To recognise and protect the recreational role of the Mornington Peninsula and to make provision for appropriate tourism based use and development.*

Strategies:

37. The value of tourism, including eco-tourism and agri-tourism will be recognised and supported in appropriate locations. In rural Green Wedge areas tourism based development will play a complementary role to the primary values of the rural Peninsula, being biodiversity, agriculture and landscape. In rural

Green Wedge areas tourism based developments of a kind, scale and location appropriate to the natural environment and rural character of the Peninsula will be considered provided:

- a) they operate in conjunction with and support significant agricultural, recreational or conservation activity on the land, and*
- b) there is sufficient on-site buffer provided to avoid constraining the use of adjacent land.*

38. Planning for the Mornington Peninsula will include provision to specify minimum requirements for sites and activities associated with tourism based development to ensure long term protection of the landscape, conservation and agricultural values of the Mornington Peninsula.

39. 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.

40. 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.

Accordingly, the basic strategy in relation to tourism and leisure-based development involves the following elements:

- Applying a strategic approach to managing the Peninsula’s land and landscape assets, having regard to notions of capacity and cumulative effects, rather than simply focussing on individual applications and their individual merits.
- Establishing/maintaining some “cap” on the overall level of future development, through measures such as the minimum site area and maximum use and development intensity provisions, which recognise that there is a limit to the capacity of the Green Wedge to absorb further development. The use of minimum site area requirements is, to a degree, also an “allocation mechanism”, in effect, providing an opportunity for a greater level of commercial tourism activity to support the management of larger sites.

- Linking future tourism and leisure-based use and development directly to the “core” purposes of the Green Wedge – through extension/improvement of the “in conjunction with” test. Support for agri-tourism and eco-tourism is consistent with this approach. Council’s rating strategy may be reviewed to align with this approach.
- Establishing limits to the scale of tourism based development, noting that proposals which can demonstrate overriding community benefit can still be considered through the planning scheme amendment process, but these are exceptional rather than routine.
- Providing effective guidelines and directions for the assessment of specific proposals, which will limit the impact of future use and development
- Directing tourism and leisure based use and development to township areas, supporting the diversity and vitality of the township commercial areas, particularly in off peak periods.
- Seeking to ensure that new tourism based development provides opportunities for more people to experience the Peninsula. This includes, for example, ensuring that accommodation proposals are “visitor based” and not targeted at permanent accommodation or expansion of the pool of holiday homes which does little to increase the availability of visitor accommodation.

Within this general strategic context there are a number of specific issues that also need to be addressed.

Review and extension of the “in conjunction with” test

As highlighted above, one of the key principles of Green Wedge policy (and this Green Wedge Management Plan) is to support the core assets, values and purposes of the Green Wedge – and to provide for other “complementary” activities, such as tourism and leisure based (commercial) use and development, only to the extent, and in a form, that is consistent with this principle.

The requirement under the planning scheme for restaurants and some forms of visitor accommodation to operate only “in conjunction with” agriculture, outdoor recreation, natural systems, winery or rural industry is, in effect, a statutory means of requiring this

complementary relationship to be maintained. This is also consistent with Council’s position and support for agri-tourism and eco-tourism as expressed in the Localised Planning Statement.

To support the core values of the Green Wedge it is considered that local policy should extend the “in conjunction with” test to other forms of tourism based use and development.

That said, the current provisions framing the “in conjunction with” test are open to very wide interpretation. Clause 64.02 states that:

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- *there must be an essential association between the two uses; and*
- *the use must have a genuine, close and continuing functional relationship in its operation with the other use*

However, previous VCAT decisions have interpreted these provisions in a number of different ways. Some decisions have indicated the requirement can be satisfied by simply having “some” (often minor) agricultural activity on the same site, or even in the nearby area, and with a limited relationship to the dominant use of the land (such as large-scale cabin-based accommodation).

It is considered these provisions should be improved by including more measurable criteria, for example, by specifying that a “conditional use” (that is, the use which is subject to the “in conjunction with” condition) may only occupy a footprint equal to no more than 10 % of the total site area. As a policy, rather than a mandatory requirement Council would still retain the discretion to consider proposals on their merits.

Designation of Tourism precincts

The current planning scheme provisions (combined with the existing pattern of lot sizes on the Peninsula), in effect, seek to lessen the impact of tourism-based development in any particular location by limiting the concentration of development, as well as to some extent, capping the overall potential.

An alternative approach is based on the principle that some areas are already committed to tourism development or are better suited/more attractive for tourism, and therefore these areas should be specifically designated for this purpose. In these precincts the

minimum site area requirements would be removed or varied to allow greater consolidation of tourism activity in those areas. This approach is often supported on the basis that it provides a means of strengthening the attraction of a “destination”.

While designating Main Ridge and/or the Nepean Peninsula as “priority” tourism areas would in some respect simply recognise the existing land use pattern it is not clear what benefit would be achieved by a formal precinct designation.

In practical terms, a “tourism priority” designation could imply that other Green Wedge activities, such as agriculture and conservation, are to some degree discounted or given less weight in the decision-making process.

While it is fair to say that tourism based development is an established use in both Main Ridge and on the Nepean Peninsula, it is equally the case that, to date, development has been assessed on the extent to which it fits in with the modified rural character of these areas. Forms and densities of development that are considered intrusive or more “urban” in character have not been supported. A decision to formally prioritise tourism based development would tend to shift this balance and therefore is not supported.

That said, it is considered that there is value in identifying areas where particular factors need to be given greater weight, for example areas of particularly high agricultural productivity, areas of high conservation value; and (perhaps) areas of higher sensitivity due to the concentration of dwellings.

In this way, a kind of reverse definition would be achieved, not over prioritising tourism development but indicating that some areas are less constrained/have greater capacity for future tourism based development than others, but are still expected to meet standards appropriate to the rural Green Wedge. This would be a useful way of indicating that there are opportunities for further development on the eastern/ Western Port side of the Peninsula, whilst addressing concerns about saturation in other areas. The option of amending the local schedule to the Green Wedge Zone to allow for variations in the requirements in some areas is further discussed below.

Food and Drink Premises

Food and wine tourism is a significant element of the Mornington Peninsula’s tourism “offer. It is a sector where the Peninsula has a major competitive advantage, based on the

productive capacity of the area, in combination with the high scenic attraction of the Peninsula and effective marketing /brand recognition.

It is also recognised that the operation of a café or restaurant is one way for various businesses to add value and capture expenditure from visitors to a site, and is arguably a component of the experience now expected by visitors, whether residents or tourists

However, it is important to recognise that:

- The changes to the planning scheme introduced by the State government in 2004 in relation to restaurants and function centres, requiring a minimum site area equal to the minimum lot size for new subdivision, highlight a concern that these specific uses (restaurants, function centres and larger accommodation facilities) require a greater level of control. It is also significant that these controls were retained despite a report recommending their removal by the (then) Victorian Efficiency and Competition Commission (Unlocking Victoria’s Tourism, June 2011), and following a Green Wedge Audit subsequently conducted by DELWP.
- Restaurants and function centres are arguably the uses with greatest potential impact in terms of the intensity of activity on site, the concentration of traffic movements and parking demand and the hours of operation.
- There is already substantial scope for the further development of café and restaurant uses (subject to planning approval) through –
 - applications on new sites which meet the site area requirements and other standards,
 - expansion on sites with existing use rights or site-specific approvals,
 - establishment of ancillary uses in association with new tourism developments.

Having regard to these factors it is recommended that Council generally continue to support the existing mandatory requirements for restaurants.

However, it is considered that there is some merit in advocating to the State government to change the structure of the local schedule to the Green Wedge Zone in such a way as to enable Councils to specify different standard for restaurants (and perhaps other tourism based uses), in regard to minimum site area and maximum patron numbers, in different locations, while the current standards would remain as the default.

This would in effect enable different Councils to set different standards according to their local circumstances or, in fact, to set different standards for areas which are considered to be “at capacity” and those where further development may be worth considering (that is, a form of indirect precinct or “saturation” control).

A further advantage, given that these standards have been reviewed by the State government on a number of occasions, is that it would provide flexibility in the event of future reviews of the Green Wedge Zone provisions and (possibly) reduce the risk of “one size fits all” changes.

As a further alternative, Council could consider the use of the Clause 52.03 “Specific Sites and Exclusions” provisions of the planning scheme to designate specific sites where it considers variations /exemptions to the standard requirements are warranted by including site specific requirements in an incorporated document. However, such a schedule could only be varied through the planning scheme amendment process.

This may be one mechanism to address a limited number of sites where a previous lack of clarity (for example, in regard to the establishment of ancillary uses) has created an ongoing compliance issue and would enable such sites to be brought within a clear approval framework.

Accommodation based uses

As outlined in Table 2, the planning scheme provides for the development of a range of different accommodation types, however the distinctions between different types of accommodation is not always clear and some of the requirements appear inconsistent.

For example, a backpacker’s lodge (of any scale), which falls within the definition of a “residential building” requires a minimum site area of (at least) 40 hectares, whereas a caravan and camping site, which can include separate cabin accommodation, and where “cabins” can have virtually the full range of facilities associated with a dwelling, is not subject to any limit on minimum site area or the maximum number of cabins that may be proposed.

Equally, a “host farm”, which could include some form of hostel accommodation, is permissible regardless of lot size and with no specific limit on the number of persons accommodated – but an “eco-lodge” would require a minimum lot area of 40 hectares, regardless of scale.

The status of “glamping” proposals has also been uncertain, although they would generally be considered under either the definition of bed and breakfast accommodation (if at a very small scale, with one or two “pods” considered as “outbuildings” to a dwelling) or as a Camping and caravan park.

The current planning scheme provisions regarding Camping and caravan parks appear particularly inconsistent with those which apply to other comparable uses, given that there are no minimum site area requirements, no limit on the number of “cabins” which may be provided, and no requirement to meet the “in conjunction with” test.

While provisions for Camping and caravan parks were originally based on the aim of increasing the availability of lower cost tourism accommodation, the fact that most “caravan parks” now consist of cabins capable of permanent occupation, and the limited ability to regulate the length of occupation due to the provisions of the *Residential Tenancies Act 1997* has blurred the distinction between a caravan park and a residential village. This is particularly the case where cabin based villages are proposed near to townships, just outside of the Urban Growth Boundary, where they tend to stand as a defacto extension of the township area.

Council considers that the current lack of criteria in relation to Camping and caravan parks is a loophole that should be addressed either through changes the Victoria Planning Provision or at least in local policy.

However, it is considered that in general accommodation based uses are unlikely to generate the same intensity of activity on a site as many other forms of tourist based development (including restaurants) and therefore provision for some degree of further flexibility could be considered. This would require State government support to amend the Victoria Planning Provision (VPPs) and could take the form of an ability for different Councils to specify varying standards within a local schedule to the Green Wedge Zone, as discussed in relation to Food and Drink Premises.

A sliding scale for the level of accommodation, specifying the maximum number of persons to be accommodated and/or the maximum level of accommodation could ensure that development remains in proportion to the lot size. For example, a threshold minimum lot size of 8 hectares and no more than one bedroom for each hectare of site area and could be combined with an improved “in conjunction with” test as previously outlined.

This approach could be considered in conjunction with advocacy for consistent provisions in relation to Camping and caravan parks i.e. allowing Councils to specify a minimum lot size

and/or development density for “cabin” based development. A proposed local policy in relation to this matter is included as Appendix 2. It is also noted that DELWP is currently undertaking a review of land use definitions and this process may also provide opportunities to improve consistency and clarity in relation to accommodation based use and development.

Definition of specific uses and the scope for ancillary use

A number of VCAT decisions have highlighted differences in the classification of various forms of tourism and leisure-based development including spas, micro-breweries and distilleries, as well as the appropriate extent of “ancillary” uses.

In these cases, the connection between a proposed commercial activity and the level of agricultural activity or other “core use” on the site, has often been a critical consideration.

For example, where goods sold at an olive grove or a lavender farm are made substantially from primary produce grown on the land, this is readily classified as rural industry (and primary produce sales).

However, where the majority of produce used in production does not originate on the site, or where the majority of the “materials” used in production are considered to be pre-processed goods rather than primary agricultural products (such as pre-treated grain in beer production) some VCAT decisions have indicated that this may instead fall under the more general category of “industry”, which is a prohibited use in the Green Wedge Zone.

This is comparable to the consideration of wineries, where there is often a condition that at least 80% of the wine to be sold will be produced from grapes grown on the property. This is to avoid a situation where “bulk” wine from other sites is imported to a site and bottled for sale or bottled wine is simply stocked for sale (in effect, a bottle shop).

Equally, it is not clear whether goods produced by a rural industry can be sold (by retail) from that site. The use appears to constitute “manufacturing sales”, however this definition relates to the sale of goods produced by an industry, rather than by a rural industry.

Accordingly, the definition of micro-breweries and distilleries, and their ability to sell “produce” on site, will be dependent on the particular details of their operation. In some cases, it may be more appropriate to consider some uses under the more general classification of Leisure and recreation or even as innominate (undefined) uses.

As noted previously, while some tourism and leisure related uses are subject to the “in conjunction with test” this does not apply consistently to all comparable uses. For example, a winery is defined as a use operating in association with the growing of grape vines and the manufacture of the vineyard products, but there is no similar requirement in relation to a brewery or distillery. It is considered that the “in conjunction with” test (in some form) should apply to all tourism based development, even where there is no minimum site area requirement.

In regard to health spas, again VCAT decisions highlight the importance of the particular details of an application, with different cases being considered to fall within different definitions. There have been fine differences of interpretation between uses involving “recreation” (active) or “leisure” (passive). Equally, the same uses appears to be treated differently if operated as a club (with visitors paying to be members) rather than as a shop, where visitors pay directly for a service.

In some cases, the dominance of commercial uses and commercial buildings on a site will indicate that the site is most appropriately regarded as a shop (land used to sell goods and services). In other cases, depending on the combination of activities on a site and the consistency with the “in conjunction with” test, there would be greater argument to consider as the activity as an innominate (i.e. undefined) use. This may apply to some forms of eco-tourism. Again, the appropriate definition would be dependent on the details of a proposal.

More recently, the question of provision for hospitality training has arisen. The lack of trained staff has been raised as a significant constraint on the expansion of tourism based businesses on the Peninsula. While “in house” training is regarded as a normal, ancillary function of any business, the establishment of a separate training “institute” would fall within the planning scheme definition of an Education centre, which (apart from Primary school and Secondary school) is a prohibited use in the Green Wedge Zone, as is an Employment training centre. While the demands of business for trained staff need to be addressed, it is not clear that this need cannot be reasonably met through existing training facilities and programs, and this needs to be further investigated.

Finally, the scale and intensity of a use that can reasonably be considered “ancillary” is also open to interpretation. An ancillary use is usually regarded:

- a) as one which is fully dependent and integrated with the dominant use of the land, such as the administration section of a business within a building, or (and more open to interpretation);
- b) a use (usually on a modest scale) which grows out of or develops from the primary use and is intended to enhance it... and is often now a considered a usual component of that use. The most common example is the expansion of food, convenience goods and other services provided at petrol stations.

While these principles were established in a key VCAT case (*Pacific Seven PL v Knox CC* (1993)), other decisions of VCAT have highlighted a need for caution, particularly where the “ancillary use” would otherwise be prohibited, and the need to consider the “substantial use” of a building or site

This all goes to suggest that while a café serving light refreshments and integrated with the primary use (for example, located within the same building) may be considered ancillary to the main tourism or leisure based activity on a site, a restaurant is unlikely to qualify as an ancillary use if it:

- operates at a scale or in a fashion which would reasonably constitute a separate standalone business use; or
- is sub-leased; or
- features a full menu not limited to produce grown on the land; or
- is advertised separately; or
- operates at night separate from the “main” use;

Clause 64.01 of the Mornington Peninsula Planning Scheme also sets out relevant provisions where land is used for more than one use. In some circumstances a “one-off” events may also be regarded as “ancillary”, however, this depends on the scale and nature

of the main ongoing use of the land and other factors which complicate the provision of advice on this matter.

It should be noted that “winery” is a separately defined use which may sell food and drink at an unspecified scale, and therefore does not have to rely on the definition of ancillary use. However, it is considered that a winery should also be subject to an “in conjunction with test” to ensure that the scale of any winery proposal (and particularly any associated sale of food and drink) is in proportion and secondary to the operation and capacity of the vineyard.

Having regard to the matters raised above it is considered appropriate to prepare a local policy in relation to the critical issues in statutory interpretation and to ensure that applicants respond to these issues in submitting applications.

Some of these issues are also identified in the current review of land use definitions by DELWP and this process may also provide some resolution.

As a further legal issue, the capacity of existing uses to apply for variations of existing permits or changes to existing use rights over and above the current mandatory limits has been subject to a Supreme Court decision. This decision determined that existing uses could apply to vary their existing approvals and were not limited by the current standards.

It is considered unlikely that there will a significant change to the statutory position in relation to this matter, given that it would require a change to the *Planning and Environment Act 1987* in relation to existing use rights. Equally, Council cannot pre-determine a position in relation to a class of potential planning permit applications.

However, it is reasonable for Council to prepare a local policy in relation to the expansion of existing uses which include consideration of whether there are exceptional circumstances or substantial net benefits to the local community and/or adjoining owners involved in a proposal to exceed the current planning scheme requirements.



Objective: Ensure that tourism and leisure-based use and development plays a complementary role to the primary values of the rural Peninsula

Council seeks to provide scope for appropriate tourism and leisure based use and development in the Green Wedge, having regard to the opportunities, both economic and recreational, that it provides, but also considers there is also a need to provide a strong framework that recognises the limits to the further capacity of the Green Wedge to absorb such development without adverse impact on the primary purposes/ objectives.

Ref.	Actions:	Priority
4.1.	Support the current provisions of the Green Wedge Zone which limit the establishment of new “stand-alone” restaurants, function centres and larger scale accommodation based development to larger sites, with the “in conjunction with” test and with mandatory maximum seating capacity conditions, bedroom numbers and the like	Ongoing
4.2.	Advocate to the State government to ensure that any future changes to the Green Wedge Zone relating to minimum site areas and maximum patron numbers for restaurants, function centres and the like retain the current standards as the default for the Mornington Peninsula Green Wedge.	Medium
4.3.	Introduce/revise local policies to extend the “in conjunction with test” to other forms of tourism based development. Require the “core” use to be a substantive use of the land while limiting the site area /footprint occupied by the “conditional use”.	Ongoing
4.4.	Introduce/ revise local policy to indicate that Council does not support concentrated precincts or strips of tourism based commercial activity within the Green Wedge – which would have the effect of transforming the rural character of those areas. Highlight the role of the existing townships and villages in providing for tourism demand.	High
4.5.	Seek a planning scheme amendment to introduce a local policy on Camping and caravan parks, generally as set out in Appendix 2	High
4.6.	Support a review of the visitor accommodation provisions to achieve greater consistency and provide scope (through the local schedule to the Green Wedge Zone) for Councils to set different standards for different areas, according to local circumstances.	Medium
4.7.	Indicate, through either policy or local schedules those areas which are considered to have high value agricultural land, high value conservation areas, or sensitive landscape values where the total footprint of built form needs to be even more strictly limited.	Medium
4.8.	Indicate that it is not proposed to include additional land in Special Use Zone 4 (Recreation Zone) noting the existing area south of Rosebud which may be considered for low density recreational resort development in accordance with the relevant local policy	Ongoing
4.9.	Rezone the existing Special Use 4 Zone (Recreation Zone) land within the Tootgarook Wetland to indicate that it is intended to serve a predominantly conservation purposes.	Medium

Ref.	Actions:	Priority
4.10.	Investigate the use of Specific Site and Exclusion provisions to resolve long standing compliance issues and bring existing uses under a clear control framework i.e. with specified development requirements and conditions of operation.	High
4.11.	Investigate and review the rating of sites used for tourism and leisure based use and development, other than primary produce sales, consistent with the approach to the rating of dwellings on rural properties	Medium
4.12.	Investigate opportunities to support and promote training in hospitality on the Peninsula	Ongoing
4.13.	Review and revise the local policy 22.08 in relation to Integrated recreational and residential development in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 57.01).	High
4.14.	Develop guidelines in relation to the approval of irregular tourism and leisure based events in the Green Wedge	Medium

Objective: Provide greater clarity in relation to the definition of tourism and leisure based uses and the appropriate assessment criteria

The planning scheme definitions relating to a number of tourism and leisure-based uses are unclear and/or inconsistent, and other factors in statutory interpretation, including the scope and limits to ancillary use and innominate use appear to be particularly critical in relation to tourism based use and development. Council guidelines and local policy can assist in providing greater clarity and direction, although other issues will require changes at the State level i.e. to the Victoria Planning Provision.

Ref.	Actions:	Priority
4.15.	Prepare guidelines and a local policy indicating the key factors for consideration in relation to the definition and assessment of micro-breweries, distilleries and health spas, following the current DELWP review of land use definitions	Medium
4.16.	Prepare guidelines and a local policy providing guidance on the critical factors in the definition and assessment of "ancillary uses", for example, in relation to food and drink activities associated with other uses; and require planning applications to respond to these factors.	High
4.17.	Indicate through local policy that the amenity of rural residents, consistent with the intended rural character of the Green Wedge, must be given appropriate consideration in the assessment of tourism and leisure based use and development applications.	High
4.18.	Prepare guidelines indicating the factors to be considered in the assessment of applications for variations to existing use rights, where proposed variations do not comply with current standards – including whether an application involves exceptional circumstances, proposals to mitigate existing and potential impacts or whether there are substantial net benefits to the local community and/or adjoining owners	Medium

Landscape, recreation and heritage



14. LANDSCAPE, RECREATION AND HERITAGE

VISION

- *A place for all people to access a high quality regional open space network and diverse rural and coastal landscapes for their health, wellbeing and learning, in particular their need for outdoor, unstructured recreation.*
- *A place that retains a rural character, defined by agriculture and natural systems land uses, heritage places, attractive vistas, unobtrusive buildings and a low population settled in relatively few buildings.*

CONTEXT

The Mornington Peninsula is renowned for its outstanding rural landscapes.

The planning policies introduced by the State government in the 1970's emphasized the importance of the landscape quality in providing a long-term recreational asset for the Melbourne community. These policies highlighted the particular value of the Mornington Peninsula in providing opportunities for outdoor, unstructured recreation and increasing the understanding and appreciation of the natural environment, cultural heritage and rural pursuits. Unstructured recreation includes activities such as trips to the beach, horse riding, camping, bushwalking and scenic drives.

It is clear that the recreational role of the Peninsula was a key factor in the introduction of the planning policy and that it was intended that the southern Peninsula would act as a long-term recreation outlet for all of the Melbourne community. In current terms, protecting the area now referred to as "the Green Wedge" was seen as a critical factor in supporting Melbourne's "liveability" or quality of life. These opportunities are still important and increasingly so, with the growth of Melbourne's population.

The scenic landscapes of the Mornington Peninsula are also a great source of amenity for local residents and contribute significantly to the sense of place enjoyed in the villages and settlements scattered through the Green Wedge. Indeed, these settlements and townships are part of that scenic landscape and their position in the landscape gives them a strong identity.

It is not only the quality of individual landscapes which is the significant resource of the Peninsula but also their diversity. Within a relatively small area the landscape changes from the flat, open areas of the Moorooduc Plain, with the backdrop of the Mount Eliza escarpment, to the valley of the Kangerong Basin, through to the rolling hills of Red Hill, Arthurs Seat and

Main Ridge and the coastal landscapes of Bass Strait and Western Port.

Each of these areas is different, with different combinations of agricultural land use, native bushland and coastal scenery, but the diversity provides a contrast that adds to the appreciation of the differences. In this context, the relationship between landscapes, and the experience of the succession of different landscape types, is as important as the quality of individual areas.

Having regard to their value to many different interest groups - residents, landowners, businesses, and visitors - the landscapes of the Mornington Peninsula, and the quality of those landscapes, are a key example of a "shared amenity".

In this context, it is important to recognise that landscapes are made up of many individual properties and areas of public land, and that the quality of the whole landscape often depends on decisions made in relation to these individual elements. Poor decisions lead to changes, sometimes subtle and sometimes obvious, where there is a gradual loss of landscape value. These values need to be carefully managed, with a high level of cooperation between all parties.

Equally, while heritage, in terms of specific historic sites within the Green Wedge, has arguably received less attention, the landscapes of the Peninsula are in themselves a significant heritage asset, both in terms of post contact heritage and aboriginal cultural heritage. Understanding of this aspect of the Peninsula's value can be substantially improved.

STRATEGY

The overall strategy for protection of the Peninsula's landscape values is closely linked to the strategy regarding land use. The Mornington Peninsula Green Wedge is intended to remain an essentially rural area, both in terms of both the dominant land use pattern and landscape character.

Although there are a variety of landscape types based on the natural land form, which have been modified over time through historic land use, they are still predominantly rural in character and are intended to be protected from urban encroachment, further rural residential style subdivision or quasi-urban forms of development of all kinds, including commercial strip development on rural roads.

The Mornington Peninsula Localised Planning Statement (2014) provides a number of further strategic directions in relation to landscape protection and recreation in the Green Wedge, including the following:

Objective

To protect landscape and cultural values

Strategies:

24. Areas of special character, beauty and significance, including areas of strategic importance necessary to maintain the sense of separation between townships, will be designated and protected.

25. The character of the Peninsula's rural area, rural landscapes, coastlines and seascapes will be protected, including:

- a) conservation of sites and areas of historic, scientific and cultural value*
- b) provisions to ensure the appropriate siting and appearance of buildings and works*
- c) provisions to prevent intrusive commercial development, including service stations and signage on major roads.*

26. All development will be designed to respect and, where possible, enhance the natural environment, the rural landscape and scenic values of the Green Wedge.

27. 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.

28. Extractive industries will be contained to carefully limited works and sites.

Objective:

To recognise and protect the recreational role of the Mornington Peninsula and to make provision for appropriate tourism-based use and development.

Strategies:

35. 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.

36. Appropriate recreational activities will be supported, particularly where these promote understanding of, cultivate interest in, or are directly associated with rural pursuits, cultural heritage or the environment in its natural state.

41. 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

In addition to these directions it is also useful to further consider specific issues and potential actions.

Landscape Protection

Original work on landscape protection was carried out as part of the preparation of the initial planning controls (known as the Conservation Plan) in the mid 1970's.

Major reports at the time included the Westernport Region Conservation Survey (Conservation Council of Victoria 1974), Recorded Landscape classifications by the National Trust, and a Landscape Assessment of the Southern Mornington Peninsula for the Western Port Regional Planning Authority (George Seddon et al 1974).

These studies supported a general planning process involving the identification of 16 distinct areas or landscape units, assessing their elements, considering the "threatening processes" and developing policies and provisions to respond to these threats.

The protection of the Peninsula's distinctive landscapes continues to be a major planning objective expressed in both State and local policy, such as the Mornington Peninsula Planning Statement 2014; and in the provisions of the Mornington Peninsula Planning Scheme.

In terms of statutory planning controls, sixteen Environmental Significance Overlays (ESOs) based on the land unit classification discussed above, identify a number of attributes including landscape qualities and provide a general level of development and siting control. The ESO – Landscape Units are shown in Figure 15.

In addition, Significant Landscape Overlays (SLOs), control development in relation to six main cultural landscape elements:

- Scenic Roads
- Scenic Recreation Sites
- Scenic Vantage Points
- Coastal Landscapes
- Ridge and Escarpment Areas, and
- National Trust Classified Landscapes

Finally, the vegetation protection overlays (VPOs) also have an important landscape role, identifying the importance of native bushland for landscape, the contribution of significant tree lines (including vegetation along roadsides), and the importance of vegetation within township areas in blending these areas into surrounding landscape as well as providing local amenity.

Collectively, these Planning Scheme controls, based on the studies referred to above, provide the Mornington Peninsula with a greater level of landscape protection than exists in many other areas in Victoria.

However, quantifying landscape quality, and measuring change over time is difficult in both theory and practice. The concept of landscape character and the identification of the elements that contribute to a particular character or landscape type is one potential approach.

Equally, the notion that landscapes have a certain capacity to absorb (cumulative) change is also useful and raises the key question of whether an area is already at capacity or is likely to be changed in character by further development. For example, there is increasing concern regarding the size and scale of some dwellings as well as buildings and works associated with tourism-based development, which often appear designed to be “prominent”, rather than being located outside of major view

lines and designed to blend in with the landscape setting. Existing provisions of the planning scheme often provide a basis to require detailed landscape assessments and these requirements are more relevant than ever. These can be complemented by the proposed siting and design guidelines and site coverage controls proposed in other sections of this Plan.

In addition, while there is still value in the original landscape assessments prepared in the mid 1970’s it is considered that a review and update is warranted.

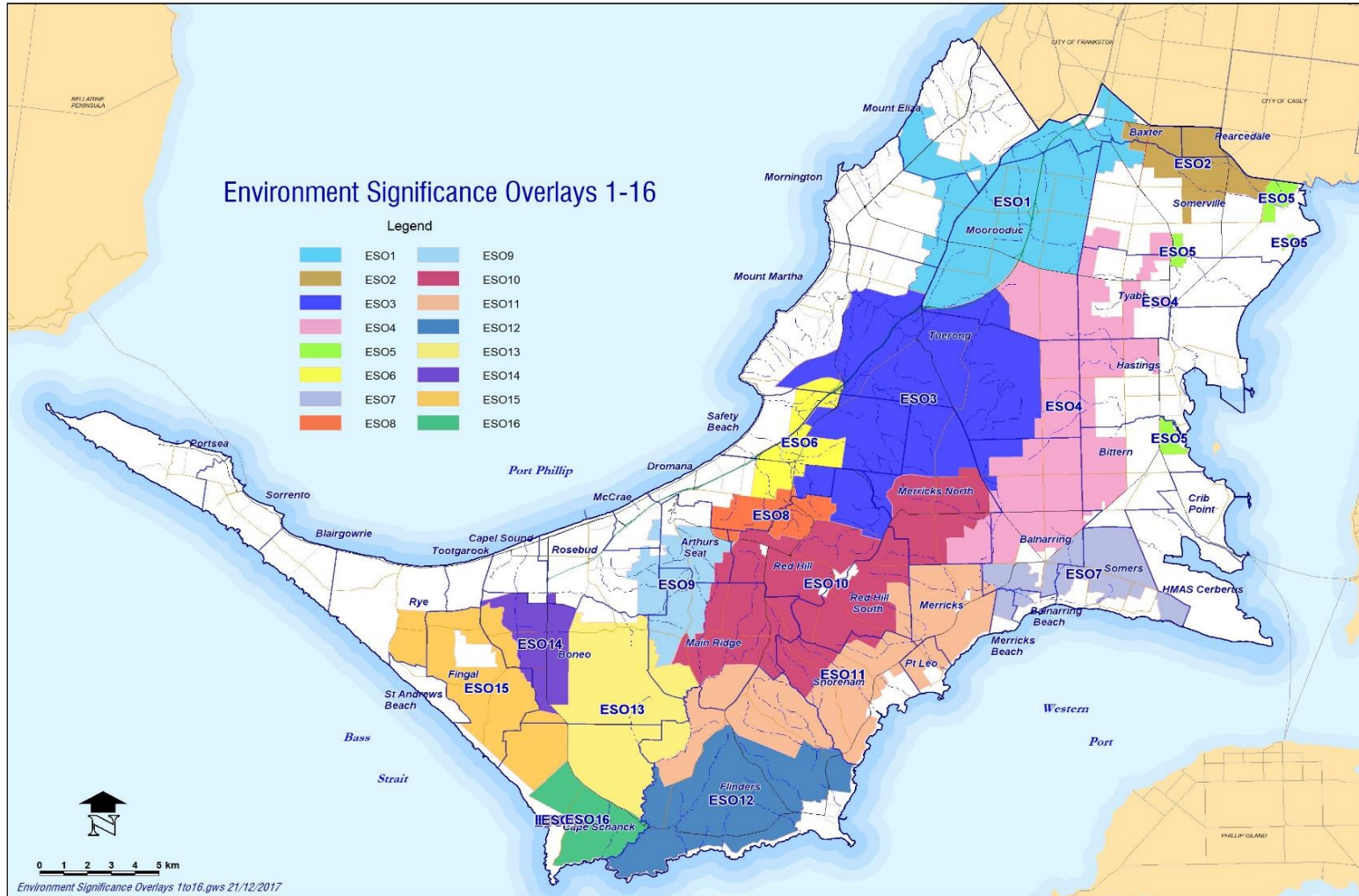
There is potential for a more systematic approach to landscape character description and assessment, including consideration of landscape sensitivity and having regard to the factors which influence visual impact. This should enable the identification of key characteristics and levels of sensitivity to change, as well as risk factors.

This in turn would support the development of appropriate landscape protection/management policies, including policies in relation to long-term vegetation management, and provide an ability to monitor changes in key landscape quality indicators over time.

There is also scope for specific controls over potentially intrusive factors, including roadside parking, windrow planting (which obstruct major (public) scenic vantage points), advertising signs, dwellings, large farm buildings, and major infrastructure installations (such as mobile phone towers, power lines and wind powered generators) to ensure that the Peninsula’s landscapes are not incrementally degraded – suffering a “death of a thousand cuts”.

Roadside areas are often particularly prominent and have a strong influence on landscape perception. In this context, land management, such as weed control, by both private land owners and public agencies may be considered (and resourced) as a landscape protection and enhancement measure, as well as having conservation/environmental value.

Figure 15 - Landscape Units of the Mornington Peninsula



Recreation in the Green Wedge

The Mornington Peninsula's landscapes are closely linked to its recreational role, and this was a key driver for the original introduction of planning policies to protect the Mornington Peninsula's rural area/green wedge from suburban encroachment. In this context, it is important to recognise both the type of recreation that the Peninsula is intended to support and to distinguish between meeting demands for informal leisure and recreation and provision for tourism-based development (as discussed in a Section 13 of this Green Wedge Management Plan).

The Mornington Peninsula has been seen as having particular value for "outdoor and unstructured recreation" – in other words landscape oriented recreation, based on the experience of nature, rural pursuits and cultural heritage

This form of recreation is usually provided as a "public good" often in public parks and on foreshores or (possibly) as an ancillary activity in conservation reserves, rather than through separate commercial enterprises. While there is a significant overlap between recreation and tourism-based use and development, recreational facilities generally have a lower footprint and less of a distinct presence than the more commercially oriented uses.

The range of relatively low impact recreation includes activities such as "leisure driving", bush walking, camping, horse riding and cycling as well as fishing and swimming. Many of these recreational opportunities are dependent on the experience of "getting away" from urban Melbourne. These have also been considered to be uses which the Peninsula can sustain at fairly high levels as Melbourne's population increases.

Accordingly, the recreational role of the Mornington Peninsula Green Wedge is seen as one which supports the rural character of Peninsula and provides opportunities for access to; and understanding and enjoyment of, a rural area - rather than encouraging the development of more formal, "urban type" recreational facilities or intensive tourism-based development which may be intrusive or "out of character".

That said, excessive levels of informal recreational activity in particular locations can also undermine landscape and biodiversity values. Accordingly, it is important for that the proposed Recreation Plan has regard to the "carrying capacity" of different areas and considers measures to manage, sustainable limits and distribute demand, rather than simply assuming an ability to accommodate an unlimited demand.

Recreational infrastructure

In terms of recreational infrastructure, public open space and trails are central to a "low impact" approach.

The Green Wedge contains a range of existing assets, including local parks and sports grounds, which serve mainly the local community, through to the larger areas of public land such as the Point Nepean National Park, Mornington Peninsula National Park, Arthurs Seat State Park and Devil Bend Natural Features Reserve.

Equally there is an important network of long-distance trails and pathways that has already been established. These are often shared trails for cyclists and pedestrians, and in some cases for horse-riding. Existing trails include the Two Bays Trail, the Merricks – Red Hill rail trail and the cycle path between Somerville, Balnarring and Somers.

While the Mornington Peninsula has strong natural assets and a reasonable level of existing recreational infrastructure, it is likely that demands will increase over time, increasing the need (and cost) of maintaining the existing asset base and requiring further investment to provide the capacity to meet increasing demand, and to increase the range of recreational opportunities.

For example, investment may be necessary to expand the capacity at sites such as the Briars historic homestead property, as well as at a range of local bushland reserves, to support greater visitation and better distribute recreational demands.

Increasing capacity may also require the acquisition of additional land areas, such as additional land to secure the Tootgarook Wetland reserve and establish appropriate visitor facilities, and new trail connections/upgrades, such as the Moorooduc to Mornington rail trail. Major regional scale infrastructure, such as the proposed regional Mountain Biking facility at Arthurs Seat, will continue to expand the Peninsula's recreational role and attraction, but also raises the challenge of funding and management.

A Green Wedge Recreation Strategy for the Mornington Peninsula, having regard to both local and wider regional demands, would provide an appropriate basis for further detailed planning and partnership with other levels of government.

Heritage and Cultural Heritage

The cultural heritage of the Mornington Peninsula Green Wedge can be considered in terms of both its pre-contact aboriginal cultural heritage and the post contact-period of European exploration and settlement. The landscape itself reflects both continuity with the pre-contact era and the changes that have occurred since European settlement in the early- mid 19th century

In pre-contact times, the Mornington Peninsula was part of the territory occupied by the Boon wurrung (or Bunurong) people, whose land stretched along the coast from roughly the Werribee River to Andersons Inlet, and up to the Dandenong Ranges.

Almost all of the European explorers who sighted the Mornington Peninsula in the late eighteenth and early nineteenth centuries reported seeing fires burning around the coast of both Western Port and Port Phillip bays.

The ancient pattern of hunter gatherer occupation was totally disrupted by European settlement. The introduction of pastoral leases in the mid-19th century was a final stage of that process, with the introduction of a "protectorate" between 1839 and circa 1856, delaying but not preventing the subsequent displacement and decline of the aboriginal population (Gordon 1997).

Archaeological research carried out on the Mornington Peninsula in the 1970s located many shell middens along coastlines and scatters of artefacts on farmland, particularly near waterholes, such as at Tyabb, however, most of the Green Wedge

has not been surveyed or assessed in any detail to establish the extent of aboriginal cultural heritage values.

Requirements under the *Aboriginal Cultural Heritage Act 2003* now provide a level of general recognition regarding locations and features which are most likely to be sensitive in terms of aboriginal cultural heritage.

In addition, the recent appointment of the Bunurong Land Council Aboriginal Corporation as the Registered Aboriginal Party (RAP) for an area which includes the whole of the Mornington Peninsula (and extends to south Gippsland) highlights an increasing level of recognition and respect for traditional owners on the Peninsula and provides an opportunity for further work with the State government and the RAP to recognise and protect aboriginal cultural heritage.

In regard to European heritage on the Peninsula, the Shire's heritage studies and heritage controls (Heritage Overlays) provide a level of recognition and protection, based on major themes in the Shire's history.

This history extends from initial exploration, through the pastoral era to closer agricultural settlement in the early 20th century and into the beginning of the pattern of use and development that can be seen on the Peninsula today. There are a number of major sites within the Green Wedge itself which provide a focus for historical interpretation, notably Coolart Homestead and the Briars. However, there is arguably a lack of accessible material to inform interpretation of cultural landscapes and this is a potential area for further investigation



Objective: Protect the landscape quality and rural character of the Green Wedge

Landscape quality and rural character are two of the most important values of the Mornington Peninsula Green Wedge and have been the focus of substantial policy and planning attention. However, landscape quality and character are easily disrupted by the cumulative effects of small decisions or matters which fall outside of planning controls, for example the planting of windrows, roadside weed control, and the location of earthworks, as well as more obvious impacts from the location and design of buildings, infrastructure and signage.

A comprehensive review of landscape assessment and management will assist in the protection of values in the future and provide a basis for more systematic monitoring and reporting on landscape condition.

Ref.	Actions	Priority
5.1.	Undertake a comprehensive landscape classification and condition assessment, including the development of landscape protection guidelines, to provide a basis for improved long-term management and monitoring of visual landscape quality.	High
5.2.	Review the Significant Landscape Overlays and other landscape protection controls based on the review of landscape classifications and conditions to provide for greater guidance in relation to the siting and design of all buildings in the Green Wedge, including on land at the edge of townships to ensure an appropriate interface is maintained.	High
5.3.	Review the extent of Vegetation Protection Overlays relating to significant tree lines to ensure consistency with current conditions.	Low
5.4.	Investigate the potential for controls over the planting of cypress hedges (and similar plantations or works) to protect significant view lines and views from roadways, and incentives for their removal; for example, as part of the Land Sustainability Rebate scheme.	High
5.5.	Develop a policy position and guidelines in relation to structures associated with agricultural uses including glass housing, broiler sheds and the like, and agricultural practices, including vegetation removal and windbreak planting, that may have a significant landscape impact.	Medium
5.6.	Develop a local policy in relation to buildings and works associated with tourism and leisure-based development including carparks, vehicle crossings, advertising/directional signs, fencing, earthworks and other structures and works that may detract from landscape quality, with further consideration of conditions relating to matters such as lighting, landscape maintenance and advertising displays that may also affect the character of the area.	High

Objective 2 - Maintain the long term recreational value of the Green Wedge

The Mornington Peninsula is recognised as a major recreational resource for the whole of the Melbourne region, and has a range of natural assets and infrastructure to support this role. However, with the increasing local and regional population the demand for recreation will continue to increase placing additional pressures on the resources and “carrying capacity” of the Peninsula Green Wedge. It is critical that future recreational needs are assessed and that the role of State and local government in responding to these changing demands is defined, particularly in relation to the funding of necessary infrastructure.

Ref.	Actions	Priority
5.7.	Seek support from the State government to develop a Green Wedge Recreation Plan. The Plan should among other matters: <ul style="list-style-type: none"> • identify current and likely future recreational demands generated by both local and regional population growth, • assess the likely impacts of such demands, • investigate means to manage the level and distribution of recreational demand in particular areas within sustainable limits. • assess the need for additional infrastructure and • determine the appropriate role of State and local government in responding to these changing demands. 	High
5.8.	Include consideration of the extension and improvement of off-road bicycle routes, walking paths and trail networks in the Green Wedge as part of future capital works budgets.	Ongoing
5.9.	Review the Shire’s Equestrian Strategy and seek to provide for safe riding while minimising the impact of horse riding on open space and roadsides.	Medium

Objective Identify, Protect and Enhance Green Wedge Heritage Assets

The landscape of the Mornington Peninsula is a product of the interaction between the natural features and human activity – and equally landscape values and cultural heritage are linked in the meaning of place. There is significant scope to increase the understanding of cultural heritage and interpretation of place within the Mornington Peninsula Green Wedge at a range of different scales – from the wide landscape to specific sites. This applies to the post contact history of the Peninsula, but even more so to Aboriginal cultural heritage, and with due regard to the need for the purpose, scope and process of any future work on Aboriginal cultural heritage to be determined by the representatives of the aboriginal community.

Ref.	Actions	Priority
5.10.	Investigate a co-operative research project with the traditional owners and State government to better recognise areas of Aboriginal cultural heritage significance within the green wedge and to provide for their better protection.	High
5.11.	Prepare guidelines to assist in the interpretation and protection of both indigenous and post contact cultural landscapes.	Medium
5.12.	Include post contact heritage sites in the Green Wedge in the current review of the Shire’s heritage studies	Ongoing



**Infrastructure planning,
design and management.**

15. INFRASTRUCTURE PLANNING, DESIGN AND MANAGEMENT

VISION

- *A place where infrastructure and facilities of all kinds are planned, designed, constructed and managed having regard to the needs of the community and the special character of the area.*

CONTEXT

Although the primary purposes of the Mornington Peninsula Green Wedge focus on conservation of the natural environment, the protection of the landscape, and sustainable agriculture, the Green Wedge is still a relatively active area, accommodating a wide range of land uses and activities.

As part of this mix and supporting the other social and economic activities in the Green Wedge, are the infrastructure networks which are the basic service systems and facilities which exist to provide a necessary foundation for other activities. This includes elements such as roads, rail lines, trails and paths, car parking areas, directional signage, public open space, water supply, sewerage and drainage systems, electricity and gas supplies, and telecommunication infrastructure. It also includes public facilities such as cemeteries, halls and emergency services facilities, such as fire and ambulance stations.

The Mornington Peninsula Shire has a range of existing strategies relating to various aspects of infrastructure planning and development, and it is not the role of the GWMP to replace or duplicate these documents. However, the following sections highlight a number of key infrastructure issues which relate to the Mornington Peninsula Green Wedge.

Road Network

The road network throughout the Green Wedge is arguably the single most significant infrastructure asset, providing an “essential service” for landowners, businesses and recreational visitors. The Shire’s municipal road network has a total length of approximately 1,710 km, including 350 km of unsealed roads. These road lengths do not include the freeways and arterial roads controlled and maintained by VicRoads.

The Shire’s Road Management Plan (2018) and Safer Local Roads (SLR) maintenance contract establishes levels of service and associated maintenance requirements. The

Unmade Roads Construction Strategy establishes priorities for construction based on a hierarchy of roads, with higher order roads (arterial roads and collector roads) carrying greater traffic volumes and giving greater emphasis to vehicle movement and roads lower in the hierarchy being primarily associated with lower volumes, lower speeds and the provision of property access (access roads and streets).

The planning policies for the Green Wedge specifically included road classifications that not only incorporated their movement and access function (which is standard in framing a road hierarchy), but also reference to their landscape character, including the classification of scenic roads.

This classification is now included in the planning scheme as Significant Landscape Overlay – Schedule 3, and is intended to assist in the exercise of discretion when considering either works within the road reserve itself, or (through local policy provisions) the siting and design of buildings and works on adjoining land. Significant tree lines and areas of native vegetation along roadsides are also identified through Vegetation Protection Overlays, and the quality of the roadside environment is a key element in maintaining the scenic character of many parts of the Green Wedge.

While there has been an emphasis on retaining and protecting roadside vegetation, and this objective is factored into the Shire’s roadside management regimes, it is also necessary to highlight the importance of maintaining open view lines in the Peninsula landscape. As noted in the Landscape section of the GWMP, there is a need to consider and address the obstruction of view lines through unmanaged roadside vegetation and the establishment of property frontage windbreaks and screen planting in critical scenic locations.

Signage on rural roads is also a perennial issue and while strict controls on advertising signage need to be maintained there is scope for review of directional signage and the use of new(er) technologies to improve visitor wayfinding.

The most recent element of significant road infrastructure within the Green Wedge has been the construction of Peninsula Link (2013) – a freeway standard connection between Frankston and the Mornington Peninsula Freeway, located to the east of Mount Martha, in effect providing an alternative route/ bypass of the Moorooduc Highway from Mornington to Frankston.

The construction of Peninsula Link has improved transport connections and, in some sections, provides another scenic route for visitors to the Peninsula. However, it has also substantially changed the landscape character of the northern Moorooduc Plain, and potentially the land use of adjoining properties. Notably, the construction of the freeway was soon followed (despite concerns raised by Council) by the construction of twin freeway service centres to the west of the Baxter township. These facilities compound the change in rural character resulting from the freeway construction and highlight the “flow on” effects of infrastructure decisions.

Future road projects which are of sufficient scale to have significant impact on sections of the Green Wedge are likely to be the upgrade of the Western Port highway from Baxter to Hastings, as part of the future port area /state industrial precinct development and, the potential extension of the Mornington Peninsula freeway, south of Rosebud, with current designated alignment through the northern section of the Tootgarook wetland.

The upgrade of the Western Port highway would be a significant project, with impact on existing landowners, but would essentially involve road widening works within an existing road corridor. In contrast, the extension of the Mornington Peninsula freeway would involve establishment of a new corridor (albeit within an existing reserve) and would potentially have a significant impact on the environmental values of the Tootgarook Wetland. In this context Council has resolved to seek a review of the alignment by VicRoads and investigation of potential alternative routes to address increasing traffic volumes and congestion on the southern Peninsula.

Rail

The passenger rail line between Baxter and Mornington was closed in June 1981. However, the section between Moorooduc and Mornington is still operated as a tourist/heritage train line by the Mornington Railway Preservation Society, and the Peninsula Link freeway has been designed to retain the potential to re-establish a line between Mornington and Baxter.

The only current rail service is the Stony Point line shuttle service, running from Frankston to Crib Point via Baxter, Somerville, Tyabb, Hastings and Bittern. This line is also important as the freight line connection to Blue Scope steel at Long Island, north of Hastings, and this function, along with the potential for future port development, was a significant factor responsible for retention of the line. The line currently operates a diesel “Sprinter” service with, on average, ten return passenger trips per day (and two return freight trips to Long

Island/Blue Scope). The Stony Point line is a single track only which limits the number of services that can be run per day.

The State government has funded the preparation of a business case to examine the feasibility of electrifying the rail line between Frankston and Baxter, facilitating the relocation of railyards to Baxter, and increasing the potential service frequency. Council has previously supported completion of a cost/benefit assessment of this project and more recently has advocated consideration of extension of electrification through to Hastings, which, as a Major Activity Centre, has greater capacity to absorb the demands associated with accommodating a major rail facility.

Extensions of major “corridor” infrastructure often raise the potential for urban expansion as a means of recovering costs/ capturing value “uplift” from major public investment of this kind. This was one of the key cautions identified by Council in relation to the Peninsula Link project, that is, the risk of increased speculation and pressure to change the Urban Growth Boundary. However, infrastructure projects do not necessarily lead to changes in the UGB, and the Peninsula Link project has not, to date, generated significant proposals for change, in part because it is designed as a rural freeway (with limited connections to the arterial network) and the alignment was well separated from the existing townships, with no “logical” infill option.

In this regard, the duplication/electrification of the Frankston/Baxter rail line, or further connections to Somerville, Hastings or Crib Point, is likely to generate consideration of “filling the gaps” between townships, and the eventual “consolidation” of townships into an urban corridor. There needs to be a clear position against such “logical extensions” if the separations between townships, which are critical to the distinctive settlement pattern of the Mornington Peninsula, are to be retained.

Regional Open Space

Open space and recreation planning for the Peninsula has identified a significant shortfall in the level of major open space facilities, particularly in relation to the growing demand for organised sport at the junior level.

Given the scale of facilities required to meet these demands (with Emil Madsen reserve being one example) and the shortage of large “green field” sites within the Shire’s Urban Growth Boundaries, it is logical to consider land within the Green Wedge which may be suitable for the provision of regional /district facilities over time.

While the specific location and design of sporting facilities will be addressed through other planning processes, it is important to note that a Major Sports and Recreation Facility, for outdoor recreation leisure and sport, is a permissible use in the Green Wedge Zone, and could include ancillary clubrooms.

However, an Indoor recreation facility is limited to those used for equestrian based leisure, recreation and sport. For example, a basketball stadium would not meet the Green Wedge Zone provisions, and could only be proposed through a (site specific) planning scheme amendment process.

Recreation and tourism infrastructure

The Sections of this Plan relating to Landscape, recreation and heritage, and to Tourism and leisure-based development include relevant comments in relation to the need for supporting infrastructure. It is particularly important to highlight the role of the townships in meeting current and future visitor demands.

Although the majority of townships are not technically within the Green Wedge (being contained within an Urban Growth Boundary) clearly there is a strong functional, social and economic relationship between the townships and the surrounding Green Wedge rural areas.

The townships in effect “host” infrastructure which serves the Green Wedge and visitors to the Green Wedge. Accordingly, in future planning relating to commercial activity, transport services and open space provision, it is important to consider the additional infrastructure capacity that is required to meet the demands of visitors.

The proposed Green Wedge Recreation Strategy is proposed as a means of better establishing future requirements and potential sources of funding for both construction and maintenance.

Water supply, drainage, sewerage and water recycling

Water supply is a significant issue in the Green Wedge in terms of both importance to agricultural industries and management of fire risk.

Access to reticulated potable water supply varies across Green Wedge area and many larger scale farming properties have access to their own independent supply through farm dams and/or ground water bore licences.

The Shire’s relatively moderate climate and usually reliable rainfall has been one of the Peninsula’s comparative advantages in the establishment of various agricultural enterprises and may become even more significant in response to predicted climate change impacts, which will tend to push production zones into areas with greater climate resilience. Access to recycled water in the long term will also support irrigation for high value food crops and support the Peninsula’s role in agriculture. The Food for Thought report (2018) also highlights the importance of State government investment in recycled water projects under the integrated water management framework.

In this context, the Shire’s ongoing work in the field of waste water recycling for agricultural purposes (and for other high-volume users – such as golf courses) is an important strategic initiative. This is the case even though the costs of providing recycled water, at a suitable quality on a very large scale, combined with water pricing policies, may not (yet) attract the level of take up necessary for full economic viability. In this regard, the existing Boneo Recycling Scheme has been an important pilot project and will provide a basis to support further for future projects and funding applications. It is also important that Council support for the use of recycled water also includes the need for appropriate hydrological and environmental assessments.

Water supply to townships is also variable and the Red Hill area is particularly dependent on static water supplies. In these areas, support for the fire management plans produced by the CFA is particularly critical and Council for example, recently funded an additional strategic water point storage tank in Red Hill (Eatons Road Cutting) based on CFA advice.

Melbourne Water have previously indicated that due to the relatively small resident population and the high costs of connection there is no current proposal to extend reticulated water supply to Arthurs Seat /Red Hill.

Recommendations from the Shire’s Smart Water Plan, which advocates an integrated approach to water supply, drainage and waste water management, most relevant to the Green Wedge are outlined in Table 5 below, while noting that this Plan is currently under review, in conjunction with State Government’s Integrated Water Management Forum process

Table 7 MPSC Smart Water Plan

Stormwater Treatment – Rural Land	Quality	Seek to reduce sediment and nutrient loads conveyed from agriculture areas into waterways and eventually discharged to Port Phillip and Western Port Bay. Support stream frontage investment by private landowners
Road Program – integrated drainage	Renewal	Unmade roads have been identified as one of the main contributors of pollutant loads. Ensure road renewal projects include drainage upgrades to improve the quality of stormwater discharged to the receiving waterways.
Groundwater management		Develop a Smart Groundwater Plan for the Shire with Southern Rural Water investigate groundwater use and quality in sufficient detail to allow clear identification of the opportunities and impacts of its use as a resource
Aquifer investigation	Recharge	Investigate opportunity for excess urban stormwater runoff to be treated and directed to aquifer recharge to protect existing and potential beneficial uses of groundwaters.
Rural Land owner capacity building		Develop a community education program, aimed at promoting actions to address key issues such as reducing stock access to waterways, reducing sediment and nutrient laden runoff entering waterways by the provision of adequate buffer zones, extending riparian vegetation, increased water harvesting and the like.
Recycled Water cluster identification pipeline		Identify opportunities for groups of recycled water users to source water from Eastern Treatment Plant Outfall pipeline.
Septic Tank Monitoring	System	Seek to reduce the volume of wastewater containing nutrients and bacteria seeping into the underlying ground water and entering streamlines.
Flow Studies	Management	Seek opportunities to remove disused farm dams or ones in poor condition to increase environmental flows in the upper and middle reaches of waterways.

Electricity Supply and Alternative Energy Infrastructure

Council recognises the importance of a reliable electricity supply network, with associated maintenance and fire hazard reduction requirements. Council also supports investigation of alternative and renewable energy technologies that are consistent with achieving carbon neutrality goals.

While the detailed planning of these networks and facilities is beyond the scope of this Plan, the design, siting and maintenance of all infrastructure should have regard to the landscape and biodiversity of the Mornington Peninsula Green Wedge. This may include the need for site and location specific solutions to protect important values, such as locating infrastructure to avoid impact on viewlines and landscape character, selecting locations to avoid or minimise the need for vegetation removal and selective management of vegetation as part of maintenance programs. It is critical that service authorities, supply companies and their contractors engage with Council at an early stage in project planning to support appropriate outcomes.

Communications Infrastructure

The Shire has been a major advocate for improved communications infrastructure to improve services for rural residents, businesses and visitors. While these systems are increasingly important for both routine and emergency purposes, there is also a need to consider the design and siting of major infrastructure installations to protect landscape values and minimise impact on surrounding rural residents.

When installing large telecommunications facilities such as mobile phone towers, telephone companies generally need to obtain local council planning permission and comply with relevant state and territory planning laws. However, telephone companies licensed by the Australian Communications and Media Authority (ACMA) as 'carriers' may install a limited range of facilities without seeking state or territory planning approval. The most common of these are 'low-impact facilities'. Facilities such as overhead cabling and freestanding mobile phone towers are not classified as low-impact facilities and their installation requires local council approval.

Carriers are encouraged to share sites or co-locate new mobile phone facilities in order to minimise the proliferation of facilities across multiple sites. The Code of Practice requires a carrier to take all reasonable steps to use existing facilities when installing a low-impact facility.

Clause 52.19 of the Planning Scheme sets out specific requirements and considerations in relation to Telecommunications Facilities, which include the decision guidelines in any Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, that may apply to the proposed site. This provides a mechanism for Council to propose specific siting and design guidelines within the Green Wedge, such as a requirement for an additional landscape impact report.

Disposal of Easements and Reserves

A further issue has recently arisen with the proposed disposal of easements and reserves by public authorities and service agencies. In these cases, Council's policy has been to avoid fragmentation of rural land and to only support such disposal with the Green Wedge subject to consolidation with adjoining rural titles. As noted in Section 11 Biodiversity and conservation the potential value of such "surplus" land for habitat areas or bio-links should also be considered

Schools

Primary and secondary schools have recently been included as a use that may be considered in the Green Wedge. While there are a number of existing schools within the Green Wedge area there is a need for caution in the consideration of future school proposals as they potentially impose significant constraints on the use of surrounding rural land and may be better located in township areas and in closer proximity to their student catchment.

Extractive Industry

Extractive industry sites are considered to be an element of essential infrastructure although they are generally operated as commercial businesses rather than public utilities. Hillview Quarries currently operates an extractive industry site on Hillview Quarry Drive, Dromana and is currently seeking approval to recommence extraction at a second site (Pioneer Quarry), off Boundary Road, Dromana. The application to recommence extraction is currently subject to an Environmental Effects Statement process.

PLAN MELBOURNE 2017 -2050 provides strong support for extractive industries and states:

Policy 1.4.2

Identify and protect extractive resources (such as stone and sand) important for Melbourne's future needs

Melbourne's demand for extractive resources is expected to almost double by 2051.21 This demand will be driven largely by sustained growth in the residential sector—including Melbourne's growth corridors—and strategic projects such as Fishermans Bend, the Metro Tunnel and major road upgrades.

Extractive industry resources in green wedges and peri-urban areas need to be protected and carefully planned to provide for Melbourne's needs without impacting on local amenity. Effective strategic planning for these resources will increase industry certainty and improve community confidence...

If not managed, urban encroachment, rural residential expansion and other incompatible development will constrain the operations of existing quarries and curtail future supplies of extractive resources—endangering Melbourne's medium- to long-term growth prospects. To secure a long-term supply of extractive resource materials at competitive prices, current extractive industries must be protected and future extractive resource areas must be identified.

Equally, the provisions of the Green Wedge Zone make specific reference to extractive industry stating as a purpose of the zone:

*To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, **and mineral and stone resources (emphasis added).***

Clauses 52.08 (Earth and Energy Resources Industry) and 52.09 (Stone Extraction and Extractive Industry Interest Areas) of the planning scheme provide further specific provisions in relation to the protection of resources and the management of extractive industry sites.

Council recognises the policy priority that is given to the protection of extractive industry resources. The original Statement of Planning Policy No. 2 (as varied 1976) also noted that:

In addition to its significance for nature conservation and recreation, the Mornington Peninsula has importance for agriculture and extractive industry purposes.

However, the background report to the Statement also commented:

“Another undesirable development on the Peninsula is the opening up of new quarries to meet the increasing demands for construction materials for urban development. Admittedly, the granite quarried from the two operations at Arthurs Seat provides enough crushed stone to meet the present community’s needs at a competitive price. As future needs arise, these operations could be extended. However, extensions would need to be carefully timed and staged with strict conditions of reclamation built into the exercise because of the proximity of this resource to attractive residential areas and natural habitats within the “ Scenic Area”.

The possibility of opening up alternative sites must be weighed against the actual need for extracting crushed stone in areas of natural and scientific interest and the opportunities for extracting stone from areas closer to large urban settlements where the damage to the environment would be less material.”

SoPP2 concluded that extractive industries should be contained to carefully limited works and sites, with regulation of the use of land to ensure that staging of development and subsequent reclamation are affected without significant detriment to the recreational and scenic value, and biological and geological significance of the surrounding area or to, the human environment.

Similarly, the Mornington Peninsula Localised Planning Statement (2014), in relation to protecting landscape and cultural values states that: (28) Extractive industries will be contained to carefully limited works and sites.

Waste Management and Landfills

The Metropolitan Waste Resource Recovery Group (MWRRG) is a Victorian State Government Statutory Body responsible for coordinating and facilitating the delivery of waste management and resource recovery across metropolitan Melbourne and includes the Mornington Peninsula Shire.

Although there are currently two operational landfill sites in the Green Wedge (the municipal waste facility at Rye and a private waste facility at Devil Bend) there are no future landfill

sites designated on the Mornington Peninsula under the Metropolitan Waste and Resource Recovery Implementation Plan 2016. The Implementation Plan was developed by the MWRRG in consultation with Councils through the Metropolitan Local Government Waste Forum, of which Council is a member.

This plan emphasises the need to investigate alternative waste minimisation and disposal technologies and Council is committed to this initiative, rather than the supporting g new landfill sites in the Green Wedge.

STRATEGY

A range of existing State government and Council strategies and plans relate to various elements of infrastructure, with varying degrees of relevance to the Green Wedge, given that the major focus of infrastructure provision is generally on Major Activity Centres and the townships, as the areas of greatest demand and population density.

It is not proposed to outline the individual strategies in detail as the most relevant aspects have been identified in the preceding commentary.

Shire strategies with most relevance to the Green Wedge include:

Roads and transport

- Mornington Peninsula Access and Mobility Study – Transport Plan (2007).
- Road Management Plan 2018 (levels of service).
- Unmade Roads Construction Strategy.
- Footpath Construction Strategy.
- Roads to Recovery Program (Federal funding for road maintenance improvements) Road Improvement Strategy (pending) – Arterial and collector road improvement program with prioritisation based on road safety, transport volumes and condition. Will determine prioritisation of road improvements for consideration in internal and external funding, and inform the Safer Local Roads contract.
- Towards Zero municipality initiative - Alignment with Victoria’s road safety strategy to create a safe system on Shire roads which includes Safer Roads and Roadsides, and Safer Speeds (as well as Safer Vehicles and Safer People). Could include a number of measures such as review of speed limits on rural roads and infrastructure to improve road safety
- Sustainable Transport Strategy.

- Ridesafe Strategy (improvements to cycling facilities such as sealing road shoulders for cyclists or installation of cycling lanes).
- Roadsides Fire Management Plan / Freeway reserve fire management plan.

Drainage and water management

- Smart Water Plan (Integrated Water Management Plan).
- MPSC Stormwater Management Plan (including control of runoff into Creeks from agricultural land use).
- Integrated Local Flood Management and Drainage Strategy.
- Domestic Wastewater Management Plan.
- Boneo Recycled Water Scheme.

Open space, recreation and wellbeing

- Health and wellbeing strategy – delivery of community services.
- Open Space Strategy.
- Active sports strategy.
- Roadside Equestrian and Mountain Bike Trails Strategy 2014-2019.
- Enhancement of the Shire's trail network.
- Municipal Fire Management Plan.

Open Space Management Plans and area specific infrastructure projects

- Management Plans for specific recreation and open space areas – such as Emil Madsen Reserve, Mount Eliza Regional Park, (major reserves which are technically located within the Green Wedge being outside the UGB).
- Bushland Reserve management plans and fire management plans

Waste management and disposal

- Metropolitan Waste and Resource Recovery Implementation Plan 2016.

Objective: Ensure infrastructure and facilities of all kinds are planned, designed, constructed and managed having regard to the needs of the community and the special character of the area.

Infrastructure is an important element in the fabric of the Green Wedge and delivers critical functions in terms of transport, communications and other needs. The term “infrastructure” covers a wide range of the facilities that support the community. The planning, design, construction and ongoing management of various forms of infrastructure have a significant influence on the social and economic life of the Green Wedge and, through their design, have a strong influence on the environment and landscape. Decisions regarding new infrastructure projects and the management and maintenance of existing systems and assets should respond to the key values of the Green Wedge and seek to minimise and mitigate any potentially adverse impacts.

Ref.	Actions	Priority
6.1.	Seek to better understand the needs of Green Wedge communities, with particular attention to transport and alternative forms of service delivery.	Ongoing
6.2.	Advocate for the duplication/electrification of the Frankston/Stony Point rail line to Hasting but oppose changes to the Urban Growth Boundary and the creation of an urban corridor.	Ongoing
6.3.	Complete the review of the Shire’s Smart Water Plan in conjunction with the State Government’s Integrated Water Management Forum process.	High
6.4.	Continue to strongly advocate for waste water recycling projects, including investigation and sponsorship of pilot projects, and recognising the need for appropriate hydrological and environmental assessments.	Ongoing
6.5.	Develop a policy and guidelines in relation to the planning, design construction and management of major infrastructure including roads, telecommunication infrastructure, electricity supply infrastructure, solar farms, wind turbines and the like to minimise impact on the rural landscape and rural land use and on the amenity of rural residents.	High
6.6.	Ensure that Roadside Management Plans and road projects recognise the importance of road design, road safety features and roadside vegetation in terms of both biodiversity and landscape character	Ongoing
6.7.	Prioritise increasing water supply/storage capacity as part of the Municipal Fire Management Plan.	High
6.8	Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected.	Ongoing

8 IMPLEMENTATION AND REVIEW

The Mornington Peninsula Green Wedge Management Plan seeks to address current and emerging issues, with a range of actions proposed over a number of different timeframes. A summary of all of the proposed actions is included in Appendix 3.

Some actions – noted as high, medium and low priorities in the action tables, are intended to be undertaken within an initial five-year period – high (1 – 2 years), medium (2 - 4 years), low 4 – 5 years). This is a timeframe in which Council seeks to achieve significant progress and improvement in the framework for management of the Green Wedge. However, it is dependent on the engagement, support, and cooperation of the State government, agencies, landowners, business operators and other stakeholders.

The funding and timing of all projects will be subject to approval through Council's annual budget review process. All planning scheme changes will also be subject to the statutory process for planning scheme amendments, including public consultation, as provided in Part 3 of the Planning and Environment Act 1987.

From another perspective, the Plan is intended to express long-term commitments and strategies, extending to 2039 and beyond, with a range of further actions that are “ongoing”.

Equally, some of the actions included in the current Plan are intended to inform future changes in policy, both by Council and other levels of government. For example, the proposed development of a Recreation Plan for the Mornington Peninsula Green Wedge aims to focus attention on the need to anticipate future recreational demands from across the whole of the metropolitan area, and particularly the south-eastern region, which are likely to increase the need for funding for recreational infrastructure and facilities. In this sense, the GWMP is intended to be a “rolling plan” and the current document is simply a starting point.

The monitoring and evaluation of progress in relation to the GWMP actions is one of the key mechanisms to identify barriers and emerging issues, and to identify the need for alternative/additional actions.

In this context, it is intended to report on the implementation of actions every two years. In addition, given the recommendation to give effect to the Green Wedge Management Plan in part through changes to the planning scheme, a further general review of the Plan will occur as part of the review of the Planning Scheme which occurs every four years (that is, within 18 months of a Council election, which occurs every four years) or such other period as directed by the Minister.

Ref.	Actions	Priority
7.1	Maintain a Green Wedge Management Plan webpage and investigate the value of including the GWMP as an online dynamic document (i.e. one which can be progressively updated over time as per the Port Phillip and Western Port CMA Regional Catchment Strategy).	High
7.2	Develop and seek approval for an appropriate planning scheme amendment to give effect to the adopted 2018 Green Wedge Management Plan as part of the Mornington Peninsula Planning Scheme	High
7.3	Advocate to DELWP to establish an annual forum with other Green Wedge Councils, and with other land management agencies to bring a focus to green wedge issues and to explore best practice, joint projects and opportunities for funding.	High
7.4	Prepare an implementation progress report to Council at least every two years, with a general review every four years, as part of the required review cycle for the Council Plan and the Mornington Peninsula Planning Scheme.	Medium
7.5	Work through the Interface Councils Group and the South-Eastern Municipalities Group of Councils to promote recognition of the State and regional value of the Mornington Peninsula Green Wedge.	Ongoing
7.6	Develop additional progress indicators, for example in relation to biodiversity, landscape quality and land use patterns that can be used to inform more effective monitoring and reporting in terms of the core purposes and objectives of the Green Wedge.	Medium
7.7	Develop annual action plans to support the implementation of the GWMP for consideration by Council as part of the annual budget review process.	Ongoing



Abbreviations and glossary

Abbreviations

BCP	Biodiversity Conservation Plan (MPSC)
BLCAC	Bunurong Land Council Aboriginal Corporation
CMA	Catchment Management Authority
DEDJTR and	Department of Economic Development, Jobs, Transport and Resources
DELWP	Department of Environment, Land, Water and Planning.
DPI	Department of Primary Industry
ESO	Environmental Significance Overlay
EPA	Environment Protection Authority
EVC	Ecological Vegetation Classes
GIS	Geographic Information System
GWMP	Green Wedge Management Plan
GWZ	Green Wedge Zone
HO	Heritage Overlay
LPPF	Local Planning Policy Framework MPA
MPWPBR Reserve	Mornington Peninsula and Western Port Biosphere Reserve
MPLPS	Mornington Peninsula Localised Planning Statement

MPPS	Mornington Peninsula Planning Scheme
MPSC	Mornington Peninsula Shire Council
MSS	Municipal Strategic Statement
MW	Melbourne Water
PPWPCMA	Port Phillip Western Port CMA
PV	Parks Victoria
SLO	Significant Landscape Overlay
SPPF	State Planning Policy Framework
SRW	Southern Rural Water
SUZ1	Special Use Zone – Schedule 1 Port Related Uses
SUZ2	Special Use Zone – Schedule 2 Private sportsgrounds, religious, health and educational establishments
SUZ3	Special Use Zone – Schedule 3 - Airfield Development
SUZ4	Special Use Zone – Schedule 4 - Recreational Development
UGB	Urban Growth Boundary
VCAT	Victorian Civil and Administrative Tribunal
VPO	Vegetation Protection Overlay
VPP	Victorian Planning Provisions

GLOSSARY

Term	Definition
Agriculture	Land used to: <ul style="list-style-type: none"> a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters source: MPPS
Agriculture rate	<p>The Agricultural Rate is set at 35% of the general rate on land (not including the house and curtilage). The property must firstly be classified as "farm land" in accordance with the provisions of the Valuation of Land Act 1960 in order to qualify. Farm land is land:</p> <ul style="list-style-type: none"> (a) that is not less than 2 hectares in area; and (b) that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities; and c) that is used by a business— <ul style="list-style-type: none"> (i) that has a significant and substantial commercial purpose or character; and (ii) that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and (iii) that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Term	Definition
	Refer: https://www.mornpen.vic.gov.au/Your-Property/Rates-Valuations/How-are-my-rates-calculated#Rates-3
Development Envelope	A defined area on a lot which contains all buildings and works, including outbuildings, open space and carparking areas associated with a particular use, but excluding access driveways which do not provide direct access to parking spaces.
In conjunction with test	<p>As defined under the Mornington Peninsula Planning Scheme Clause 64.02; If a provision of the scheme provides that a use of land must be used 'in conjunction with' another use of the land:</p> <ul style="list-style-type: none"> a) there must be an essential association between the two uses; and b) the use must have a genuine, close and continuing functional relationship in its operation with the other use.
Land Sustainability Rebate	<p>A rebate of 25% on the rates payable on the property (not including the house and curtilage) which is available to rate payers whose properties are two hectares in area or greater, which do not receive the Mornington Peninsula Agriculture rate and which meet the criteria for a sustainable property, or commit to a plan to improve their property in a sustainable way</p> <p>Refer: https://www.mornpen.vic.gov.au/Your-Property/Rates-Valuations/Rates-rebates-concessions-and-exemptions/Land-Sustainability-Rebates</p>

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APPENDIX 1 DRAFT DWELLINGS IN THE GREEN WEDGE POLICY

22.23 DWELLINGS IN THE GREEN WEDGE AND SPECIAL USE ZONES

This policy applies to the use and development of land for a dwelling, including a caretaker's dwelling, and the development of land for the purpose of providing bed and breakfast accommodation in association with a dwelling, in any of the following zones:

- Green Wedge Zone – other than land within the Cape Schanck resort and lots under 1 hectare on the west side of Cape Schanck Road.
- Special Use Zone – Schedules 1,2,3 and 4

22.23-1 Policy basis

This policy builds on the Planning Policy Framework (PPF) Clause – 11.01-1R Green wedges - Metropolitan Melbourne, with the Objective: To protect the green wedges of Metropolitan Melbourne from inappropriate development.

This policy also builds on PPF Clauses:

11.01 – 1S Settlement;

11.06 -5S Distinctive areas and landscapes;

12.05- 2S Significant environments and landscapes;

14.01-1S Protection of agricultural land; and

14.01-1R Protection of agricultural land – Metropolitan Melbourne.

Clause 11.06-5S requires consideration as relevant of the Mornington Peninsula Localised Planning Statement (Victorian Government, 2014).

The Localised Planning Statement specifically provides that:

32. The use of land for rural living will be managed to limit the impact on the sustainable agricultural use of land and to ensure recognition of the need of farms to operate without excessive constraint in a rural environment.

33. The residential occupation of rural land in the Green Wedge will be linked to and conditional upon measures to limit:

- a) the impacts on agriculture, biodiversity, cultural heritage significance and landscape character
- b) the impact of the proposed dwelling on both the existing and potential use of adjoining rural land.

34. The residential occupation of rural land in the Green Wedge will be linked to and conditional upon the occupiers' clear recognition and acceptance of the potential for agricultural use of nearby land to affect future amenity and a clear proposal to ensure a positive contribution to the objectives of sustainable agriculture, or the protection and enhancement of heritage, biodiversity and landscape values, or some combination of these goals consistent with the values, opportunities and constraints of each site.

The Municipal Strategic Statement (MSS) Clause 22.09-2 Supporting agriculture and primary production also aims to:

- Recognise the productive capacity of rural land on the Peninsula and the value of maintaining agricultural land as part of the Peninsula's strategic planning framework.
- Support sustainable agricultural land use as a means of effectively managing and conserving rural land and landscapes and achieving the productive use of land for agricultural purposes.

These policies and the introduction of the Green Wedge Zone in 2003, requiring planning approval for all new dwellings, reflect an increasing concern that unregulated use of rural land primarily (or exclusively) for residential purposes (rural living) represents a major threat to the ongoing availability of good quality agricultural land on the fringe of Melbourne for productive purposes.

Nowhere is the threat more apparent than on the Mornington Peninsula

The Mornington Peninsula remains a productive agricultural area, with key advantages including versatile soil types, access to water and proximity to markets. The total value of agricultural production in 2014 exceeded \$1 billion per annum.

Strong subdivision controls since the mid 1970s have limited the further fragmentation of rural land. However, there remain a significant number of vacant lots i.e. lots which do not currently contain a dwelling, representing nearly a quarter of the total land area within the Green Wedge, and therefore there is a potential risk of a significant loss of productive land if these lots are used exclusively for the purpose of rural living.

Through this policy Council seeks to ensure that land within the Green Wedge is only used for the purpose of a dwelling where it is proposed in conjunction with a substantial and sustainable use of land for an agricultural purpose and/or increasing habitat areas and biodiversity. In all cases Council seeks to ensure good land management and the protection of landscape values.

While the scale and intensity of an agricultural or conservation based use may not strictly necessitate the construction of a dwelling, it is considered that the proposed use and development of any dwelling in the Green Wedge Zone and Special Use Zones must demonstrate a substantial, sustainable and productive use of the land, excluding the dwelling building envelope, for an agricultural purpose and/or a substantial, sustainable and appropriate conservation based use, having regard to the location, size and characteristics of the land, including consideration of surrounding land uses. A conservation-based use, including a permanent increase in habitat areas, may be a more appropriate option on some smaller properties.

The primary mechanism for implementation of this policy will be a requirement for the approval of a satisfactory Land Management Plan as part of any dwelling application. In addition, the policy requires land owners to enter into section 173 agreements to better secure the implementation of approved Land Management Plans. The use of a Section 173 agreement is also intended to ensure that prospective purchasers of land are aware of

ongoing requirements and to thereby avoid the need for formal enforcement processes.

It should be recognised that the residential use of rural land is not a purpose of the Green Wedge Zone and there should be no presumption that a dwelling will be approved on every existing title within the Green Wedge.

Applications which propose the use and development of a dwelling on the remaining vacant lots must also avoid:

- Adversely affecting significant viewlines or the landscape character of the rural area.
- Direct or indirect changes that can adversely affect biodiversity and natural systems, such as through changes to the water table.
- Changes which unnecessarily exclude or significantly limit agricultural use and farm management practices, both on site and on adjoining land.

22.23- 2 Objectives

- To ensure that the use and development of land for a dwelling occurs only in conjunction with the use of the land for a substantial, sustainable and productive agricultural use and/or the protection, conservation and enhancement of the Peninsula's habitat and biodiversity.
- To ensure appropriate land management including the control of weeds and feral animals.
- To avoid significant constraints on the existing or future use of land for agriculture and/or conservation-based activities by ensuring the appropriate siting and design of dwellings.
- To locate new dwellings in such a way as to minimise their impact on agricultural use (existing and potential), and on landscape, cultural heritage and biodiversity values, on the site, on adjoining land, and across the wider area.
- To ensure that applicants intending to occupy land in the Green Wedge are fully aware of, and recognise, the importance of productive agricultural activities in the Green Wedge and the fact that these activities potentially produce emissions or other off-site impacts that may affect their amenity.

- To ensure that applicants intending to own and/or occupy land in the Green Wedge are fully aware of their obligations in relation to proper land management.
- To minimise infrastructure demands associated with new dwellings.
- To avoid any dwelling having the appearance of being more than a single dwelling.
- To avoid the proliferation of dwelling like structures in the Green Wedge as a result of the retention and conversion of existing dwellings to non-residential use in association with the approval of any new replacement dwelling.
- To ensure the clustering of all buildings, including outbuildings and structures associated with a dwelling, as far as reasonably practicable to avoid loss of productive agricultural land, reduce the development footprint and limit landscape and biodiversity impact.
- To avoid as far as reasonably possible the planting of windrows, tree lines or other vegetation or structures that will obstruct long range view lines.
- To ensure any building used for the provision of bed and breakfast accommodation presents as part of the dwelling rather than as a separate secondary dwelling.

22.23- 3 Policy

It is policy that:

General

Land within the Green Wedge should not be used or developed for the purpose of a dwelling unless in conjunction with the use of the land for:

- a substantial, sustainable and productive agricultural use; and/or
- a substantial, sustainable and appropriate use of the land for habitat restoration and biodiversity protection purposes; and/or
- a public recreational use linked to and dependent on one or more of: agriculture, habitat restoration, protection of biodiversity or conservation of significant cultural heritage sites/values on the land.

Land should not be used for a dwelling if any of the following apply:

- The land has been disposed of by a public authority or utility service provider since the approval date of Mornington Peninsula Planning Scheme Amendment C168. This does not apply to lots of more than 40 hectares.
- The lot is described in a Certificate of Title that has been issued to recognise adverse possession.

Recognition of potential for amenity impacts from agricultural use.

The occupation of rural land should be linked to and conditional upon the applicant's clear recognition of the importance of productive agricultural activities in the Green Wedge and the fact that these activities potentially produce emissions or other off-site impacts that may affect their amenity.

Recognition of the need to contribute to Green Wedge purposes.

The occupation of rural land should be linked to and conditional upon the applicant's clear recognition of the need to make an appropriate and substantial contribution to the objectives of productive agriculture, and/or the protection and enhancement of heritage, biodiversity and landscape values, or some combination of these goals consistent with the values, opportunities and constraints of each site, and with ensuring sustainable land management

Number of dwellings on a site

Only one dwelling (other than a removable dependent person's dwelling) may be approved on any lot. If an existing dwelling is to be replaced by a new one, then the existing dwelling should be removed on occupation of the new dwelling and, other than in exceptional circumstances, shall not be retained for conversion to an alternative use.

Replacement dwellings should meet the Siting and Design requirements of this policy.

Information to accompany any application

An application for the use or development of land for a dwelling should be accompanied by:

- A site analysis and existing conditions report, including, as relevant, an agricultural land capability report, indicating the capacity of the land to sustainably support specific forms of agricultural land use and/ or a vegetation and biodiversity assessment indicating the suitability of the land to support increases in habitat, biodiversity and long-term conservation, prepared by persons with relevant expertise,
- A site development plan, including the proposed location of all proposed buildings and works. The site development plan should include the definition of a building envelope on the site which meets the requirements set out in the Siting section of this policy
- A landscaping plan, indicating all proposed landscaping and revegetation works and having regard to the protection of scenic landscapes and roadscares.
- An assessment of the impact of the proposed land use and development in accordance with the decision guidelines of the Green Wedge Zone, with particular regard to the impacts on agriculture, biodiversity, cultural heritage significance and landscape character, as well as on the existing and potential use of adjoining land,
- A proposed Land Management Plan that demonstrates that the use of the land for the purpose of a dwelling will only occur in conjunction with the use of the land for one or more of the primary purposes of the Green Wedge as outlined below.

Land Management Plan requirements:

- If the dwelling is proposed primarily on the basis of supporting an agricultural use of the land, the Land Management Plan (LMP) must demonstrate the proposed use of the land for a substantial, sustainable and productive agricultural purpose. In assessing a proposed LMP the responsible authority may have regard to whether the land, on implementation of the plan, would meet the definition of farm land under Section 2(1) of the Valuation of Land Act 1960 and the eligibility criteria for the Agricultural rate
 - If the dwelling is proposed primarily on the basis of supporting increases in habitat and biodiversity conservation objectives, the Land Management Plan (LMP) must demonstrate an appropriate and substantial use of the land for habitat restoration and biodiversity

protection purposes. In assessing proposed LMP the responsible authority may have regard to proposals to secure the future management of habitat areas, for example through the inclusion of all or part of the land in a conservation covenant with the Trust for Nature or similar mechanism. The responsible authority may also consider whether the land, once the LMP is implemented would meet the eligibility criteria for any Land Sustainability Rate or rebate.

- If the dwelling is intended to support a public recreational use of the land, the Land Management Plan must demonstrate that the proposed recreational activity is linked to and dependent on one or more of: agriculture, habitat restoration, protection of biodiversity or conservation of significant cultural heritage sites/values on the land; and that substantial new opportunities for public access to recreational opportunities will be created.
- A Land Management Plan may include proposals to use land for a combination of agricultural, biodiversity conservation/restoration and public recreational purposes and will be assessed having regard to the relevant criteria.

The Land Management Plan must identify the opportunities and constraints that have been taken into consideration and include an explanation of how the Plan recognises and responds to

- the natural features and values of the land
- any land capability assessment,
- each individual overlay that applies to the land
- the requirements of this policy

The Land Management Plan (LMP) must include an implementation plan indicating the works and other actions which are proposed to be undertaken prior to the construction of any approved dwelling, and the subsequent stages required to fully implement the LMP to the satisfaction of the responsible authority. The implementation plan may propose the provision of a bond or other financial security prior to the commencement of construction of the dwelling and in this case the implementation plan must include a cost estimate for the pre-commencement works to the satisfaction of the responsible authority.

General Land Management

In all cases the Land Management Plan should provide for appropriate land management and have regard to the protection of environmental, cultural heritage and landscape values. The Land Management Plan should include, as appropriate:

- The protection and enhancement of any significant native vegetation or fauna habitat on the land;
- Measures to be taken to ensure sustainable land management, including eradication of pest plants such as blackberry, ragwort, thistle and gorse.
- The protection and enhancement of any heritage values including actions to ensure heritage conservation;
- The exclusion of any fencing and freestanding walls that do not have a rural character;
- The exclusion of planting hedge lines or similar landscaping proposals, which, at maturity will form a solid visual wall, or the construction of any structure, bund wall or similar earthworks or other artificial barriers that obstruct existing view lines;
- The opening and maintenance of any significant view line available from the public realm by the removal of existing vegetation, earthworks or other artificial barriers;
- The removal of any former dwelling or derelict buildings on the land that are not of heritage value;

Siting

- Any dwelling and all buildings and works associated with the dwelling, including but not limited to swimming pools, domestic outbuildings, tennis courts, ornamental gardens, stables, ménages and other buildings and works ancillary to the dwelling, including domestic effluent disposal fields, to the extent that is reasonably possible, but excluding buildings required for agricultural purposes, including haysheds and pump sheds, should be contained within a defined building envelope

shown on the Land Management Plan, consisting of no more than 10 % of the site area or 2,000 square metres, whichever is the lesser.

- Any dwelling should be located so as to minimise the impact on agricultural use (existing and potential), and on biodiversity values, both on the site and on adjoining land, consistent with maintaining landscape and conservation values.
- A dwelling should be located to avoid the need for removal of existing vegetation for fire prevention purposes and having regard to the requirements Bushfire Management Overlay.
- A dwelling should be located to protect existing native vegetation and maintain opportunity for revegetation to achieve future connectivity between significant stands of native vegetation in the area.
- A dwelling, and associated infrastructure and driveways, should be located and sited in accordance with an approved Land Management Plan, providing maximum opportunities for sustainable agricultural use consistent with the retention of native vegetation. This does not apply if the land is within a Significant Landscape Overlay or forms part of a green break between nearby towns; in which case, a site providing minimal landscape impact, particularly avoiding ridgelines, is required.
- A dwelling should be sited so as to maximise, as far as reasonably practicable, the separation distance from any nearby existing use that is liable to produce offensive off-site noise, odour, light or air emissions. A dwelling should be sited having regard to the need to protect future opportunities for the extraction of stone or minerals
- A dwelling will only be supported if all of the above requirements are met.

Design

- All buildings and works that form part of a dwelling should be sited and designed to complement each other and protect the landscape character of the area.
- Dwellings should be designed and sited having regard to the principles of Ecologically Sustainable Development.
- All habitable rooms of a dwelling, including those which are included in a habitable outbuilding or which are used for the provision of bed and

breakfast accommodation, should be contained in a single building or if more than one building is proposed connected by covered walkways of less than 10 metres in length.

- **Bed and Breakfast Accommodation**
- A separate building, to be used for the purpose of a bed and breakfast, whether or not connected by a covered walkway, should be designed with a substantial functional reliance on other parts of the dwelling and appear to be secondary in nature, such as by having a floor area of 60 square metres or less or no more than 30% of the floor area contained in the main building of the dwelling, whichever is the lesser.
- A bed and breakfast should, without duplication, share all of the following infrastructure with other parts of the dwelling:
 - Crossover and driveway.
 - Waste water disposal system.
 - Water, electricity and gas meters.

Living in the Mornington Peninsula Green Wedge

- Prior to the commencement of any use or development of land for a dwelling, and subject to the discretion of the responsible authority, the owner of the land will be required to enter into an agreement under Section 173 of the *Planning and Environment 1987* or comparable legal mechanism approved by the responsible authority which provide, as appropriate, for all of the following:
 - Attachment of a copy of the permit to the agreement.
 - A requirement to comply with the approved Land Management Plan, and the means to access a copy of the approved Plan.
 - A requirement for the landowner to demonstrate the substantial commencement of the implementation of the approved Land Management Plan, or to provide a security to the satisfaction of the responsible authority, prior to the commencement of the construction of any approved dwelling.

- A requirement that within 12 months of the approval of a planning permit for a dwelling, the landowner will provide an audit by a suitably qualified person demonstrating compliance with the approved Land Management Plan, or a report on progress to date and a proposed future program to achieve compliance.
- A requirement for the landowner to provide an update audit report on compliance with the approved Land Management Plan every three years after the commencement of construction of a dwelling for a period of 10 years.
- Inclusion of advice to potential owners and residents about:
 - the land being located in the Green Wedge Zone, where agricultural production is encouraged, and future agricultural practices and processes may potentially have impacts associated with the movement of trucks or agricultural machinery (including during the night and early morning periods), the emission of light, odour or noise, spraying and/or the implementation of measures to control weeds, rabbits, foxes and stray dogs.
 - The importance of being a “good neighbour” and engaging in sustainable land management practices (including the timely control of pest plants and animals) and the requirement to responsibly manage domestic animals to prevent attacks on neighbour’s livestock and native animals;
- A copy of the agreement to be made available to any intending tenant of the land
- Registration of the agreement on the Certificate of Title.

22.23 -4 Performance measures

Nil

22.23 – 5 Decision guidelines

Before deciding on an application, the responsible authority must consider as appropriate:

- Whether the proposed dwelling meets the Objectives of this policy including any evidence provided to support a proposed Land Management Plan.
- Whether the proposed location of the dwelling on the site facilitates:
 - The future use of the land for agricultural or conservation purposes and avoids creating barriers to the reasonable agricultural use of the land or adjoining land.
 - The re-alignment or re-subdivision of land with an adjoining property to facilitate agricultural use.
 - The lease of land to a neighbour or other landholder for the purposes of agricultural use.
 - The sale of unused land to a neighbour for the purposes of agricultural use, by means of a boundary realignment.
- The need to require a bond or other form of guarantee to ensure proper implementation of the Land Management Plan.

References

Nil

APPENDIX 2: DRAFT CAMPING AND CARAVAN PARK POLICY

22.19 CAMPING AND CARAVAN PARK OUTSIDE THE URBAN GROWTH BOUNDARY

This policy applies to any application for a camping and caravan park on any land outside the Urban Growth Boundary which is contained within the Green Wedge Zone (Schedule 1, 2, 3 or 4) or the Special Use Zone (Schedule 4). This does not apply to land that is exempt from the application of Clause 57.

22.19-1 Policy basis

This policy builds on the Planning Policy Framework (PPF) Clause 11.01-1R Green wedges - Metropolitan Melbourne, with the Objective: To protect the green wedges of Metropolitan Melbourne from inappropriate development.

This policy also builds on PPF Clauses:

11.01 – 1S Settlement;

11.06 -5S Distinctive areas and landscapes;

12.05- 2S Significant environments and landscapes;

14.01-1S Protection of agricultural land; and

14.01-1R Protection of agricultural land – Metropolitan Melbourne.

Clause 11.06-5S requires consideration as relevant of the Mornington Peninsula Localised Planning Statement (Victorian Government, 2014).

The Localised Planning Statement specifically provides that:

38. Planning for the Mornington Peninsula will include provision to specify minimum requirements for sites and activities associated with tourism-based development to ensure long term protection of the landscape, conservation and agricultural values of the Mornington Peninsula.

39. 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.

40. 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.

The Mornington Peninsula Green Wedge is significant for its landscape, environmental, agricultural and recreational values.

Camping and caravan parks may adversely affect these values and exclude or limit legitimate rural land uses, if not sensitively located and designed.

In addition, large scale camping and caravan parks that consist primarily of cabin based development can appear as a form of residential development and may attract defacto residential occupancy. This undermines the Urban Growth Boundary and the Shire's settlement strategy and can lead to poor social outcome with isolated pockets of quasi -residential use, lacking access to services and facilities. Camping and caravan parks must be located and clearly designed to provide relatively short-term visitor accommodation

22.19-2

Objectives

Location and non-urban values

- To ensure that camping and caravan parks are sparsely distributed in the Green Wedge.
- To avoid large scale camping and caravan parks, consisting primarily of cabin based accommodation that appear as a form of defacto residential development.
- To ensure new camping and caravan parks have a minimal impact on the agricultural or environmental values of the rural area.
- To maintain the landscape values of the rural area.
- To ensure camping and caravan parks do not have a significant adverse effect on the settlement pattern of the Peninsula, including the separation of settlements.
- To maintain the integrity of the Urban Growth Boundary.

Safety and amenity

- To avoid the occupants of camping and caravan parks being subject to high environmental risks including the risk of fire.
- To avoid potential land use conflicts and protect camping and caravan park occupants from adverse impacts of neighbouring rural land uses.

Tourism and accommodation mix

- To provide for tourist accommodation that will support outdoor recreation and tourism activities in the non-urban areas of the Peninsula.
- To provide a range of holiday accommodation, including low cost options, for tourists and visitors to the non-urban areas.
- To encourage significant new outdoor recreation facilities by supporting them with integrated on-site accommodation.

Site design and layout

- To ensure camping and caravan parks include a range of outdoor recreation facilities.
- To ensure that camping and caravan parks contribute to an attractive rural setting that is consistent with the character of the area

22.19-3

Policy

It is policy to:

Location and non-urban values

- Ensure that a camping and caravan park in the Green Wedge does not significantly adversely affect the biodiversity, agricultural productivity, landscape, rural amenity or environmental values of the area.
- Ensure that new facilities do not accommodate long term housing options.

Safety and amenity

- Locate a camping and caravan park away from areas of high environmental risk, for example areas at greater risk of bushfire
- Locate camping and caravan parks with reasonable access to nearby recreational facilities.
- Ensure camping and caravan park proposals provide on-site buffers as necessary to avoid conflicts with existing or potential future adjoining land uses.

Accommodation mix

- Ensure that a camping and caravan park provides a mix of accommodation site types and visitor facilities that responds to the reasonable visitation expectations of nearby Green Wedge tourism and outdoor recreation attractions.
- Ensure that a camping and caravan park includes a mix of affordable tourist accommodation site types and visitor facilities including:
 - Sites for caravans, motor homes or tents
 - Sites with unregistrable movable dwellings,
 - Sites for caravans with rigid annexes,
 - Sites with cabins, or
 - Lodge accommodation.

Site design and layout

- Ensure that the layout of a camping and caravan park:
 - maximises opportunities for the integration of agriculture, biodiversity or outdoor recreational facilities as substantial secondary uses on the land;
 - provides appropriate visual and acoustic separation of sites; and,
 - provides substantial buffers and landscaping that is consistent with the character of the local area.
- Encourage accommodation sites to be clustered around communal laundry, ablution, kitchen and recreation hubs that are reasonably

accessible for all park users, whether or not the sites have individual facilities,

- Ensure that signage is easy to interpret from a safe distance.
- Ensure that the layout and design of the site is clearly based on providing visitor accommodation, rather than having the appearance of a residential village or subdivision. Features which may be associated with the appearance of a residential village or subdivision include:
 - Restricted access,
 - Permanent constructed roads,
 - Larger building footprints
 - Higher building densities
 - The provision of individual carports/garages, and
 - Building design that resembles permanent residences in scale, height and materials, rather than holiday cabins

Performance measures

It is policy to assess proposals against the following criteria.. Proposals that do not meet all of these criteria may still meet the objectives of this policy.

- A camping and caravan park should be located at least 2 km from an Urban Growth Boundary (UGB) to maintain the separation of settlements and the landscape values of the Green Wedge/ urban interface. This does not apply to land in the Special Use Zone Schedule 4.
- Camping and caravan parks should not be located on land within a Bushfire Management Overlay.
- The minimum site area for a Camping or caravan park which includes cabins, portable dwellings, permanent caravans and the like should be no less than 8 hectares.
- There should be no more than one cabin, portable dwelling or permanent caravan provided for every 2 hectares of site area, and all camp sites and cabin areas, including parking areas and service buildings but

excluding driveways should be contained within a development footprint equal to no more than 10 % of the total site area.

- Cabins, portable dwellings, permanent caravans and camp sites should be located to minimise landscape impact and provide effective buffers from adjoining properties.
- The average gross floor area of all cabins, movable dwellings, permanent on-site caravans, or the like, should be 60 square metres or less.
- Vehicular access to the land should be from a sealed road network.
- Internal access roads should cater for vehicles that are towing caravans or trailers.

22.19- 4

Application requirements

An application should be accompanied by the following information to the satisfaction of the responsible authority, as appropriate:

- A site analysis and design response, including a landscape character assessment.
- A description of the proposal, including:
 - hours and days of operation;
 - the maximum intended number of staff and visitors;
 - the type and number of accommodation buildings, units or camping sites;
 - the proposed use of lighting and public announcement equipment; and
 - a full description of how a camping and caravan park is proposed operate, in terms of the management of occupancy, management and maintenance of the site, security of the site, provision for domestic animals and all other relevant factors.
- A report from a suitably qualified person, assessing impact of a proposed use or development on the quality and habitat value of vegetation and,

where necessary, detailing recommended modifications to the proposal or remedial works to achieve the objectives of this policy.

- A report from an appropriately qualified person, assessing the traffic impacts of the proposal including access, traffic generation, on-site vehicle circulation and manoeuvrability, car parking and site servicing.
- A report from a suitably qualified person, to ensure that all waste water and effluent generated by a proposed use or development will be treated and retained onsite, and will not pollute surface or ground waters, in accordance with State environment protection policies and best practice environmental management guidelines.
- A report from a suitably qualified person, to ensure that drainage and stormwater disposal from a proposed use or development will meet State environment protection policies and best practice environmental management guidelines and will not adversely affect the environmental values or the regional drainage function of waterways, drains, retarding basins and floodplains.
- A land management plan outlining measures to address agricultural production and environmental protection, including pest plants and animals and erosion of the land; as well as fencing off remnant vegetation, revegetating strategic areas to develop wildlife corridors and along waterways.
- A landscape plan, including a landscape character assessment for site and building design with an outline of the impact on the rural landscape.

22.19- 5 Decision guidelines

Before deciding on an application, the responsible authority will consider as appropriate:

- Whether the proposed use and development is primarily designed to provide short term visitor accommodation or is more appropriately considered as a residential village.
- The potential impacts of the proposal on the environmental, landscape and agricultural values of the Mornington Peninsula.

- The mix and type of accommodation provided and whether the proposal expands the range of visitor accommodation available on the Mornington Peninsula.
- The potential impact the use will have on neighbouring properties, including agricultural operations.
- Whether the nature and capacity of the on-site recreational facilities is appropriate to the intended purpose of the camping and caravan park.
- The need for measures to protect native vegetation, fauna and established areas of introduced vegetation with significant environmental or character values.
- Whether performance requirements of the CFA's Caravan Park Fire Safety Guideline, July 2006 have been met.
- The capacity of utility services including the availability of reticulated sewerage, gas, reticulated water.
- Road conditions, capacity and safety with regard to likely traffic generation.
- Whether, for any small-scale expansion of an existing camping and caravan park, it is impractical to meet the provisions of this policy.

References

Nil

APPENDIX 3 MORNINGTON PENINSULA GREEN WEDGE MANAGEMENT PLAN

APRIL 2019 SUMMARY OF ACTIONS BY TYPE AND PRIORITY

Actions recommended in the draft Mornington Peninsula Green Wedge Action Plan – November 2018 – listed by Action Type and Priority

Note: Proposed Priority timeframes are as follows: High (1 – 2 years), Medium (2- 4 years) and Low (4- 5 years).

Actions:	Type	Priority	Section	Ref
Advocate to the State government for a review of the Schedule to Clause 51.02 (Metropolitan Green Wedge Core Planning Provisions) and the associated Special Use Zone provisions, to ensure that any exemption from the Core Planning Provisions applies only to the specific special use that forms the basis for the inclusion of that site in the Special Use Zone. Seek an interim amendment to suspend the use of the exemption schedule pending the completion of the review.	ADVOCACY	High	1	3
Advocate to the State government for means, other than S173 agreements, to ensure that prospective purchasers of land are notified of their obligations under approved Land Management Plans. This may, for example, include a review of the requirements relating to property information certificates.	ADVOCACY	High	1	12
Advocate to the Department of Environment, Land, Water and Planning that greater control be provided in regard to the replacement dwellings. This should ensure that existing dwellings are removed or demolished when the new dwelling is completed and enable consideration of land use impacts where such new development involves a significant change in location and/or a significant change in the footprint of development.	ADVOCACY	High	1	16
Seek participation in the Biodiversity forums proposed under the State Government's Biodiversity 2037 strategy and advocate for a biodiversity response plan and associated funding for the Mornington Peninsula that recognises the value of increasing suitable habitat on the Mornington Peninsula, in order to: <ul style="list-style-type: none"> - support State-wide targets - increase opportunities for the community to connect with nature, - enable people to act locally to protect biodiversity and - provide opportunities for nature-based recreation and tourism in more accessible locations. 	ADVOCACY	High	2	11

Advocate that the State government support the provision of native vegetation offsets on the site of vegetation removal, or the provision of offsets in the local area, including on State government and Council owned land, to avoid the potential depletion of local vegetation.	ADVOCACY	High	2	12
Advocate to the State government for a review of State government financial mechanisms that could be used to support landowners in their conservation stewardship role.	ADVOCACY	High	2	34
Seek support from DELWP, Melbourne Water and Southern Rural Water to identify the level of risk facing water resources on the Peninsula, including: <ul style="list-style-type: none"> - Investigation of the environmental flows necessary to maintain stream health. - Review of the criteria for issuing permits for dams and waterway diversions to ensure there is no significant adverse impact on stream flows to tributaries or riparian habitat areas. - Review of the level of ground water extraction and establishment of sustainable rates of extraction 	ADVOCACY	High	2	45
Advocate that Melbourne Water maintain a regular monitoring and reporting program in relation to stream health.	ADVOCACY	High	2	46
Seek support to develop a Green Wedge Recreation Plan, in conjunction with the State government, to identify future recreational needs generated by both local and regional population growth and the appropriate role of State and local government in responding to these changing demands.	ADVOCACY	High	5	7
Advocate to DELWP to establish an annual forum with other green wedge Councils, and with other land management agencies to bring a focus to green wedge issues and to explore best practice, joint projects and opportunities for funding.	ADVOCACY	High	7	3
Advocate to the State government that where surplus land is proposed to be sold, if the title does not meet the current minimum lot area requirements for new lots it should be either consolidated with an existing adjoining lot, or where appropriate, retained for conservation purposes to increase the area of suitable habitat.	ADVOCACY	High – Ongoing	1	8
Advocate for a consistent set of planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all non-urban areas on the Peninsula including land in the Farming Zone and the Special Use Zones.	ADVOCACY	Medium	1	6

Advocate for a consistent set of rural planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all non-urban areas on the Peninsula including land in Farming Zone and the Special Use Zones, to the extent these are used for rural purposes.	ADVOCACY	Medium	3	4
Advocate to the State government to ensure that any future changes to the Green Wedge Zone relating to minimum site areas and maximum patron numbers for restaurants, function centres and the like retain the current standards as the default for the Mornington Peninsula Green Wedge.	ADVOCACY	Medium	4	2
Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land, with particular attention to the high exposure areas around and between townships which are critical to the distinctive settlement pattern of the Peninsula and to maintaining the relationship between rural and township areas.	ADVOCACY	Ongoing	1	1
Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size requirements or introduce excision provisions for dwellings.	ADVOCACY	Ongoing	1	5
Promote the existing settlements as the key focus and location for the provision of tourism facilities within the Green Wedge, with facilities appropriate to scale, function and character of each settlement.	ADVOCACY	Ongoing	1	19
Advocate to the state government for the continuous improvement of state government databases and mapping, such as the Victorian Biodiversity Atlas and Nature Kit, and contribute information from Council sponsored research where appropriate.	ADVOCACY	Ongoing	2	4
Continue to advocate at state and regional catchment level for increased monitoring programs on the Mornington Peninsula in relation to key environmental indicators, including <ul style="list-style-type: none"> - The extent and condition of native vegetation and suitable habitat on public and privately-owned land - Fauna on public and private land, including threatened and endangered species. - Stream health and water quality - Groundwater health - Salinity - The spread of weed, feral animals, and pathogens 	ADVOCACY	Ongoing	2	6

Ongoing advocacy to the State government regarding the need to consider the opportunities for increases in suitable habitat and landscape connectivity through the use of “surplus” government land.	ADVOCACY	Ongoing	2	13
Work with DELWP to develop specific response planning and biodiversity protection works for species for which climate change is particularly challenging including beach nesting birds, migratory shorebirds and listed threatened species	ADVOCACY	Ongoing	2	21
Improve collaboration with other public land managers (Parks Victoria, Melbourne Water) and private land managers in the planning, promotion and implementation of biodiversity management programs across landscapes.	ADVOCACY	Ongoing	2	23
Promote sustainable agricultural land management practices on private land to reduce impact on biodiversity values and avoid pollution in waterways and wetlands.	ADVOCACY	Ongoing	2	29
Work with Melbourne Water to encourage private landowners to undertake biodiversity conservation works along creek corridors to improve landscape connectivity and support the objectives of Melbourne Water’s Healthy Waterways Strategy.	ADVOCACY	Ongoing	2	30
Increase awareness of options and encourage vegetation management for fire hazard reduction in such a way as to maintain, as far as possible, biodiversity and landscape values	ADVOCACY	Ongoing	2	52
Strongly advocate for Peninsula farmers to be able to access regional support and labour market programs.	ADVOCACY	Ongoing	3	10
Continue to promote and support sustainable agriculture and best practice land and water management in the Green Wedge, through the dissemination of information: and engagement with Landcare groups, the Port Phillip Western Port Catchment Management Authority and State agencies	ADVOCACY	Ongoing	3	16
Continue investigation and strong advocacy for waste water recycling projects , including support for appropriate hydrological and environmental assessments.	ADVOCACY	Ongoing	3	17
Promote the availability of existing information and resources, including the Common Ground Information sheets https://www.mornpen.vic.gov.au/About-Us/Business-Economy/Agricultural- Matters#section-2	ADVOCACY	Ongoing	3	18

Promote awareness of industry support groups including the Victorian Farmers Federation, Landcare groups and the Small Rural Landowners Network	ADVOCACY	Ongoing	3	19
Engage with agencies and relevant industry groups to identify opportunities to promote best practice sustainable land use and land management.	ADVOCACY	Ongoing	3	20
Advocate to the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) for increased support for land management, advice on best practice farming methods and financial resources.	ADVOCACY	Ongoing	3	21
Investigate means of promoting a shared understanding among all landowners in the Green Wedge of the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on new landowners in terms of land management and the control of domestic animals.	ADVOCACY	Ongoing	3	23
Advocate for the duplication/electrification of the Frankston/Stony Point rail line to Hastings but oppose changes to the Urban Growth Boundary and the creation of an urban corridor.	ADVOCACY	Ongoing	6	2
Continue to strongly advocate for waste water recycling projects, including investigation and sponsorship of pilot projects, and recognising the need for appropriate hydrological and environmental assessments.	ADVOCACY	Ongoing	6	4
Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected.	ADVOCACY	Ongoing	6	8
Work through the Interface Councils Group and the South-Eastern Municipalities Group of Councils to promote recognition of the State and regional value of the Mornington Peninsula Green Wedge.	ADVOCACY	Ongoing	7	5

<p>As part of the implementation of approved Land Management Plans require that:</p> <p>a) Prior to the commencement of any dwelling there is a demonstrated substantial commitment to the implementation of the Land Management Plan (LMP). In this regard, an LMP may include a staging proposal indicating the works or activities to be undertaken prior to commencement, or a cost schedule indicating the level of bond to be provided to secure implementation of the Plan.</p> <p>b) Within 12 months of the granting of a planning permit the land owner must provide an audit by a suitably qualified person (depending on the nature of the Land Management Plan) demonstrating compliance with the approved plan or the progress to date and intended future program.</p> <p>c) The land owner be required to provide updates on the implementation of the LMP every three years, for a period of ten years.</p>	DIRECTION	High	1	13
<p>Establish a register of approved Land Management Plans and S173 agreements to ensure regular reviews and compliance with the approved plans.</p>	DIRECTION	High	1	14
<p>Undertake a character study and develop design policies and guidelines for the Green Wedge townships which also have regard to potential climate change impacts.</p>	DIRECTION	High	1	22
<p>Complete the Mornington Peninsula Biodiversity Conservation Plan</p>	DIRECTION	High	2	7
<p>Support the State Government's Living with Wildlife Action Plan that encourages positive attitudes towards living with wildlife and includes a proposed review of the Authority to Control Wildlife system under the Wildlife Act 1975 and the review of the Flora and Fauna Guarantee Act.</p>	DIRECTION	High	2	14
<p>Improve biodiversity information available on the Shire website, to encourage and support appropriate planning permit applications, which may include information on:</p> <ul style="list-style-type: none"> - The importance of habitat restoration and habitat corridors; - Avoiding pollution of all kinds – effluent, noise, light, etc.; - Landowner responsibilities in relation to the control of domestic animals and pests; - Ways landholders can help fauna – e.g. breeding boxes, water troughs, retaining mature hollows and understory; - Contacts for injured fauna; and - pest plant and pest animal control – including the importance of controlling environmental weeds on privately owned land. 	DIRECTION	High	2	25

<p>As part of the policy relating to dwellings in the Green Wedge (refer Section 10), require planning applications to include an integrated Land Management Plan, including as appropriate, and particularly in locations adjacent to existing bushland reserves, along waterways or in areas providing for substantial increased habitat connectivity:</p> <ul style="list-style-type: none"> - provision for substantial biodiversity protection and enhancement on the site through major revegetation and other measures. This may be combined with proposals for the sustainable use of the land for an agricultural purpose; - provision for ongoing land management, including the control of weeds and feral animals; and - provision for securing the requirements of an approved Land Management Plan through S173 agreements or other comparable mechanisms e.g. conservation covenants. 	DIRECTION	High	2	40
Develop and maintain a database/register of planning permit applications and approvals that include Land Management Plans or requirements for the provision of native vegetation offsets, and implement a system to monitor and audit compliance, and enforce planning permit	DIRECTION	High	2	42
Complete the review of the Shire's Smart Water Plan 2013 in conjunction with the State Government's Integrated Water Management Forum process and include strong requirements for biodiversity protection and for storm water management that supports healthy waterways.	DIRECTION	High	2	48
Undertake a comprehensive landscape classification and condition assessment, including the development of landscape protection guidelines, to provide a basis for improved long-term management and monitoring of visual landscape quality.	DIRECTION	High	5	1
Complete the review of the Shire's Smart Water Plan in conjunction with the State Government's Integrated Water Management Forum process.	DIRECTION	High	6	3
Prioritise increasing water supply/storage capacity as part of the Municipal Fire Management Plan.	DIRECTION	High	6	7
Maintain a Green Wedge Management Plan webpage and investigate the value of including the GWMP as an online dynamic document (i.e. one which can be progressively updated over time as per the Port Phillip and Western Port CMA Regional Catchment Strategy).	DIRECTION	High	7	1

Develop a decision tool through which the Shire and community may consider the social, environmental, and economic merits of potential biodiversity improvement programs and actions in specific areas/locations including revegetation, weed management, feral animal control, and bio-link proposals. It is important to recognise that while connectivity is an important objective, there are limitations in the habitat value of narrow “corridors” and the value of increasing the <u>effective</u> area of “core” reserves, either on adjacent private land – or through land transfers should not be underestimated.	DIRECTION	Medium	2	16
Deliver a dedicated campaign to promote the unique natural environments of the Mornington Peninsula and the benefits and opportunities for connecting with nature, which may also inform planning decisions in the Green Wedge.	DIRECTION	Medium	2	24
Prepare guidelines indicating the factors to be considered in the assessment of applications for variations to existing use rights, where proposed variations do not comply with current standards – including whether an application involves exceptional circumstances, proposals to mitigate existing and potential impacts or whether there are substantial net benefits to the local community and/or adjoining owners	DIRECTION	Medium	4	18
Review the Shire’s Equestrian Strategy and seek to provide for safe riding while minimising the impact of horse riding on open space and roadsides.	DIRECTION	Medium	5	9
Prepare guidelines to assist in the interpretation and protection of both indigenous and post contact cultural landscapes.	DIRECTION	Medium	5	11
Prepare an implementation progress report to Council at least every two years, with a general review every four years, as part of the required review cycle for the Council Plan and the Mornington Peninsula Planning Scheme	DIRECTION	Medium	7	4
Contain residential and other urban development, including service stations, freeway service centres, fast food restaurants and medical centres, within the Urban Growth Boundary.	DIRECTION	Ongoing	1	2
Ensure proposals to construct dwellings demonstrate a commitment to a substantial, sustainable and productive agricultural land use and/or substantial and sustainable habitat restoration on the balance of the property through the preparation and approval of a Land Management Plan (LMP). These Plans should also clearly recognise the nature of the Green Wedge as a rural area, the expectation of farming activities in the Green Wedge and the obligations on new landowners in terms of land management and the control of domestic animals.	DIRECTION	Ongoing	1	10

Require applicants/proponents to enter into Section 173 agreements as necessary to secure the implementation of approved Land Management Plans.	DIRECTION	Ongoing	1	11
Provide information and advice to new and existing residents in the Green Wedge, and to the real estate industry, on the objectives of the Green Wedge, for example through the use of Council's website and industry information sessions. This should include the promotion of sustainable agriculture, habitat restoration and land stewardship.	DIRECTION	Ongoing	1	15
Reinforce that, where it is proposed to replace an existing dwelling with a new dwelling, the existing dwelling should be demolished or removed from the site, rather than converted for non-residential use to avoid the proliferation of "dwelling like" buildings in the Green Wedge.	DIRECTION	Ongoing	1	17
Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the number of lots) should not be supported unless there is a good land management justification and should not generally reduce the area of the larger lot.	DIRECTION	Ongoing	1	18
Ensure all development within Green Wedge settlements is of a type, scale and form consistent with the existing size, role and character of these settlements and that larger scale development is directed to a Major Activity Centres.	DIRECTION	Ongoing	1	21
Share available biodiversity information with the community through the Shire's public GIS interface and other means.	DIRECTION	Ongoing	2	1
Promote awareness and a collaborative culture within the Shire to ensure biodiversity conservation is considered early in the planning and implementation of Shire projects and programs.	DIRECTION	Ongoing	2	8
Apply a whole of system approach to support co-operation between the Shire, public land managers, landowners and the local community.	DIRECTION	Ongoing	2	9
Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected.	DIRECTION	Ongoing	2	10
Use the decision support tool to strategically invest in biodiversity protection works on Shire-managed land, creek corridors and roadsides to improve landscape connectivity and ecosystem health.	DIRECTION	Ongoing	2	17
Continued targeted programs in relation to feral animals and invasive weed species, applying a risk-based approach. the prioritisation of vegetation types most vulnerable to weed invasion and the weed species that pose the greatest risks in these areas.	DIRECTION	Ongoing	2	19

Continue to improve decision-making processes to strategically manage biodiversity in our bushland reserves and roadsides, including feral animal control, environmental weed control, planned burning, and the rare species protection program.	DIRECTION	Ongoing	2	20
Support and provide information relating to voluntary conservation programs such as Land for Wildlife, Mornington Peninsula Landcare projects, Trust for Nature and Melbourne Water's stream frontage protection program, which may also inform planning permit conditions.	DIRECTION	Ongoing	2	25
Provide a welcome pack to new landowners in target areas providing information on local biodiversity and to providing practical guidance on how they can protect and manage biodiversity and manage their land sustainably.	DIRECTION	Ongoing	2	27
Partner with Landcare to increase the program of educational events for private landholders with an emphasis on peer-to-peer learning such as workshops, field days, site tours, open days.	DIRECTION	Ongoing	2	28
Continue to provide support to the Mornington Peninsula Landcare Network to deliver their Bio-links Plan.	DIRECTION	Ongoing	2	31
Assist the protection of streams and waterways by review and implementation of the Shire's Domestic Waste Water Strategy,	DIRECTION	Ongoing	2	47
Ensure recycled water reuse proposals include appropriate hydrological and environmental assessments	DIRECTION	Ongoing	2	49
Ensure a coordinated approach to fire management that integrates ecological objectives with bushfire risk mitigation	DIRECTION	Ongoing	2	50
Continue to develop and implement Fuel Management Plans for high bushfire risk Council Reserves as part of the Integrated Fire Management Planning Process.	DIRECTION	Ongoing	2	51
Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land.	DIRECTION	Ongoing	3	1
Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size requirements or introduce excision provisions.	DIRECTION	Ongoing	3	2

Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the number of lots) should not be supported unless there is a good land management justification and should generally avoid any reduction in the area of the existing larger lot(s).	DIRECTION	Ongoing	3	3
Ensure proposals to construct dwellings demonstrate a commitment to an appropriate, substantial and sustainable agricultural or habitat restoration use on the balance of the property through the preparation and approval of a Land Management Plan, in accordance with Attachment 1 to this report.	DIRECTION	Ongoing	3	6
Continue to support industry support and development programs – such as Chicken Care and the Mornington Peninsula food certification, branding and promotion program.	DIRECTION	Ongoing	3	12
Continue to support the Food Industry Advisory Body and the implementation of Local Food Strategy.	DIRECTION	Ongoing	3	13
Continue to support research and investigation of issues relevant to the agricultural industry on the Mornington Peninsula, including opportunities for existing and emerging farming systems.	DIRECTION	Ongoing	3	14
Ensure that Land Management Plans required as part of applications for new dwellings/replacement dwellings clearly recognise the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on all landowners in terms of land management and the control of domestic animals.	DIRECTION	Ongoing	3	22
Support the current provisions of the Green Wedge Zone which limit the establishment of new “stand-alone” restaurants, function centres and larger scale accommodation-based development to larger sites, with the “in conjunction with” test and with mandatory maximum seating capacity conditions, bedroom numbers and the like.	DIRECTION	Ongoing	4	1
Indicate that it is not proposed to include additional land in Special Use Zone 4 (Recreation Zone) noting the existing area south of Rosebud which may be considered for low density recreational resort development in accordance with the relevant local policy.	DIRECTION	Ongoing	4	8
Include consideration of the extension and improvement of off-road bicycle routes, walking paths and trail networks in the Green Wedge as part of future capital works budgets.	DIRECTION	Ongoing	5	8

Include post contact heritage sites in the Green Wedge in the current review of the Shire's heritage studies.	DIRECTION	Ongoing	5	12
Ensure that Roadside Management Plans and road projects recognise the importance of road design, road safety features and roadside vegetation in terms of both biodiversity and landscape character.	DIRECTION	Ongoing	6	6
Develop annual action plans to support the implementation of the GWMP for consideration by Council as part of the annual budget review process.	DIRECTION	Ongoing	7	7
Further Investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation.	INVESTIGATE	High	1	7
Identify and prioritise research and survey programs to maintain the Shire's current knowledge base and close biodiversity knowledge gaps.	INVESTIGATE	High	2	2
Develop improved educational resources to provide practical guidance for landowners on biodiversity conservation.	INVESTIGATE	High	2	26
Investigate introduction of a policy requiring the planting of a minimum number of indigenous trees or provision of minimum area for revegetation as part of all new dwelling applications in the Green Wedge as a contribution to habitat restoration on the Peninsula. In the interim require a minimum of 100 indigenous trees to be planted, either on the subject site or on Council controlled land to the satisfaction of the responsible authority.	INVESTIGATE	High	2	41
Investigate further means to monitor and control the removal of native vegetation and other actions likely to have adverse impact on environmental values.	INVESTIGATE	High	2	43
Further Investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation.	INVESTIGATE	High	3	5
Investigate means to facilitate the sale of certified produce grown on the Peninsula through local outlets, including farm gate sales from other farms participating in the certification program, farmers markets or similar outlets within the Green Wedge.	INVESTIGATE	High	3	8

Investigation the potential for directional signage as part of a food /farm shop trail.	INVESTIGATE	High	3	9
Investigate the use of Specific Site and Exclusion provisions to resolve long standing compliance issues and bring existing uses under a clear control framework i.e. with specified development requirements and conditions of operation.	INVESTIGATE	High	4	10
Investigate the potential for controls over the planting of cypress hedges (and similar plantations or works) within scenic vantage points, and incentives for their removal; for example, as part of the Land Sustainability Rebate scheme.	INVESTIGATE	High	5	4
Investigate a co-operative research project with the traditional owners and State government to better recognise areas of Aboriginal cultural heritage significance within the green wedge and to provide for their better protection.	INVESTIGATE	High	5	10
Review the extent of Vegetation Protection Overlays relating to significant tree lines to ensure consistency with current conditions.	INVESTIGATE	Low	5	3
Investigate opportunities to achieve native vegetation offsets on Council controlled land via an “across the counter” offset scheme	INVESTIGATE	Medium	2	18
Identify Bushland Reserves where recreational uses can be sensitively accommodated and promoted, and ensure those reserves support the required infrastructure and signage that identifies appropriate use. Continue to invest in infrastructure (paths, fences, interpretive signs) in key bushland reserves to support community use whilst minimising impact to biodiversity.	INVESTIGATE	Medium	2	22
Review the effectiveness of the Land Sustainability Rebate scheme and other options, including alternative concession and incentives to improve biodiversity outcomes. Consider refinement of eligibility criteria to align with biodiversity objectives – including weed and feral animal control. Continue to provide the Land Sustainability Rebate pending the review of this program.	INVESTIGATE	Medium	2	32
Investigate the provision of an annual rebate or other incentive for properties with a conservation covenant (for example, through the Trust for Nature) to provide a strong signal of support to encourage new conservation covenants.	INVESTIGATE	Medium	2	35
Investigate the use of differential rating and other financial mechanisms to encourage improved land management.	INVESTIGATE	Medium	2	36

Investigate current opportunities and barriers to the inclusion of land on the Mornington Peninsula on the Native Vegetation Credit register and seek to support registration of appropriate land for the provision of offsets in the local area.	INVESTIGATE	Medium	2	37
Investigate the potential costs and benefits of a Mornington Peninsula Shire over-the-counter offset scheme, in order to direct regulatory offsets and fund the protection of high-value sites within the Mornington Peninsula Shire.	INVESTIGATE	Medium	2	44
Investigate potential to provide for onsite farm worker accommodation – subject to the current review of Land Use definitions by DELWP.	INVESTIGATE	Medium	3	7
Investigate opportunities for land use “brokerage” to promote agricultural partnerships and to encourage the lease of underutilised land for agricultural purposes.	INVESTIGATE	Medium	3	15
Support a review of the visitor accommodation provisions to achieve greater consistency and provide scope (through the local schedule to the Green Wedge Zone) for Councils to set different standards for different areas, according to local circumstances.	INVESTIGATE	Medium	4	6
Investigate and review the rating of sites used for tourism and leisure-based use and development, other than primary produce sales, consistent with the approach to the rating of dwellings on rural properties.	INVESTIGATE	Medium	4	11
Investigate opportunities to support and promote training in hospitality on the Peninsula.	INVESTIGATE	Medium	4	12
Develop guidelines in relation to the approval of irregular tourism and leisure-based events in the Green Wedge.	INVESTIGATE	Medium	4	14
Develop additional progress indicators – for example in relation to biodiversity, landscape quality and land use patterns that can be used to inform more effective monitoring and reporting in terms of the core purposes and objectives of the Green Wedge.	INVESTIGATE	Medium	7	6
Continue to implement program of surveys and research to inform and improve management decisions to protect fauna habitat in shire-managed bushland reserves.	INVESTIGATE	Ongoing	2	3
Continue to seek opportunities for information and data exchange with other land management agencies.	INVESTIGATE	Ongoing	2	5
Seek to further secure high-value areas on privately owned land, for example through Trust for Nature covenants.	INVESTIGATE	Ongoing	2	15

Continue to offer a farm rate over land areas actively used for agriculture, excluding the dwelling curtilage, and review rating and rebate policies to better promote appropriate land management and productive use of rural land.	INVESTIGATE	Ongoing	3	11
Seek to better understand the needs of Green Wedge communities, with particular attention to transport and alternative forms of service delivery.	INVESTIGATE	Ongoing	6	1
Seek a planning scheme amendment to include the Dwellings in the Green Wedge Policy (generally as shown in Appendix 1) as part of the Local Planning Policy Framework. Land within the Cape Schanck resort and small lots (under 1 hectare) on the western side of Cape Schanck Road would be excluded from this policy.	PS AM	High	1	9
Revise the local policy 22.03 in relation to Dwelling density, excisions and realignments in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 51.02).	PS AM	High	1	20
Update the Local Planning Policy Framework to refer to and support the Green Wedge Management Plan 2018 and the Shire's Biodiversity Conservation Plan.	PS AM	High	2	38
Introduce a local planning policy that gives high priority to conservation of biodiversity in the assessment of planning applications and provides strong emphasis to the need to avoid the removal of native vegetation, including the removal of hollow bearing trees, and that supports the provision of offsets on the site of any removal – or if necessary, in the local area, with more remote provision (not on the Mornington Peninsula) opposed unless there are exceptional circumstances.	PS AM	High	2	39
Introduce/revise local policies to extend the “in conjunction with test” to other forms of tourism-based development. Require the “core” use to be a substantive use of the land while limiting the site area /footprint occupied by the “conditional use”.	PS AM	High	4	3
Introduce/ revise local policy to indicate that Council does not support concentrated precincts or strips of tourism based commercial activity within the Green Wedge – which would have the effect of transforming the rural character of those areas. Highlight the role of the existing townships and villages in providing for tourism demand.	PS AM	High	4	4
Seek a planning scheme amendment to introduce a local policy on Camping and Caravan Parks, generally as set out in Appendix 2.	PS AM	High	4	5

Review and revise the local policy 22.08 in relation to Integrated recreational and residential development in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 57.01).	PS AM	High	4	13
Prepare guidelines and a local policy providing guidance on the critical factors in the definition and assessment of “ancillary uses”, for example, in relation to food and drink activities associated with other uses; and require planning applications to respond to these factors.	PS AM	High	4	16
Indicate through local policy that the amenity of rural residents, consistent with the intended rural character of the Green Wedge, must be given appropriate consideration in the assessment of tourism and leisure-based use and development applications.	PS AM	High	4	17
Develop a local policy in relation to buildings and works associated with tourism and leisure-based development including carparks, vehicle crossings, advertising/directional signs, fencing, earthworks and other structures and works that may detract from landscape quality, with further consideration of conditions relating to matters such as lighting, landscape maintenance and advertising displays that may also affect the character of the area.	PS AM	High	5	6
Develop a policy and guidelines in relation to the planning, design construction and management of major infrastructure including roads, telecommunication infrastructure, electricity supply infrastructure, solar farms, wind turbines and the like to minimise impact on the rural landscape and rural land use and on the amenity of rural residents.	PS AM	High	6	5
Develop and seek approval for an appropriate planning scheme amendment to give effect to the adopted 2018 Green Wedge Management Plan as part of the Mornington Peninsula Planning Scheme.	PS AM	High	7	2
Investigate with DELWP the potential to establish a clear Urban Growth Boundary around the existing small coastal and rural villages, which are already defined by existing zonings, to remove any uncertainty regarding the status of the existing boundaries.	PS AM	Medium	1	4
Indicate, through either policy or local schedules those areas which are considered to have high value agricultural land, high value conservation areas, or sensitive landscape values where the total footprint of built form needs to be even more strictly limited.	PS AM	Medium	4	7
Rezone the existing Special Use 4 Zone (Recreation Zone) land within the Tootgarook Wetland to indicate that it is intended to serve a predominantly conservation purposes.	PS AM	Medium	4	9

Prepare guidelines and a local policy indicating the key factors for consideration in relation to the definition and assessment of micro-breweries, distilleries and health spas, following the current DELWP review of land use definitions.	PS AM	Medium	4	15
Review the Significant Landscape Overlays and other landscape protection controls based on the review of landscape classifications and conditions to provide for greater guidance in relation to the siting and design of all buildings in the Green Wedge, including on land at the edge of townships to ensure an appropriate interface is maintained.	PS AM	Medium	5	2
Develop a policy position and guidelines in relation to structures associated with agricultural uses including glass housing, broiler sheds and the like, and agricultural practices, including vegetation removal and windbreak planting, that may have a significant landscape impact.	PS AM	Medium	5	5