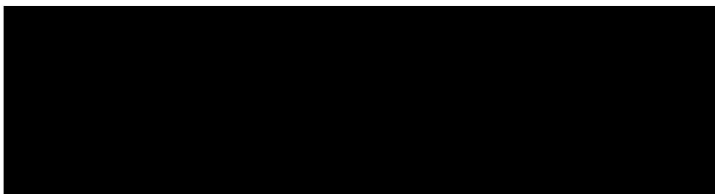




Frankston City Council

30 Davey Street, Frankston, Victoria, Australia
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094
PO Box 490, Frankston VIC 3199 » DX 19913 Frankston
Website: frankston.vic.gov.au
ABN: 49 454 768 065



Team Leader Strategic Planning
Mornington Peninsula Shire
Via E-mail: strategic.admin@mornpen.vic.gov.au

15 May 2023

Dear Sir/Madam,

RE: Mornington Peninsula Shire Planning Scheme Amendment C243morn

Thank you for your correspondence dated 15 March 2023, notifying Frankston City Council of the proposed Amendment.

Frankston City Council acknowledges that the proposed Amendment seeks to:

- Insert a new local policy 17.03-2L (Industrial Land Supply – Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct), which will apply to the land (79 and 83 Bungower Road, Somerville).
- Rezone land from Special Use Zone Schedule 1 – Port Related Uses (SUZ1) to Industrial 3 Zone (IN3Z).
- Introduce a new Development Plan Overlay Schedule 24 (Mornington Peninsula (Somerville) Technology, Industry and Business Park Precinct) (DPO24) over the land.
- Amend the Schedule to Clause 72.08 to include the Industrial Land and Infrastructure Assessment and Rezoning Strategy (Mornington Peninsula Shire, 2020) as a Background Document.

Frankston City Council, with consultants [REDACTED], have prepared the Draft Frankston City Industrial Strategy and Draft Frankston City Industrial Design Guidelines that will guide the use and development of the industrial precincts within the municipality. The Strategy and Design Guidelines will reinforce Frankston's role as a major industry focal point of the southern metropolitan area and ensure that the industrial precincts develop to their full potential. The Draft Industrial Strategy and Draft Design Guidelines are currently out for consultation: <https://engage.frankston.vic.gov.au/draft-industrial-strategy>

Council, with the assistance of [REDACTED], assessed and reviewed the proposed policy and ordinance from Planning Scheme Amendment C243morn against the Draft Industrial Strategy and found no impact on Frankston City Council.

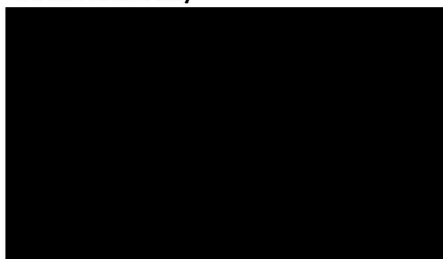
It is important to note that:

- The addition of industrial land in Mornington Peninsula Shire will not materially change the shortage of industrial land supply in Frankston City Council;
- The Frankston City industrial market benefits from access to a substantial local workforce and metropolitan road accessibility while being constrained by a shortage of new industrial land;
- This Planning Scheme Amendment will not alleviate land supply issues in Frankston City as the municipality's road and workforce accessibility cannot be replicated in Mornington Peninsula Shire.

In conclusion, this response provides officer support to the proposed Amendment.

If you require any further information relating to this submission, please contact myself on the above telephone number or email.

Yours faithfully



Submission to Mornington Peninsula Planning Scheme Amendment C243morn



Submitted on 15 May 2023, 7:50PM

Receipt number 89

Related form version 3

Name

Organisation

Postal address

Email

Phone number/s

Do you represent other people ?

No

If yes, who?

Have you attached written consent from these people for you to represent them?

No

Written consent

How would the proposal affect you ?

I am a neighbour

Other (please detail below)

In Summary, my comments are:

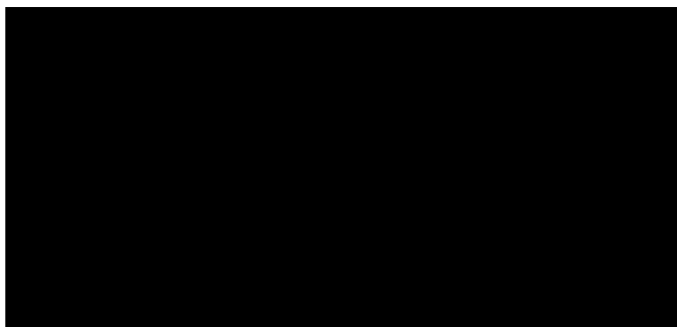
It's beautiful farm land that I don't want to see destroyed.
The traffic congestion around the major roundabouts that will be the main filtration to the industrial park will create even more traffic, frustration and congestion to an already dysfunctional intersections

I have provided detailed comments on the attached sheets

NO

Upload comments

Signature



Date

12/05/2023

Submission to Mornington Peninsula Planning Scheme Amendment C243morn



Submitted on 15 May 2023, 10:06PM

Receipt number 90

Related form version 3

Name

Organisation

Postal address

Email

Phone number/s

Do you represent other people ?

No

If yes, who?

Have you attached written consent from these people for you to represent them?

Written consent

How would the proposal affect you ?

I am a neighbour

Other (please detail below)

In Summary, my comments are:

I oppose this change as it is a rural area and Somerville already has an industrial park. Why do we need two with houses in the middle? It makes sense to put new industry next to the existing industrial park not in the middle of a quiet rural area.

I have provided detailed comments on the attached sheets

NO

Upload comments

Signature



Date

Submission to Mornington Peninsula Planning Scheme Amendment C243morn



Submitted on 16 May 2023, 2:30AM

Receipt number 91

Related form version 3

Name

[REDACTED]

Organisation

Postal address

[REDACTED]

Email

[REDACTED]

Phone number/s

[REDACTED]

Do you represent other people ?

Yes

If yes, who?

[REDACTED]

Have you attached written consent from these people for you to represent them?

No

Written consent

How would the proposal affect you ?

I am a neighbour

Other (please detail below)

In Summary, my comments are:

Our quality of life and safety would be affected by the proposed change in zoning.

I have provided detailed comments on the attached sheets

Yes

Upload comments

[REDACTED]

Signature

Date

16/05/2023



To Team Leader, Strategic Planning,

Re: Amendment C243morn

We would like to raise the following concerns in relation to the proposed zone change to Industrial 3 Zone for the sites 79 and 83 Bungower Rd, Somerville.

[REDACTED], the direction of most of the prevailing winds, and consequently noise and smells from the proposed development would impact the quality of life we currently enjoy.

Would there be time restrictions on when noisy activities could be performed? If not, noise throughout the night would also affect our ability to get to sleep and not be woken up during the night. This would further affect the quality of our life. The proposed landscape buffer of 30 metres would do little to affect either the smell or the noise.

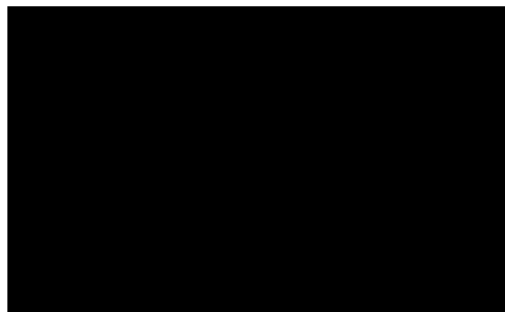
We currently have horses and alpacas on the property and are concerned that they too would be affected by smells and noise associated with the change in land use.

Bungower Rd is already a very busy road and the increased traffic in the area poses a risk to our safety. Traffic coming off Westernport Highway picks up speed as it comes down the hill to where our driveway intersects with the road. There is limited visibility of oncoming traffic due to the hill and additional traffic would increase the risk of an accident occurring as we pull into, or out of, our driveway.

Increase rainfall runoff into the storm and groundwater could affect the salinity of our paddocks, as this would increase the hydrologic pressure in the ground and push dissolved salts toward the surface of the soil, thus increasing the salinity of the soil, affecting the fertility and stock carrying capacity of our property.

Previous details obtained from earlier council information sessions to facilitate the development of industrial land on the Mornington Peninsula indicated that there are other sites within the Hastings/Somerville area that are also suitable for the same development, but these are further away from existing housing. We would prefer if these sites were developed in preference to the sites at 79 and 83 Bungower Rd, Somerville.

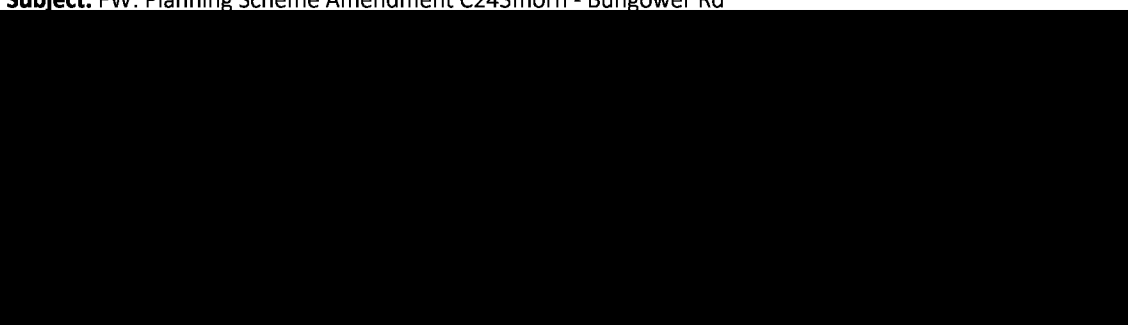
From:
To:
Subject:
Date:
Attachments:



Sent: Tuesday, 16 May 2023 8:31 AM

To:

Subject: FW: Planning Scheme Amendment C243morn - Bungower Rd



[Latest News](#)



Mornington Peninsula Shire acknowledges and pays respect to the Bunurong people, the Traditional Custodians of these lands and waters.

[We are committed to carbon neutrality.](#)

Sent: Tuesday, 16 May 2023 2:45 AM

Subject: Re: Planning Scheme Amendment C243morn - Bungower Rd

Hi

Thank you for the extra information.

I have just submitted our concerns regarding the proposed development even though it is after the close of submission, and I am also sending it to you in the hope that it will still be accepted. Unfortunately, our internet connection, and even phone service, at home was sporadic and limited over the last few days. Once I had missed the time for submission I thought I would have to accept that I would not be able to submit our concerns. However, I thought it was worth submitting late, if possible, and letting you know of the reasons, using the internet connection from my work. At least this way there is a chance our concerns will be considered compared to not having submitted them at all.

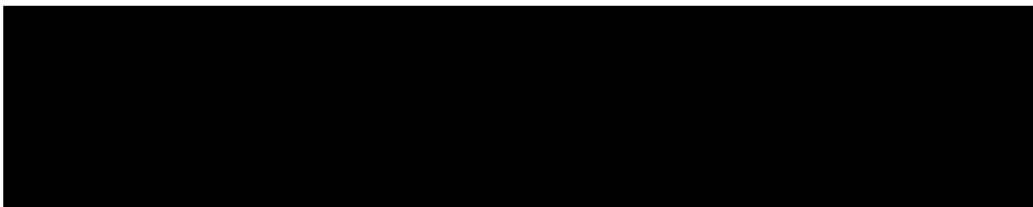
Thank you again for your time at the information session and the follow-up information.

Thank you for attending the information session last night. As requested, please find attached the table comparing the permitted uses in the existing SUZ1 and the proposed IN3Z. The definitions for the land use terms are available at

Please contact myself or the Strategic Planning team on 5950 1003 if you require any further information.

We look forward to receiving your submission.

thanks



Latest News



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the Traditional Custodians of these lands and waters.

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Submission to Mornington Peninsula Planning Scheme Amendment C243morn



Submitted on 16 May 2023, 11:35AM

Receipt number 92

Related form version 3

Name

Organisation

Postal address

Email

Phone number/s

Do you represent other people ?

No

If yes, who?

Have you attached written consent from these people for you to represent them?

No

Written consent

How would the proposal affect you ?

Other (please detail below)

Other (please detail below)

Interested planner

In Summary, my comments are:

I generally support this amendment to rezone this land to ensure it is actively used and no longer quarantined for only industry that is;

"dependent on or gain significant economic advantage from proximity to deep water port facilities, be directly associated with such a use or be a marine service industry."

Subject to incorporating the appropriate design controls, this should be adopted by Council and approved by the Minister for Planning.

I have provided detailed comments on the attached sheets

Upload comments

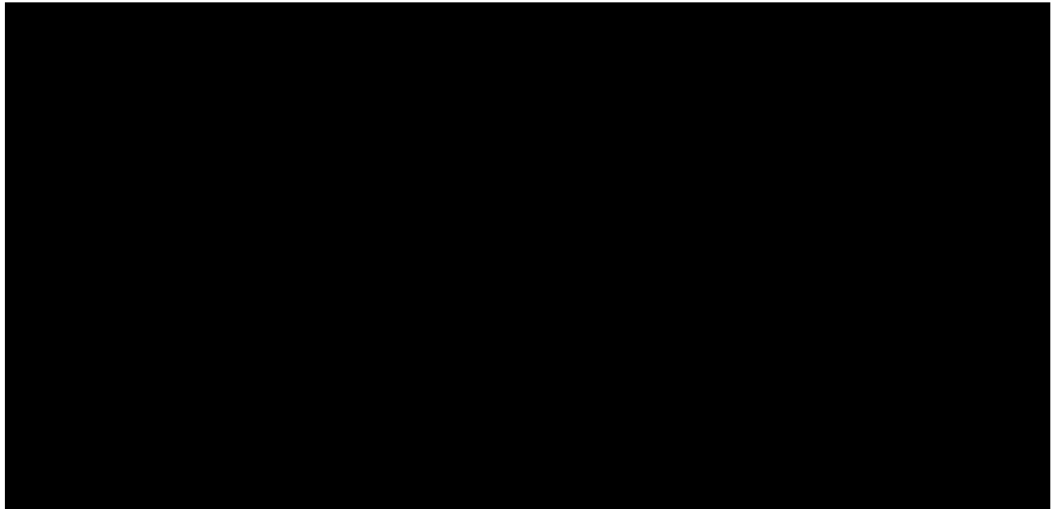
Signature

Date



From:
To:
Subject:

Date:
Attachments:



From: Planning Scheme <PlanningScheme@casey.vic.gov.au>

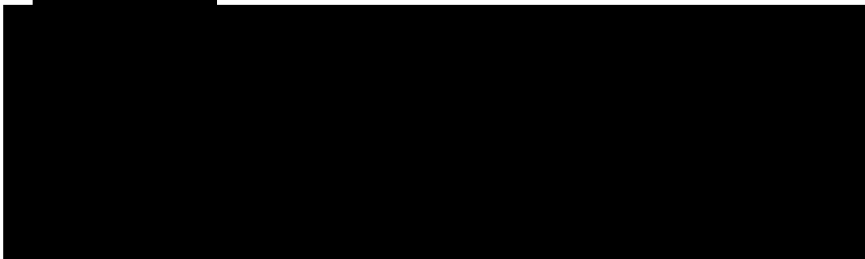
Sent: Thursday, 30 March 2023 3:51 PM

To: [REDACTED]

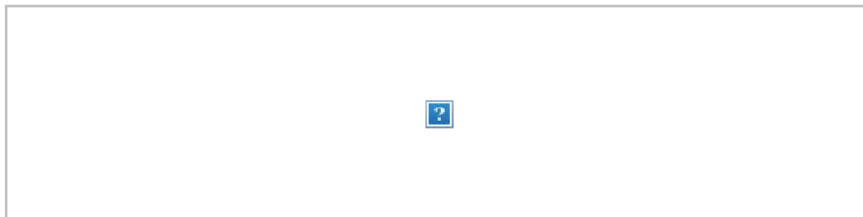
Subject: FW: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to Casey City Council

Thanks for sending this through. I have run this past the Strategic Planning Team Leaders here and there are no comments.

[REDACTED]



[REDACTED]



We proudly acknowledge the Traditional Owners, Casey's Aboriginal communities and their rich culture and pay respect to their Elders past, present and future.

We acknowledge Aboriginal people as Australia's First Peoples and as the Traditional Owners and Custodians of the land on which we work and live.

Please Note: This message may contain privileged and confidential information. If you are not the intended recipient, you must not disclose, distribute, copy or use the information contained in this email or any attachments. If you have received this message in error, please notify the City of Casey by return email and delete this email and any attachments from your system.

Any views expressed in this message are those of the individual sender and may not necessarily reflect the view of the City of Casey .

From: Casey City Council <caseycc@casey.vic.gov.au>

Sent: Thursday, 30 March 2023 6:52 AM

To: Planning Scheme <PlanningScheme@casey.vic.gov.au>

Subject: FW: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to Casey City Council

From [REDACTED]

Sent: Wednesday, 29 March 2023 7:36 PM

To: Casey City Council <caseycc@casey.vic.gov.au>

Subject: RE: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to Casey City Council

You don't often get email from anne.grogan@mornpen.vic.gov.au. [Learn why this is important](#)

To whom it may concern

I refer to the previous email about the exhibition of Planning Scheme Amendment C243morn to the Mornington Peninsula Planning Scheme.

Please note the exhibition closing date has been extended until **5pm Friday 12 May 2023**.

Details of the amendment and information sessions can be found here:

[Amendment C243morn | Shape our Future \(mornpen.vic.gov.au\)](#)

Regards

Sent: Wednesday, 15 March 2023 6:43 PM

To: caseycc@casey.vic.gov.au

Subject: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to Casey City Council

To whom it may concern:

The Mornington Peninsula Shire Council has prepared Amendment C243morn (Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct) to the Mornington Peninsula Planning Scheme.

Attached is a cover letter and a notice of the preparation of an amendment where you can find more details about the amendment.

You have been contacted as a stakeholder who may have an interest in the amendment.

Mornington Peninsula Shire acknowledges and pays respect to the Bunurong people, the Traditional Custodians of these lands and waters.

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mornpen.vic.gov.au/privacystatement

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Submission to Planning Scheme Amendment C243morn
Date: Monday, 22 May 2023 11:49:19 AM
Attachments: [REDACTED]

Dear Mornington Peninsula Shire Council

Thank you for the opportunity for Energy Safe Victoria (ESV) to comment on Planning Scheme Amendment C243 to rezone land at 79 and 83 Bungower Road Somerville from a Special Use 1 zone to an Industrial 3 zone to facilitate development of an Industry, Technology and Business Park Precinct.

As part of its role Energy Safe Victoria (ESV) regulates Victorian major gas and oil transmission pipeline operators. Under the Australian Standard AS2885 – Pipelines Gas and liquid petroleum, major (*ie: transmission*) pipeline operators are required to consider the impact of land use change and development on the design and operational safety of major pipeline infrastructure.

The following transmission pipelines cross land affected by the Amendment:

- [REDACTED]
- [REDACTED]
- [REDACTED]

ESV notes that the Industrial 3 zone will allow a number of, previously prohibited, land uses that may increase the consequence of a pipeline failure either due to their sensitivity, crowd gathering potential or they contain substantial sources of ignition; including:

- Place of Assembly;
- Hotel;
- Service Station.

The Industrial Land Use and Infrastructure Assessment and Rezoning Strategy undertaken in 2020 for the Shire of Mornington did not provide significant guidance regarding new development in the vicinity of the major pipeline infrastructure located within the Somerville Precinct.

ESV seeks to ensure that the layout and design of new land use and development within the precinct makes provision for the operational safety needs of the major pipeline infrastructure in the area, as required under the Australian Standard.

The Australian Standard- Gas and liquid petroleum, requires a formal safety assessment be carried out for activities allowable under the land rezoning that may increase the consequence of a pipeline failure. Activities that are either sensitive in nature, have crowd gathering potential, or are likely to contain substantial sources of ignition should be assessed for safety. Therefore ESV also seeks inclusion of a requirement for a safety assessment of these uses under the Amendment. To address the above matters, ESV recommends the following, or similar, be included under section 4.0 of DPO24 under the heading “Major Pipeline Infrastructure.”

Major Pipeline Infrastructure

Subdivision or development shall provide for:

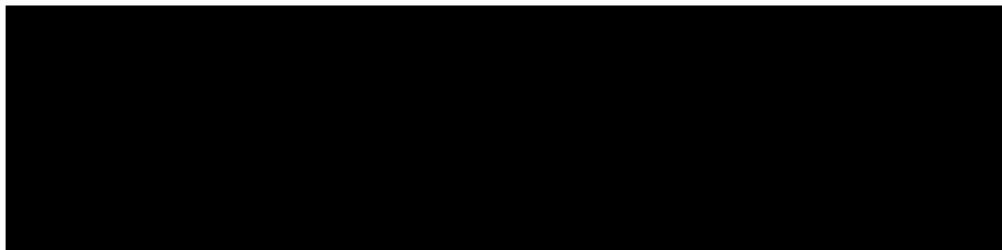
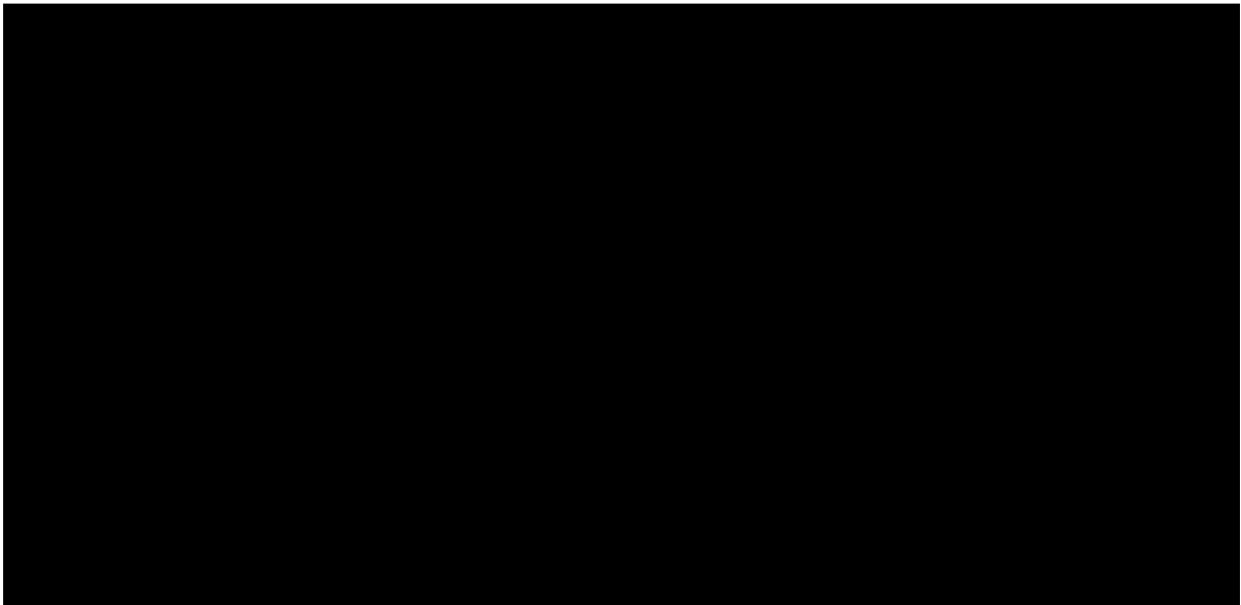
- major transmission gas and oil pipeline corridors or easements located within a public reserve;
- measures to mitigate the impact of development on the operational safety of transmission pipeline infrastructure in consultation with the pipeline operator;
- a layout that restricts the number of transmission pipeline crossings required.

- Consent from the pipeline owner/operator for works within 3m of a transmission pipeline corridor or easement.

- Clear access on and either side of transmission pipeline corridors maintained and vegetation other than light grasses along the pipeline corridor subject to pipeline owner/operator consent.
- Development of a childcare centre avoided within 200m of a transmission pipeline.
- The findings of a formal safety assessment overseen by the relevant pipeline operator incorporated in the design and development of the following activities within 200m of a transmission pipeline:
 - Education Centre;
 - Place of Assembly;
 - Outdoor children's playground;
 - Hotel;
 - Outdoor market;
 - Service station;
 - Fuel Depot;
 - Industry with potential adverse impacts with a threshold distance above 250m from a sensitive use.

Please do not hesitate to contact me, should you have any concerns regarding the requested changes to the Amendment.

Regards



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From: [REDACTED]
To: [Strategic Admin](#)
Subject: Notice of Mornington Peninsula Planning Scheme Amendment C243morn
Date: Monday, 8 May 2023 3:59:52 PM
Attachments: [REDACTED]

Dear [REDACTED]

Energy Safe Victoria (ESV) have been notified of the above Amendment by [REDACTED]
Please note the following major oil and gas transmission pipelines cross the land affected by the Amendment:

- [REDACTED]
- [REDACTED]
- [REDACTED]

Can you advise whether [REDACTED] have been notified. Can you also advise whether ESV was notified as I do not have a record of it.

I have attached a map showing the location of major pipeline infrastructure and the associated notification areas for land use change for your information.

Thanks

Regards

[REDACTED]

[REDACTED]

[REDACTED] 

[REDACTED] 

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SITE ENQUIRY

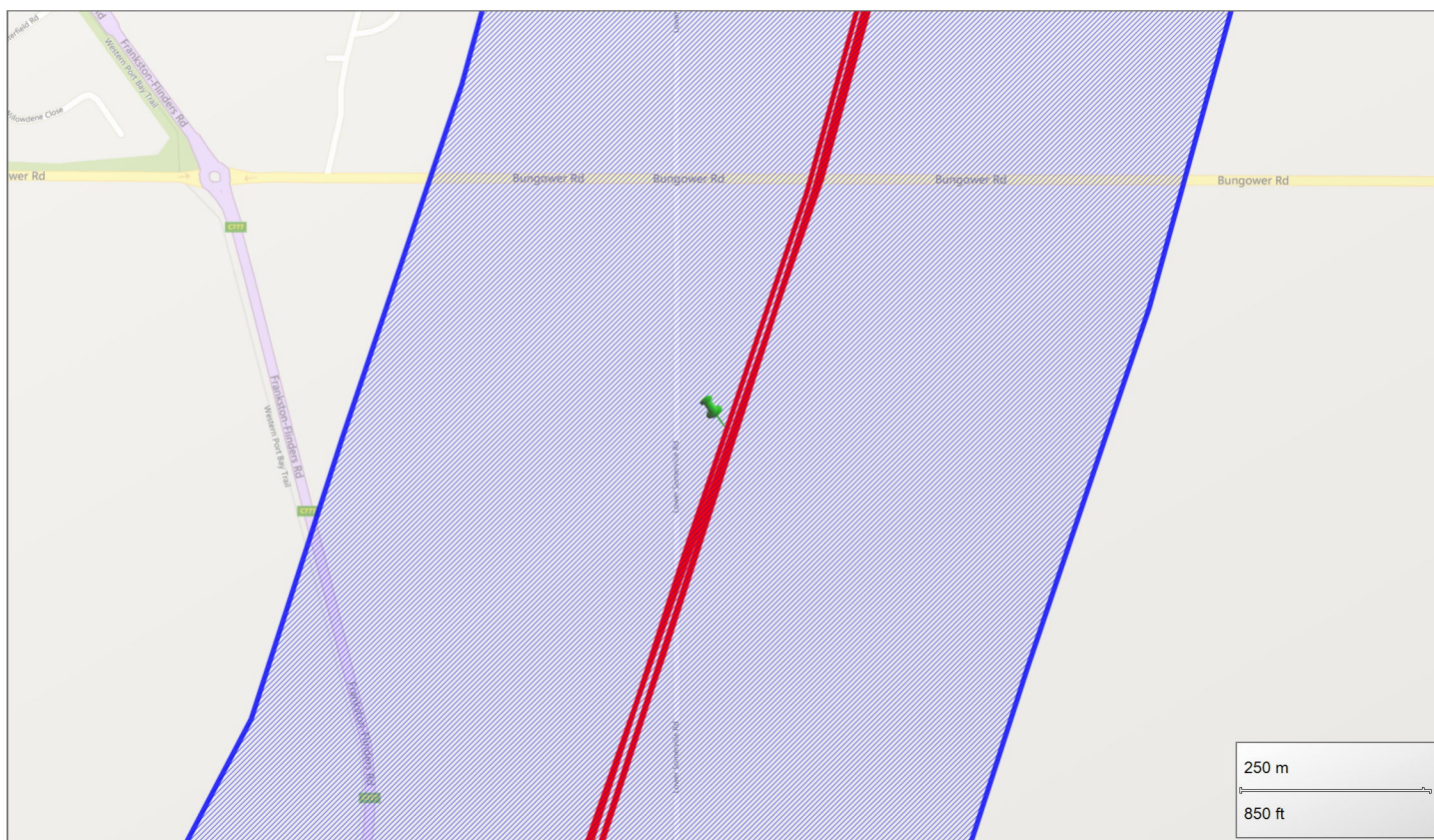
Site: User Placed Point - 145.197313,-38.241655

Enquiry Id: 13729

Organisation: Energy Safe Victoria

User: [REDACTED]

Enquired: 5/8/2023 12:08:39 PM



Pipeline Corridor: — Notification Zone: [Blue shaded area]

Pipeline Asset Site: • Enquiry Site: [Green pin] Or: [Green box]

Enquiry Results For Site: User Placed Point - 145.197313,-38.241655

The enquiry falls within the notification zone of 1 assets which are detailed in the table below

The APD is to be used solely for the purpose of facilitating discussion regarding planning activity and decisions in the vicinity of pipelines. It is not to be used for proving and construction activities. Dial Before You Dig enquiries must be made for these activities and any conditions complied with.

Pipeline Name	Owner	License Number	Contact Info	Substance	Asset Type	Modified	Offset (m)
W.A.G Pipeline (Hastings-Altona)	[REDACTED]	PL65 Vic	[REDACTED]	Oil	Pipeline Corridor	7/08/2022	14
Crib Point to Hastings Pipeline	[REDACTED]	PL3	[REDACTED]	Oil	Pipeline Corridor	4/08/2022	11
Dandenong - Crib Point [T013]	[REDACTED]	PL11	[REDACTED]	Methane	Pipeline Corridor	28/11/2016	2
Long Island Point 250 to Qenos Ethane	[REDACTED]	PL/53	[REDACTED]	Ethane	Pipeline Corridor	7/09/2017	15

From: [REDACTED]
To: [Strategic Admin](#)
Subject: FW: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to EPA
Date: Monday, 22 May 2023 2:58:56 PM
Attachments: [REDACTED]

Sent: Friday, 12 May 2023 10:43 AM

To: [REDACTED]

Subject: RE: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to EPA

OFFICIAL

Dear [REDACTED]

Thank you for your email received on 15 March 2023 regarding proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct. We understand the Amendment is currently on exhibition and was referred to EPA under Ministerial Direction 19 (MD19) on 31 May 2022 (EPA Ref: REQ002084).

The Amendment proposes the following changes to the Mornington Peninsula Planning Scheme (the Planning Scheme):

- Rezoning of the land from Special Use Zone Schedule 1 – Port Related Uses (SUZ1) to Industrial 3 Zone (IN3Z).
- Introduction of a new Development Plan Overlay Schedule 24 (Mornington Peninsula (Somerville) Technology, Industry and Business Park Precinct) (DPO24) over the land.
- Insertion into the Planning Policy Framework of a new local policy 17.03-2L (Industrial Land Supply – Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct), which will apply to the land.
- Other consequential changes to the Planning Scheme.

Having reviewed the exhibited amendment documents, it doesn't appear that there have been any changes to the amendment since we provided MD19 advice, and that this advice has been incorporated into the exhibited amendment documents.

Having said that, EPA require the following change in the Explanatory Report under the section on MD19:

- The second last sentence should include reference to PPN30, that is, Council's position is consistent with guidelines.
 - Remove reference to EPA – EPA does not provide peer reviewing of documents (in isolation) on behalf of Planning Authorities.
- [REDACTED]

[REDACTED]

To whom it may concern

I refer to the previous email about the exhibition of Planning Scheme Amendment C243morn to the Mornington Peninsula Planning Scheme.

Please note the exhibition closing date has been extended until **5pm Friday 12 May 2023**.

Details of the amendment and information sessions can be found here:

[Amendment C243morn | Shape our Future \(mornpen.vic.gov.au\)](https://amendment.c243morn.vic.gov.au)

Regards

[REDACTED]

Sent: Wednesday, 15 March 2023 6:32 PM

[REDACTED]

Subject: Proposed Amendment C243morn - Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct – Exhibition notice to EPA

To whom it may concern:

The Mornington Peninsula Shire Council has prepared Amendment C243morn (Mornington Peninsula (Somerville) Industry, Technology and Business Park Precinct) to the Mornington Peninsula Planning Scheme.

Attached is a cover letter and a notice of the preparation of an amendment where you can find more details about the amendment.

You have been contacted as a stakeholder who may have an interest in the amendment.

Regards

[REDACTED]

Latest News



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Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 8000-79063-126926
Council Ref: C243morn

6 June 2023

Claire Dougall
Mornington Peninsula Shire Council
PRIVATE BAG1000
ROSEBUD VIC 3939

Dear Claire,

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: C243morn
Location: 79 and 83 Bungower Road, Somerville

Thank you for providing CFA notice of C243morn in accordance with Section 19 of the *Planning and Environment Act 1987*. CFA understands the amendment affects the land at 79 and 83 Bungower Road, Somerville and seeks to:

- Rezone land from the Special Use Zone Schedule 1 to the Industrial 3 Zone.
- Introduce a new local policy into the Planning Policy Framework Clause 17.03-2L.
- Introduce a new Schedule 24 to the Development Plan Overlay (DPO).
- Introduce the *Industrial Land and Infrastructure Assessment and Rezoning Strategy* (Mornington Peninsula Shire, 2020) as a Background Document.

CFA has reviewed the proposed planning scheme amendment, including the *Clause 13.02-1S Assessment* (Bushfire Assessment) prepared by Fire Risk Consultants dated February 2022 and would like to provide the following advice:

Landscape bushfire considerations

CFA broadly agrees with the Bushfire Assessment landscape descriptions in that the urban areas of Somerville, are located to the north west, and Tyabb, to the south west, with grassland hazards present to the north, east and south. At the site scale, scrub vegetation is present at the southern aspect.

The likely bushfire scenario would be from a grassland/scrub driven by a south westerly wind.

Alternative locations for development

CFA understands the *Industrial Land and Infrastructure Assessment and Rezoning Strategy* is the strategic basis being relied upon for the proposed rezoning and notes that the strategic work didn't explore alternative locations from a bushfire perspective.

CFA accepts Council's position to encourage growth in this location, provided appropriate bushfire protection measures are identified and incorporated into the proposal.

Availability of safer areas

CFA identifies there is an existing road network that provides access to the urban areas of Somerville and Tyabb. CFA recommends any future road network from the subject land connects to the existing road network to allow access to safer areas.

Site based exposure

Policy at Clause 13.02-1S requires radiant heat benchmarks to be achieved at the site scale. The Bushfire Assessment identifies that future development can satisfy relevant site based exposure benchmarks. CFA supports the recommendations within the Bushfire Assessment in that setbacks hazard vegetation are included within the proposal to ensure future development is exposed to radiant heat of no greater than 12.5kW/m². These are:

- 19 metres from the grassland hazards at the east and western boundary.
- 27 metres from the scrub hazard at the southern boundary.

Bushfire protection measures

CFA understands this proposal includes the introduction of a new schedule to the DPO and a new local policy. Both of these aspects of the application are capable of including the required bushfire protection measures to ensure future development can satisfy Clause 13.02-1S, however at this stage it is unclear as to how the bushfire protection measures will be incorporated into this proposal.

CFA recommends the following bushfire protection measures are included within the application as part of this proposal:

- The provision of a perimeter road within the subject land along the eastern and southern boundaries between the grassland hazard to the east and the scrub to the south.
- Identification of setbacks from classified vegetation that will ensure radiant heat exposure of no greater than 12.5kW/m².
- Building envelopes identified on all lots that require vegetation to be managed for the purposes of defendable space.
- Requirements for vegetation within areas of defendable space in accordance with the following:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
 - Shrubs must not be located under the canopy of trees.
 - Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
 - Trees must not overhang or touch any elements of the building.

- The canopy of trees must be separated by at least 2 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- The road layout connecting to the existing road network and established urban areas.

CFA welcomes the opportunity to continue discussions regarding this and other proposals within Mornington Peninsula Shire. If you wish to discuss this matter in more detail, please do not hesitate to contact either Luci Johnston, Land Use Planning Coordinator on 9262 8672, or myself on 0408 354 148.

Yours sincerely,



Jude Kennedy
Manager Community Safety
CFA South East Region

From: Luci Johnston <Luci.Johnston@cfa.vic.gov.au>
Sent: Wednesday, November 20, 2024 4:13 PM
To: Angela Davison <Angela.Davison@mornpen.vic.gov.au>
Cc: Anne Coxon <A.Coxon@cfa.vic.gov.au>
Subject: RE: Amendment C243morn - 79 & 83 Bungower Road, Somerville

Hi Angela

Thank you for your email.

We support the changes proposed to DPO24 as set out in your email below and consider our submission resolved.

Regards

Luci



Luci Johnston Land Use Planning Coordinator
Fire Risk, Research & Community Preparedness
CFA HQ - 8 Lakeside Drive, Burwood East VIC 3151
T: 03 9262 8672 E: luci.johnston@cfa.vic.gov.au

From: Angela Davison <Angela.Davison@mornpen.vic.gov.au>
Sent: Monday, 18 November 2024 11:53 AM
To: Luci Johnston <Luci.Johnston@cfa.vic.gov.au>; Anne Coxon <anne.coxon@cfa.vic.gov.au>
Subject: FW: Amendment C243morn - 79 & 83 Bungower Road, Somerville
Hello Luci

CFA's ongoing consultation regarding this matter is much appreciated as we work through the outstanding matter which is CFA's earlier recommendation that a perimeter road be installed to the east and south of the subject land.

As we are heading to a Council briefing on 10 December it would be helpful to clarify the matter as soon as possible.

So the question at the moment is does the proponent's response resolve your earlier raised issue of concern by achieving the setbacks from fire source feature including with defendable space and circulation around buildings?

We consider DPO24 is likely to be the instrument by which Council can condition subdivision, buildings and works to reinforce the 19 and 27 metre setbacks for the eastern and southern boundaries respectively.

The amendment to the draft DPO24 that we are making is inclusion of the following:


- A permit for subdivision and/or development for the lots located along the eastern and southern boundaries must include the following conditions:
 - Identification of setbacks from classified vegetation that will ensure radiant heat exposure of no greater than 12.5kW/m².
 - 19 metres from the grassland hazards at the eastern boundary.
 - 27 metres from the scrub hazard at the southern boundary.
 - Each lot located along the eastern and southern boundaries is to incorporate an internal continuous accessway to enable access for emergency service vehicles.
 - Defendable space will be created for the lots along the eastern and southern boundaries to ensure a bushfire risk is not created over time.

We now ask whether you wish to adapt your submission comments to reflect the outcome of these further consultations.

Please let us know at your earliest convenience.

Kind regards



ANNE GROGAN (she/her) | Coordinator - Strategic Planning
Email: anne.grogan@mornpen.vic.gov.au
Phone: 03 5950 1249
Private Bag 1000, Rosebud VIC 3939 | 2 Queen Street, Mornington VIC 3931
Follow us on social media!   



Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone 613 9651 9999
www.transport.vic.gov.au
DX 201282

Anne Grogan
Strategic Planner
Mornington Peninsula Shire Council
Private Bag 1000
ROSEBUD VIC 3939

Dear Anne,

AMENDMENT C243morn TO THE MORNINGTON PENINSULA PLANNING SCHEME

Thank you for your notification of proposed Planning Scheme Amendment C243morn to the Head Transport for Victoria (Department of Transport and Planning, DTP). I apologies for the delay with our response.

The amendment proposes to rezone the land at 79-83 Bungower Road, Somerville from Special Use Zone Schedule 1 – Port Related Uses (SUZ1) to Industrial 3 Zone (IN3Z) and introduction of new Development Plan Overlay (DPO24) over the land.

The Head, Transport for Victoria has considered the proposal and notes the following:

- The submitted Transport Impact Assessment Report prepared by Stantec, dated 14 April 2022; does not provide sufficient information on the impact of the proposed amendment on the safety and efficiency of the surrounding arterial road network especially Bungower Road/Westernport Highway intersection and Bungower Road/Frankston Flinders Road intersection.
- The proposed traffic generated by the development towards east (Westernport Highway) is approx. 2000 vehicle per day and towards west (Frankston-Flinders Road and Peninsula Link) is approx. 5000 vehicle per day. This is considered as significant and the submitted report failed to capture its impact on the safety and efficiency of the arterial road network.

In light of the above, the development as per the current proposal cannot adequately or safely be accommodated with the existing road network. As such, the Head, Transport for Victoria has considered the proposal and wishes to advise that it does not have sufficient information to decide on the proposed planning scheme amendment and request to submit a further detailed Transport Impact Assessment Report addressing the DTP's concerns as stated above.

Should you have any enquiries regarding this matter, please contact Saurabh Shirude on 9881-8098 or Statutory.Planning@roads.vic.gov.au

Yours sincerely,

Saurabh Shirude

Principal Statutory Planner, Greater Metro Region
Under delegation from the Head, Transport for Victoria

19 June 2023



Claire Dougall
Team Leader, Strategic Planning
Mornington Peninsula Shire Council
Private Bag 1000
ROSEBUD VIC 3939

Dear Claire,

AMENDMENT C243morn TO THE MORNINGTON PENINSULA PLANNING SCHEME

Thank you for your notification of the proposed Planning Scheme Amendment C243morn. I apologise for the delay with our response.

The amendment proposes to rezone the land at 79-83 Bungower Road, Somerville from Special Use Zone Schedule 1 – Port Related Uses (SUZ1) to Industrial 3 Zone (IN3Z) and introduction of new Development Plan Overlay (DPO24) over the land.

DTP has considered the proposal and notes the following:

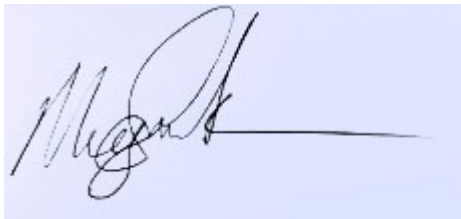
- The Victoria Commercial Ports Strategy (2022) (the Strategy) highlights the importance of the Port of Hastings SUZ1 area for strategic land-use planning, preserving access to areas required to directly undertake port activities, maintaining buffers to protect amenity, and providing the transport corridors required to link the port to the wider freight network. The Strategy also acknowledges that, as time has passed, the entirety of this SUZ1 area is no longer required to be protected for port related industries. The Strategy recommends the SUZ1 area be reviewed and land that isn't needed for port development could be rezoned in partnership with local council, opening the land to a range of new industrial-based employment opportunities, noting that the rezoned land would still serve to buffer the port from sensitive uses.
- The Strategy includes a short-term action for the Port of Hastings Corporation (PoHC) to confirm the land area required to be retained for port planning purposes, which is to be published in their next Port Development Strategy (PDS). PoHC will work with DTP and MPSC, as the responsible planning authority, to confirm the land requirements as part of the PDS development. The Port of Hastings PDS is required to be completed and published on the PoHC website by the end of 2024. Once the PDS is published, DTP will work with MPSC to form a strategic view and progress any further planning scheme amendments within the Hastings area.

- Further analysis and a detailed Traffic Impact Assessment Report (TIAR), through the Planning Permit process will be required for the proposed development, to understand and identify the impacts and required upgrades to the network.

As such, DTP has considered the proposal and will support the proposed planning scheme amendment.

Should you have any enquiries regarding this matter, please contact Bill Vasiliadis, Senior Transport Planner, on email bill.vasiliadis@roads.vic.gov.au

Yours sincerely

A handwritten signature in black ink on a light blue rectangular background. The signature is cursive and appears to read 'Nigel Smith'.

Nigel Smith

Acting Associate Director Transport Network Planning Integration
Metropolitan Melbourne
Department of Transport and Planning

27 / 10 / 2023

Mornington Peninsula Planning Scheme
Amendment C243morn

in relation to land at

79 and 83 Bungower Road, Somerville

**Submission on behalf of
Port of Hastings Corporation**

to

Mornington Peninsula Shire Council

Panel Hearing: to be confirmed

1. Background

- 1.1 These submissions are made on behalf of the Port of Hastings Corporation (**PoH**).
- 1.2 The Amendment has been prepared by the Mornington Peninsula Shire Council (**Council**) at the request of Macroplan Holdings Pty Ltd on behalf of Procter Investments Pty Ltd.
- 1.3 Council is the planning authority for this Amendment.
- 1.4 The Amendment applies to 79 and 83 Bungower Road, Somerville (**Subject Land**).
- 1.5 The Amendment as relevant to PoH seeks to rezone the Subject Land from Special Use Zone Schedule 1 – Port Related Uses (**SUZ1**) to Industrial 3 Zone (**IN3Z**).
- 1.6 The Special Use Zone (Schedule 1 – Port Related Uses) prohibits a range of industrial and warehouse-based uses if they do not meet the following condition:

Must be dependent on or gain significant economic advantage from proximity to deep water port facilities or be directly associated with such a use or a marine service industry.

2. The PoH land and surrounds

- 2.1 PoH owns and/or controls the land at Crib Point Foreshore and Cribb Point Jetty (Allotment 2040 Bittern), 1d Stony Point Road, Crib Point and 5 Long Island Drive, Hastings, including the Old Tyabb Reclamation area (together known as the **PoH Land**).
- 2.2 The land surrounding the PoH is zoned SUZ1, and colloquially referred to as the local port environs. The local port environs contain large areas of rural land, which provide broad separation from residentially zoned land to PoH Land.
- 2.3 In addition to providing separation, the port environs also provide transport corridors that support port related operations. The need to maintain and preserve freight corridors is important in the face of increasing residential pressure.
- 2.4 The scope of potential port needs is outlined in the *Port of Hastings Development Strategy* (2018) (**DS**) and shown in Figure 2, below.

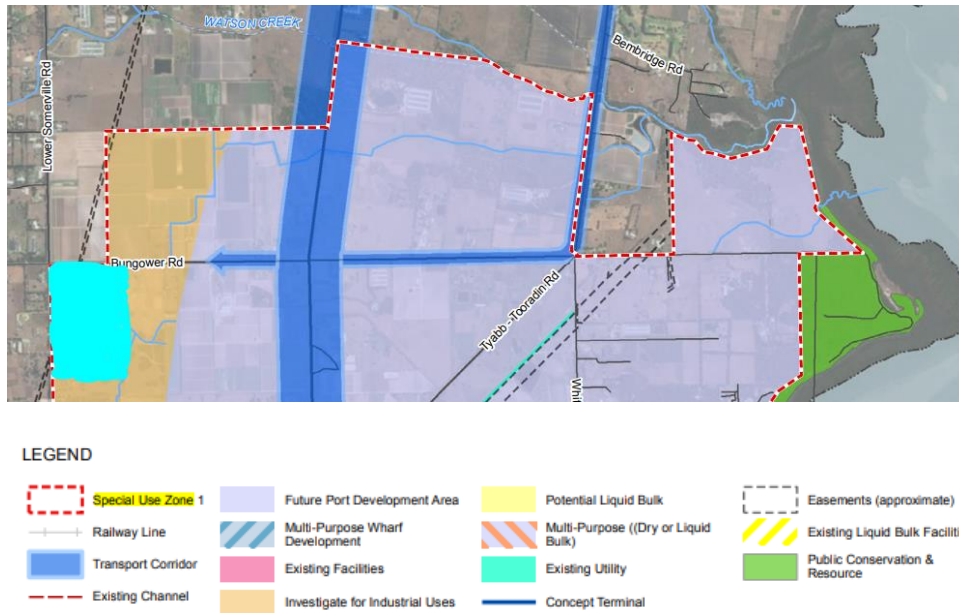


Figure 1: Extract Future land use planning framework - northern area and Long Island,
Subject land Shown in teal

- 2.5 Figure 1 identifies that the Subject Land is situated on the outer north-west corner of the SUZ1 land, outside the Future Port Development area and within an area identified for investigation for industrial uses.
- 2.6 The DS identifies that much of the land within the SUZ1 zone provides for the Future Port Development Area, shown in purple, land for logistics and related industry and transport development.
- 2.7 The PoH notes that while the Subject Land is in the investigation for industrial uses it is still on a transport corridor, but this is a lower order transport corridor.
- 2.8 In addition, PoH acknowledges that SUZ1 land has also been identified in the Melbourne Industrial and Commercial Land Use Plan (**MICLUP**) (2020) as land that should be considered for alternative industrial development due to its good arterial road, freeway and fixed rail connections to major transport gateways such as the Port of Hastings.
- 2.9 That said, the MICLUP identifies that further planning is required in relation to the local port environs, and that the local port environs could allow for a broader range of industrial uses, particularly where land is already identified as suitable for further investigation for industrial uses.

3. Support of Amendment

3.1 PoH supports the Amendment and the rezoning of the Subject Land to INZ3 with the accompanying Development Plan Overlay Schedule 24 (**DPO24**) to further direct the use and development on the Subject Land.

3.2 PoH supports the inclusion in INZ3, of:

- (a) Clause 17.3-2L Industrial Land Supply - Mornington Peninsula (Somerville) Technology, Industry and Business Park Precinct as it seeks to encourage large scale technology-based industries, manufacturing, research and development; and
- (b) Clause 17.03-3S State significant industrial land as it identifies the importance of ensuring:

"sufficient availability of strategically located land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses.

Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses."

3.3 PoH **does not support** in INZ3:

- (a) the reference to "Port of Hastings Industrial Precinct" in clause 17.03-3S as while this was referenced in the previous INZ3 (VC134), there is no such precinct. PoH is of the view that the reference should be corrected to Future Port Development Area which then has a direct correlation to the DS.
- (b) PoH suggest the following:

Strategies

Protect state significant industrial land from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:

...

Port of Hastings Future Port Development Area

3.4 PoH supports the inclusion in DPO24 of Clause 4 in particular:

- (a) landscaped buffers to ensure that an appropriate transition occurs between the precinct, adjoining properties and surrounding zones;

- (b) that no subdivision is to occur in relation to the land to the west of the existing gas pipeline; and
- (c) road upgrade works to Bungower Road that include the provision of a signalised intersection.

4. Conclusion

- 4.1 Having regard to the above, PoH submits that the Amendment should be recommended to the Minister for approval subject to changing Clause 17.03-3S to delete reference to the 'Port of Hastings Industrial Precinct' and replacing this with 'Port of Hastings Future Port Development Area'.

For and on behalf of Port of Hastings Development Corporation
3 July 2023