



**MORNINGTON
PENINSULA**
Shire

ATTACHMENT BOOK 3

COUNCIL MEETING

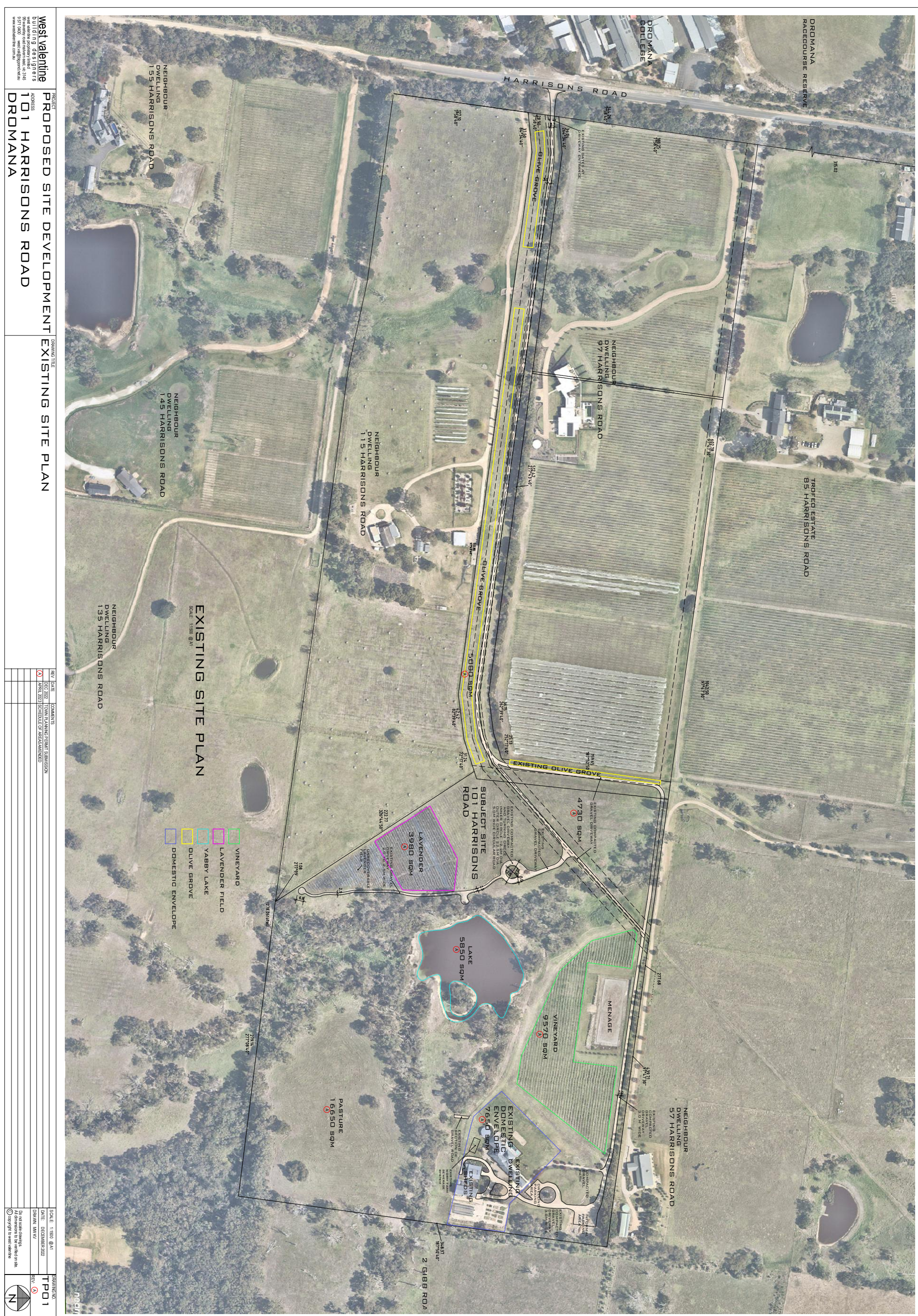
WEDNESDAY, 14 AUGUST 2024

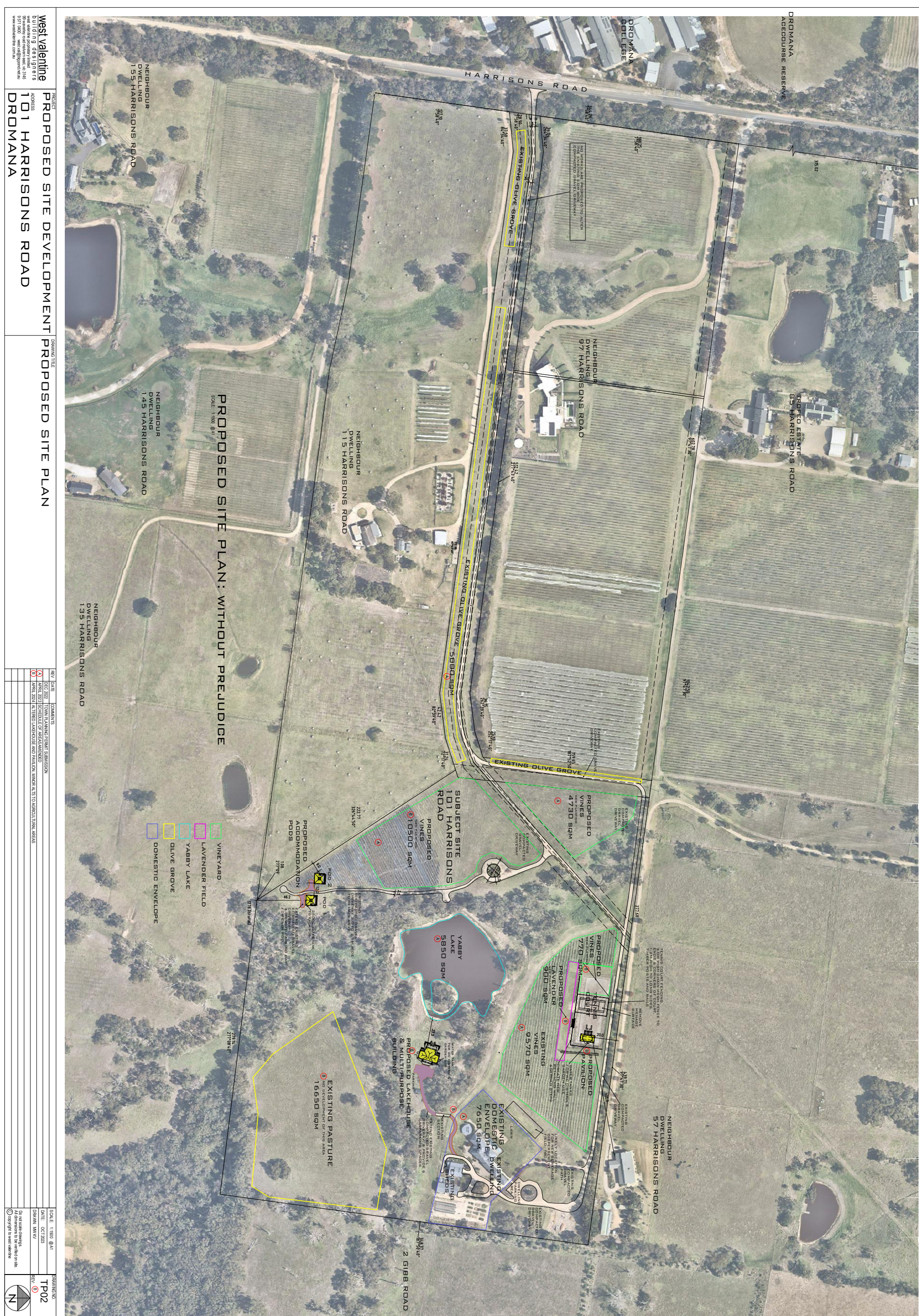
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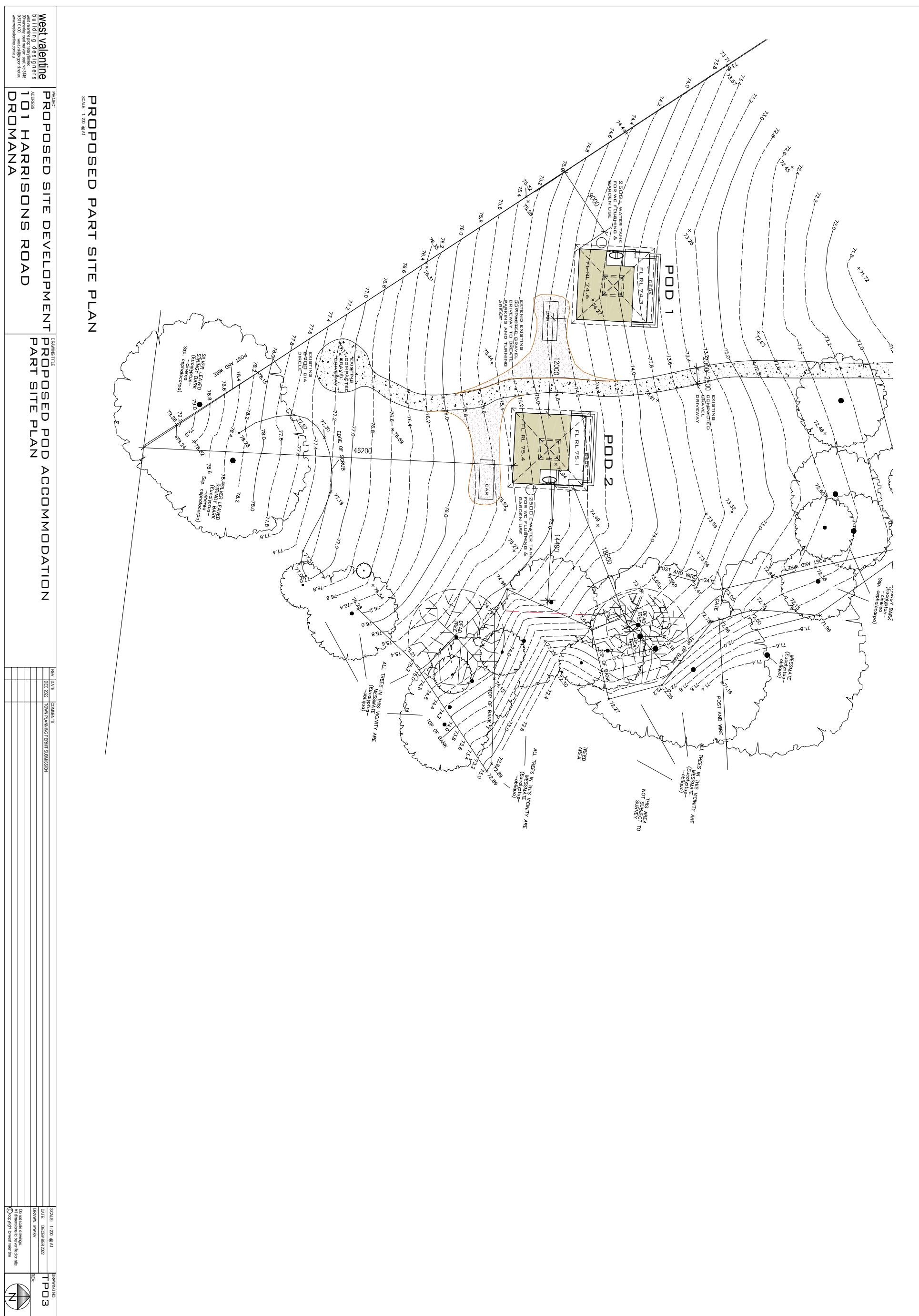
**MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD**

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SCHEDULE OF PROPOSED
COLOURS & MATERIALS

	MATERIAL COLORBOND METAL ROOF CLADDING COLORBOND "MONUMENT"
	MATERIAL COLORBOND HALF ROUND BUTTERS & DOWNPIPES COLOUR COLORBOND "MONUMENT"
	MATERIAL COLORBOND METAL LOUVER ROOF &/OR PABER VENTS WITH METAL MESH BASKING COLORBOND "MONUMENT"
	MATERIAL STRATEDO HILAND (OR SIMILAR) POWDERCOATED METAL WINDOW FRAMES COLOUR COLORBOND NIGHT SKY' BLACK
	MATERIAL FUTUREWOOD CLEVERECK EXTREME COMPOSITE DECKING COLOUR BRASLET (MID GREY)

PROPOSED POD ACCOMMODATION
FLOOR PLAN
SCALE: 1:100 @A1

SCHEMATIC SECTION: POD 1
SCALE: 1:100 @A1

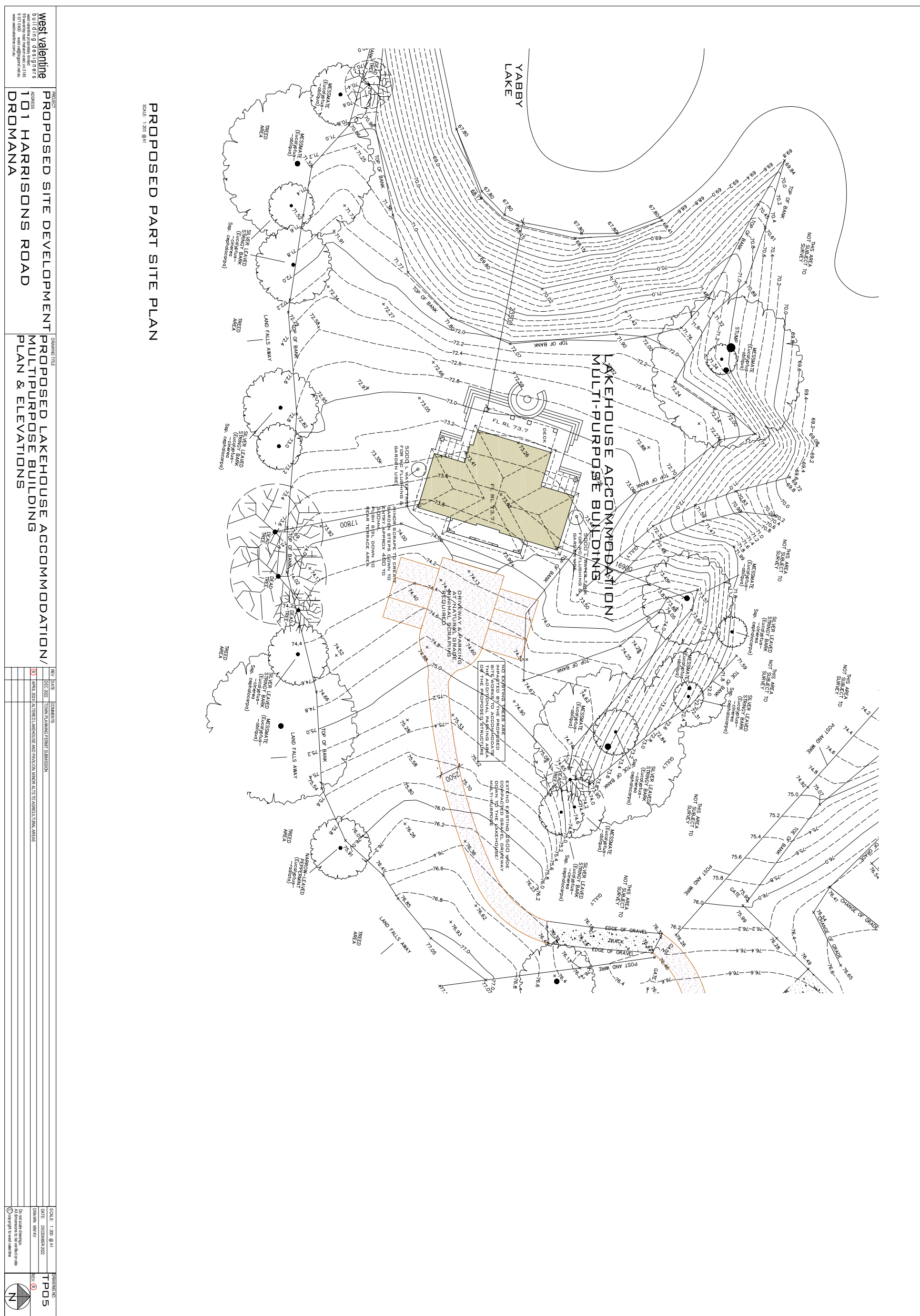
SCHEDULE OF AREAS
POD FLOOR AREA
54.9
AREA UNDER ROOF
77.1

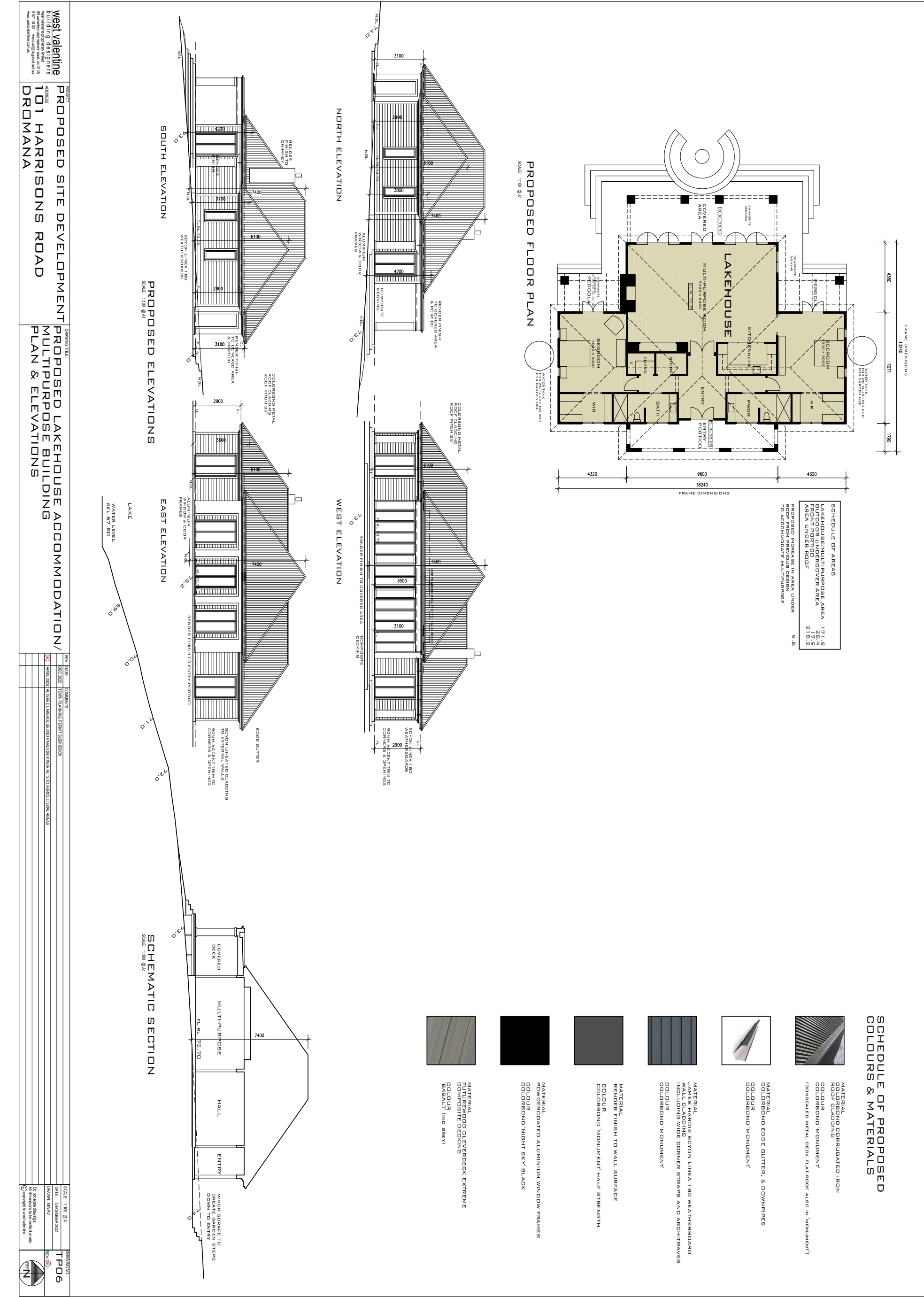
POD 2: REVERSED ORIENTATION
PROPOSED POD ACCOMMODATION
FLOOR PLAN
SCALE: 1:100 @A1

PROJECT
PROPOSED SITE DEVELOPMENT
PROPOSED POD ACCOMMODATION
PLAN & ELEVATIONS

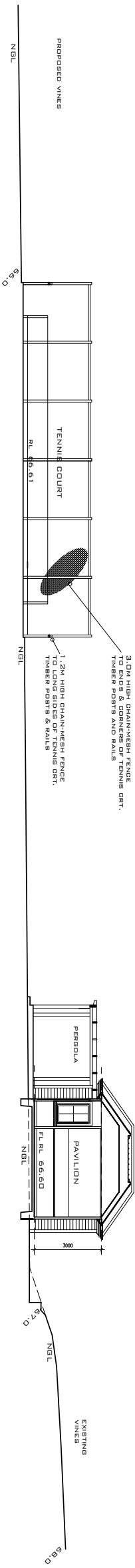
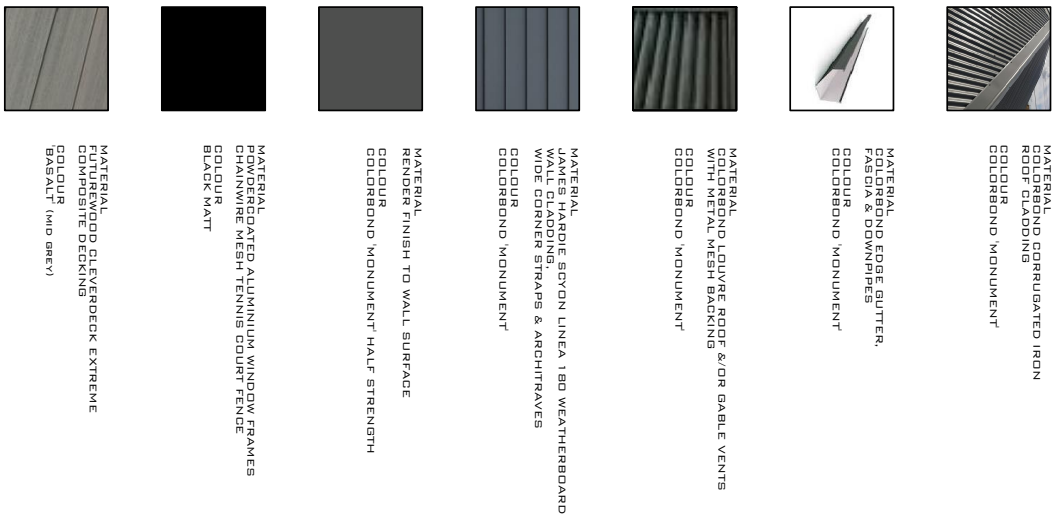
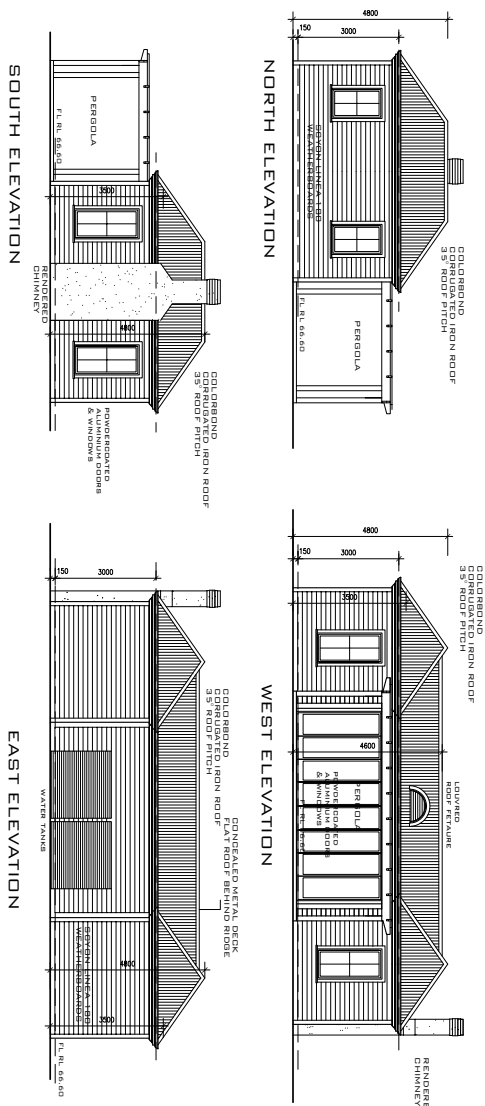
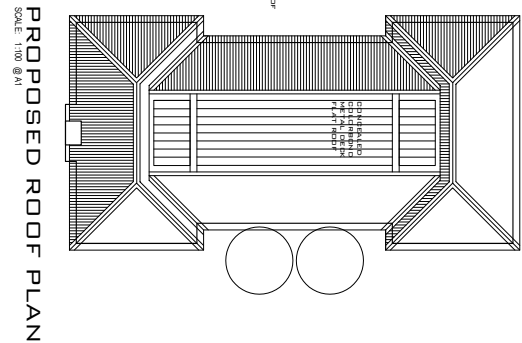
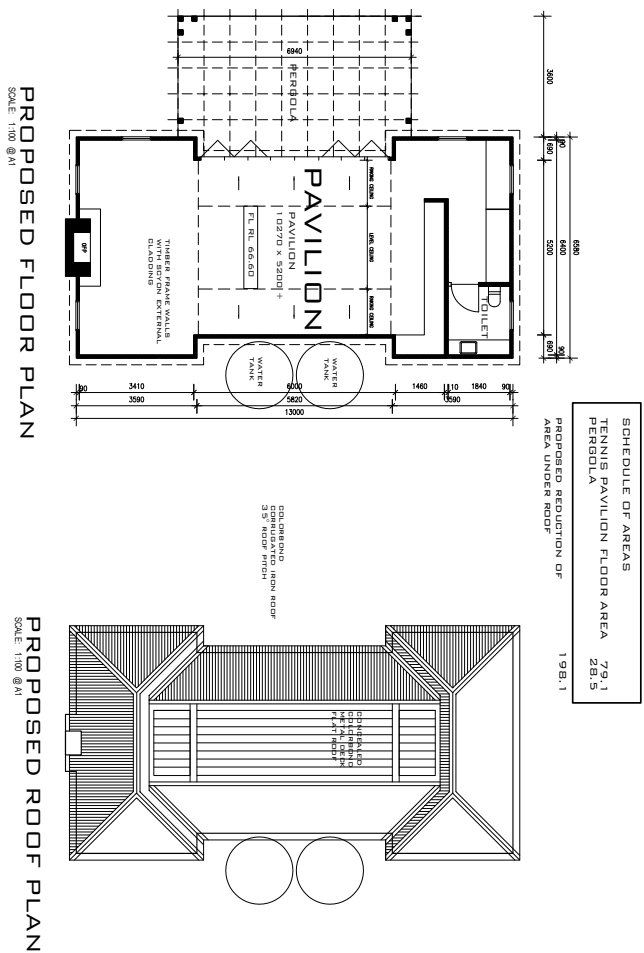
REV DATE COMMENTS
DEC 2022 TOWN PLANNING PERMIT SUBMISSION
APRIL 2023 SCHEDULE OF AREAS AMENDED

SCALE: 1:100 @A1
DATE: DECEMBER 2022
DRAWN: MMV
DESIGNED: MMV
CHECKED: MMV
APPROVED: MMV
TP04

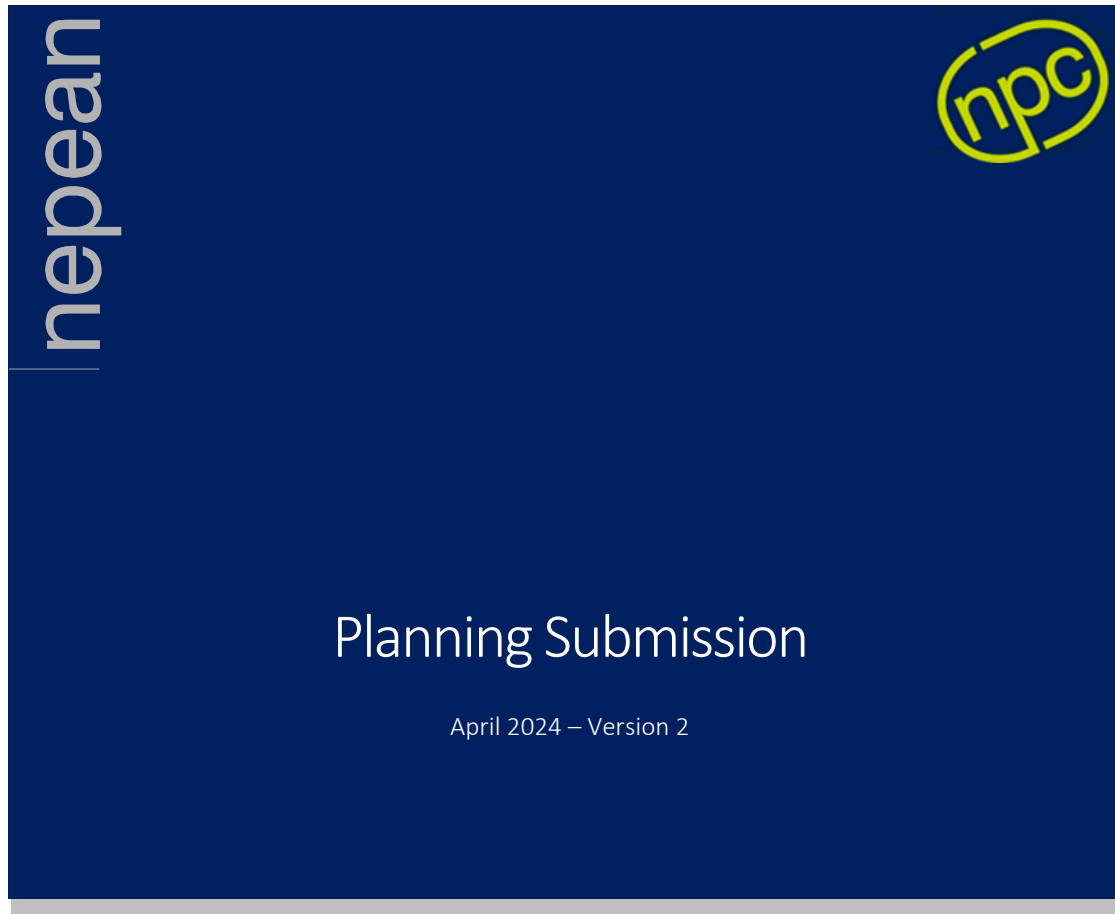








west valentine building designers west valentine property limited 101 harrisons road 9 271 0400 westval@protonmail.eu www.westvalentine.com/au		PROJECT PROPOSED SITE DEVELOPMENT ADDRESS 101 HARRISONS ROAD DROMANA		DRAWING TITLE PROPOSED PAVILION & TENNIS COURT PLAN & ELEVATIONS			
REV	DATE	COMMENTS	SCALE	1:100 @ A1	DRAWING NO.		
	DEC. 2022	TOWN PLANNING PERMIT SUBMISSION	DATE	DECEMBER 2022	TP08		
			DRAWN	MWV	REV	①	
①	APRIL 2024	ALTERED LANEHOUSE AND PAVILION, MINOR ALTER TO ADJACENT URBAN AREAS	Do not scale drawings All dimensions to be marked on file © copyright to west valentine				
							



101 Harrisons Road, Dromana

Proposal: Amendment of Planning Permit P17/1892

Amendment to the location, siting and number of Group Accommodation buildings and construction of new pavilion building and tennis court

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Planning Consultants



101 Harrisons Road, Dromana
April 2024 – Version 2
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Executive Summary

Nepean Planning Consultants act for the owners/operators of **101 Harrisons Road, Dromana**. Approval is sought to amend planning permit P17/1892.

This submission should be read in conjunction with the architectural plans prepared by **West Valentine Building Designers**, **Land Management Plan**, **Arboricultural statement by Sustainable Tree Management** and **Land Capability Assessment by Eco Vision**.

The existing permit allows:

THE USE AND DEVELOPMENT OF THE LAND FOR A HOST FARM, RURAL INDUSTRY AND ASSOCIATED BUILDINGS AND WORKS IN ACCORDANCE WITH THE ENDORSED PLANS

The amendments generally relate to altering the location; number and type of Host Farm accommodation buildings. There is also a new multi-purpose room proposed.

The application is supported by an updated Land Management Plan that described how each area of the land will be used.

We say that the amendments are entirely reasonable and the outcome for the land is that primary production will remain the main activity on the land, with guests able to appreciate the rural experience by attending the land and learning about the various agricultural activities that will occur on the land.

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Version

Version	Date	Details
1	December 2022	Version 1
2	April 2024	Version 2

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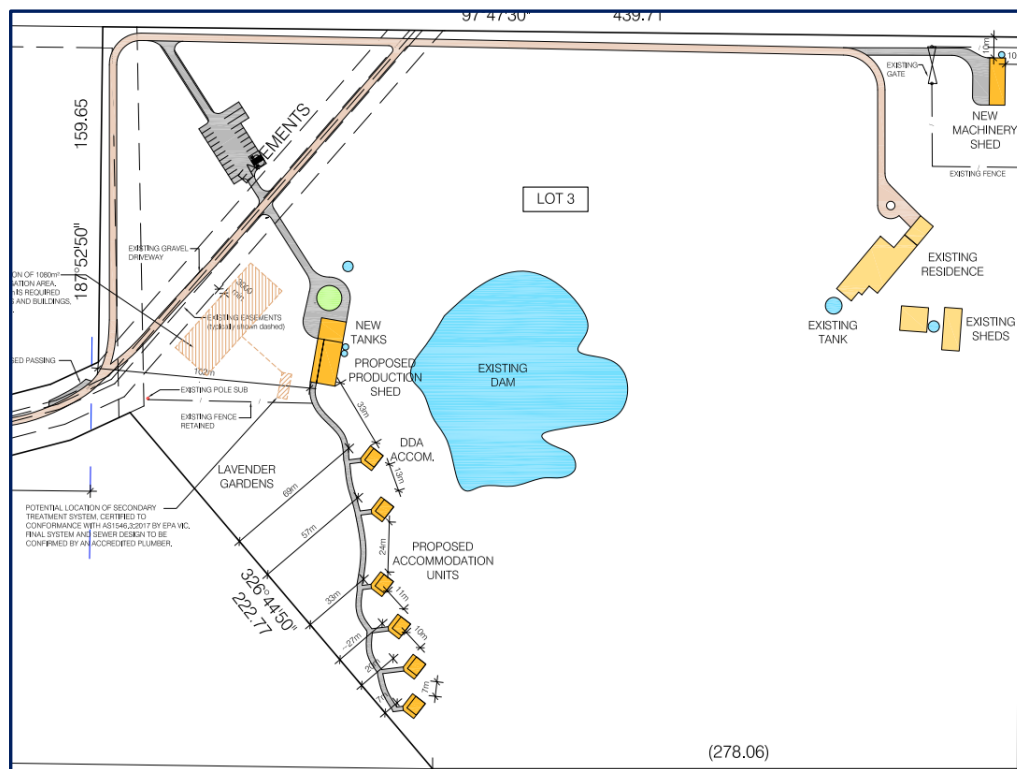
101 Harrison's Road, Dromana
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1. The Proposal

1.1 Overall

The original approval included permission for six (6) host farm accommodation buildings, as well as a production shed and machinery shed, as represented below:

Figure 1 – site plan of original proposal



The amended proposal relates to the construction of three host farm buildings, one of which includes a multipurpose function associated with the host farm experience.

A tennis court is also proposed adjacent to the pavilion, on the existing horse ménage.

Figure 2 – amended site plan



1.2 Host Farm accommodation

There are two accommodation pods proposed to the western side of the vegetation stand that runs through the middle of the property.

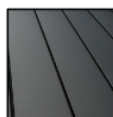
Each 'pod' is designed in an open-plan layout with single bedroom, living space, kitchen, bathroom and decking.

Each accommodation building measures 8.70m by 8.70m, for a total footprint of 75.69m². By comparison the previous approved accommodation pods were 69.30m² each.

Each building is 5.60m in height and will be finished in muted, non-reflective tones.

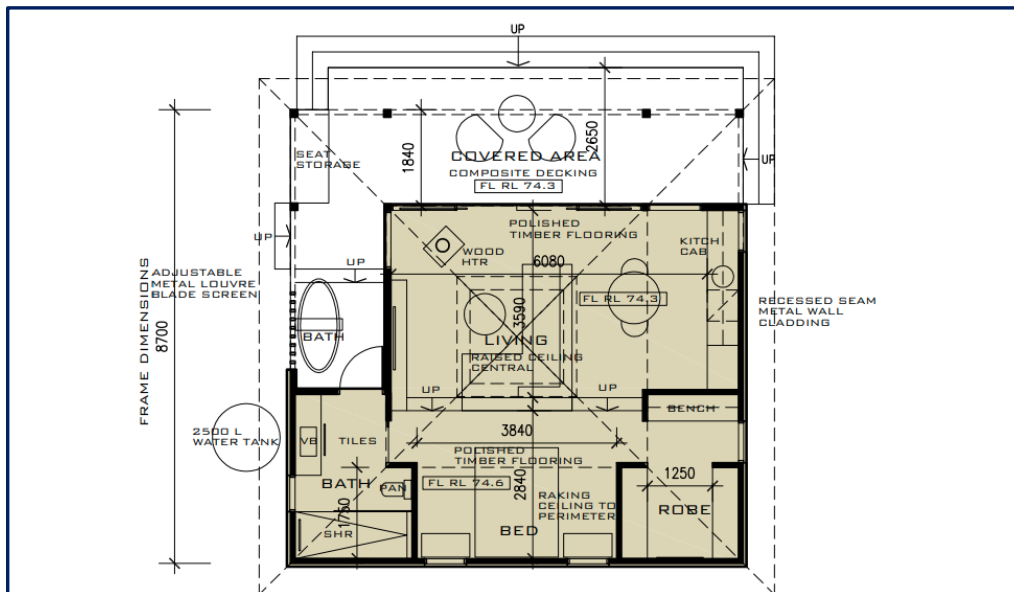


MATERIAL
COLORBOND METAL ROOF CLADDING
COLOUR
COLORBOND 'MONUMENT'



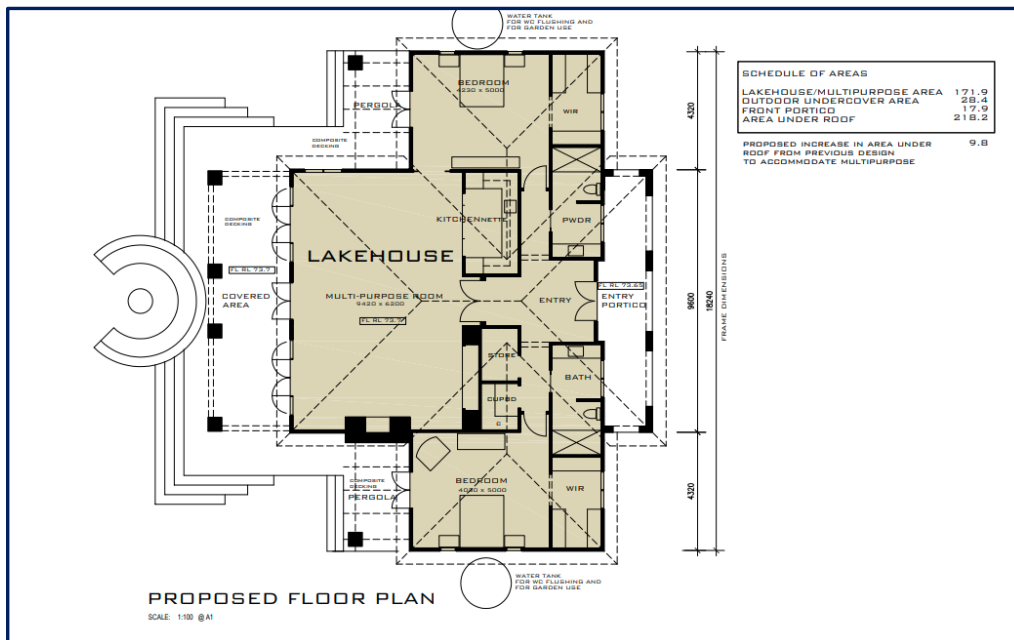
MATERIAL
STRATCO HILAND (OR SIMILAR)
RECESSED SEAM INTERLOCKING METAL CLADDING
(VERTICAL, 195 COVER)
COLOUR
COLORBOND 'MONUMENT'

Figure 3 – host farm Pod 1 floor plan



This amendment also seeks to ‘consolidate’ some of the accommodation into a larger lakehouse. The lakehouse has two bedrooms, as well as an open plan multi-purpose area.

Figure 4 – lakehouse floor plan



The total footprint of the lakehouse (under roof) is 218.20m² and it will also be finished with dark tones (generally Monument).

The lakehouse is sited centrally on the property, in an area clear of vegetation to the east of the existing lake.

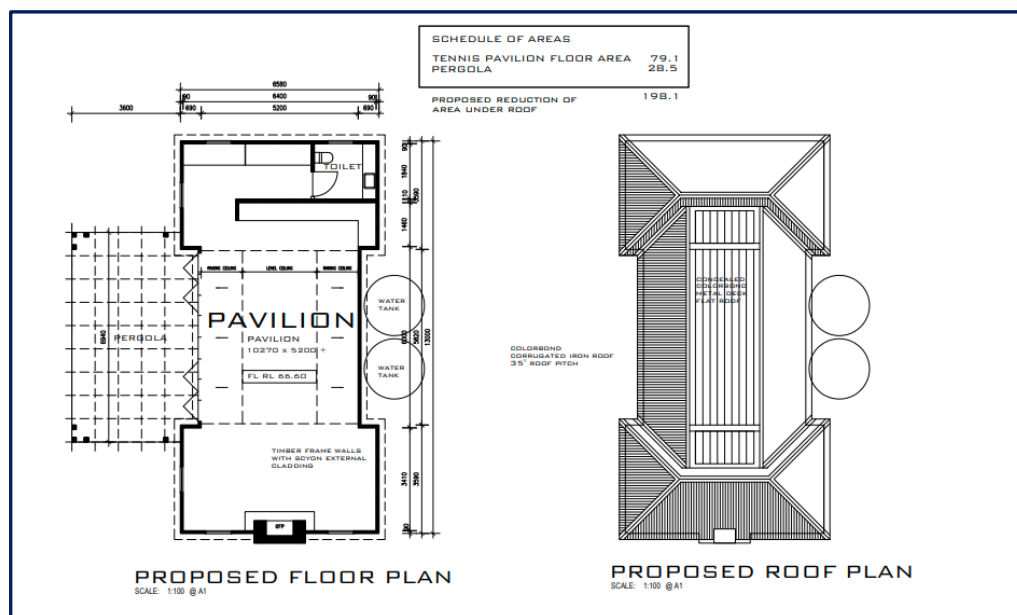
1.3 Pavilion

To the north of the subject site is an existing horse ménage. The land owners have no future purpose for the ménage, accordingly they are siting a proposed new pavilion in this location. The pavilion has two open-plan rooms, connected via a central foyer. There is also some storage space and a bathroom provided, whilst an outdoor deck is proposed to the western side of the building.

As we describe in more detail later in this submission the multi-purpose pavilion will be used in a number of ways:

- As a communal space area for people being accommodated on the land;
- To display and sell the primary produce grown on the land;
- To educate guests about the agricultural activities that occur on the land and the associated produce.

Figure 5 – multi-purpose pavilion floor plan



The pavilion will reach a maximum height of 4.80m and will also be finished in dark tones (generally Monument).

1.4 Tennis Court

The western portion of the existing ménage is proposed to accommodate a tennis court.

2. Planning Controls

Included within the Mornington Peninsula Planning Scheme, the site is affected by:

2.1 Zone

Clause 35.04 – Green Wedge Zone, Schedule 3 (GWZ3)

2.2 Overlays

Clause 42.01 – Environmental Significance Overlay – Schedule 3: Central Peninsula (ESO3)

Clause 42.01 – Environmental Significance Overlay – Schedule 17: Streamlines (ESO17)

Clause 42.01 – Environmental Significance Overlay – Schedule 28: Mornington Peninsula Bushland (ESO28)

Clause 42.03 – Significant Landscape Overlay – Schedule 1: Ridge and Escarpment Areas (SLO1)

Clause 44.06 – Bushfire Management Overlay (BMO)

Clause 42.02 – Vegetation Protection Overlay – Schedule 2: Significant Tree lines (VPO2)

3. Permit Triggers

- **Clause 35.04 – Green Wedge Zone**
 - Use (Rural Industry and Host Farm)
 - Buildings and works associated with Section 2 use
- **Clause 42.01-2 - Environmental Significance Overlay, Schedules 3, 17 and 28**
 - Buildings and works
- **Clause 42.03-2 - Significant Landscape Overlay**
 - Buildings and works
- **Clause 52.21 – Private Tennis Court**
 - Construct, use or illuminate a private tennis court

The development area is located outside the **Vegetation Protection Overlay Schedule 2** and **Bushfire Management Overlay**.

4. Expectations

4.1 Referrals

Given the nature of the proposal, it is expected that the application will be referred within the preliminary assessment phase of this application (28 days) to the following internal departments:

- Environmental Health (waste water to be treated onsite)
- Rural Business Officer
- Development Engineer
- Tourism Officer

4.2 Public Notice

As the proposal is not exempt from the notice and review requirements of Section 52(1) (a), (b), and (d) of the Planning and Environment Act 1987 it is expected that the application will be advertised by way of letters and sign. We request that the application progress to public notice without delay.

4.3 Decision Timeframe

Pursuant to Section 79 of The Act and Regulation 31 (1) of the Planning and Environment Regulations 2005 the prescribed timeframe for a decision is 60 days. It is expected that the decision will be issued within this prescribed timeframe.

5. The Site & Surrounds

5.1 Title Encumbrances

The subject site is formally known as Lot 3 on Plan of Subdivision 111343. The title identifies that the property is not subject to any restrictions or agreements, whilst the plan of subdivision below confirms that the land is not affected by any easements.

A copy of title produced for Volume 11176 Folio 972 demonstrates that the land is affected by Section 173 Agreement which applies to the land referenced as AH688280T is tied to the existing planning approval for the site which in essence was established at the time to ensure that the approved dwelling for the site would be tied to ongoing agricultural activity.

The Plan of Subdivision PS621389E represents the locations of easements affecting the areas proposed for development. No building is proposed to be located over an existing easement.

Figure 6 - Plan of Subdivision, extract

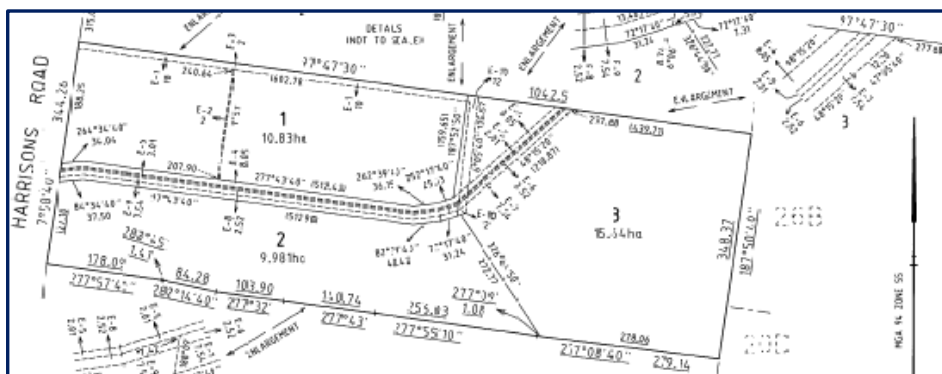


Figure 7 - Extract of Section 173 Agreement AH688280T, page 1 of 10)

On 16 August, 2010 the Responsible Authority issued a Planning Permit number P09/261 ("**Planning Permit**") allowing on the Subject Land the use and development of a single dwelling, associated outbuildings and vegetation removal in accordance with endorsed plans. Condition 2 of the Planning Permit requires the Owner to enter into this Agreement to provide for the matters set out in that condition. A copy of the Planning Permit is available for inspection at the Responsible Authority offices during normal business hours upon giving the Responsible Authority reasonable notice.

Condition 2 of the Planning Permit provides as follows:

"Prior to the commencement of the use and development hereby permitted the applicant must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 providing for the following matters to the satisfaction of the Responsible Authority:

- A. Applicants indicate that they are fully aware of the potential emissions associated with agricultural activities and proceed with their application in full knowledge that one of the objectives of the Green Wedge is to accommodate productive agricultural use and that this activity should be expected and that they are aware of their obligations in relation to proper land management. This extends to ensuring that all dogs and cats are retained with the properties boundary at all times.*
- B. The protection and enhancement of any significant native vegetation or fauna habitat on the land. This may include a requirement for a habitat restoration plan and revegetation requirements to the satisfaction of the Responsible Authority.*

5.2 The Site

The irregular shaped lot (15.64 hectares) is known as 101 Harrisons Road Dromana and more formally known as Lot 3 on Plan of Subdivision 621389E contained within Volume 11176 Folio 172. The site is located to the rear of Lots 1 and 2 which have primary frontage to Harrisons Road.

The site is currently developed with a dwelling and typical rural outbuildings. The land currently supports three separate primary production outcomes, including growing of grapes and olives and a plantation of lavender.

The expansive single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximize views and vistas across the site, elevated to taking in the sloping topography to the west.

A dam is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the dam extending north-south and further east into neighbouring lots.

A horse ménage has been constructed amongst the vines toward the northern boundary.

Figure 8 – existing dwelling



Figure 9 – looking west along driveway alignment



Figure 10 – looking south toward proposed siting for pods 1 and 2



Figure 11 – Looking south, across lavender plantation toward siting of pods 1 and 2

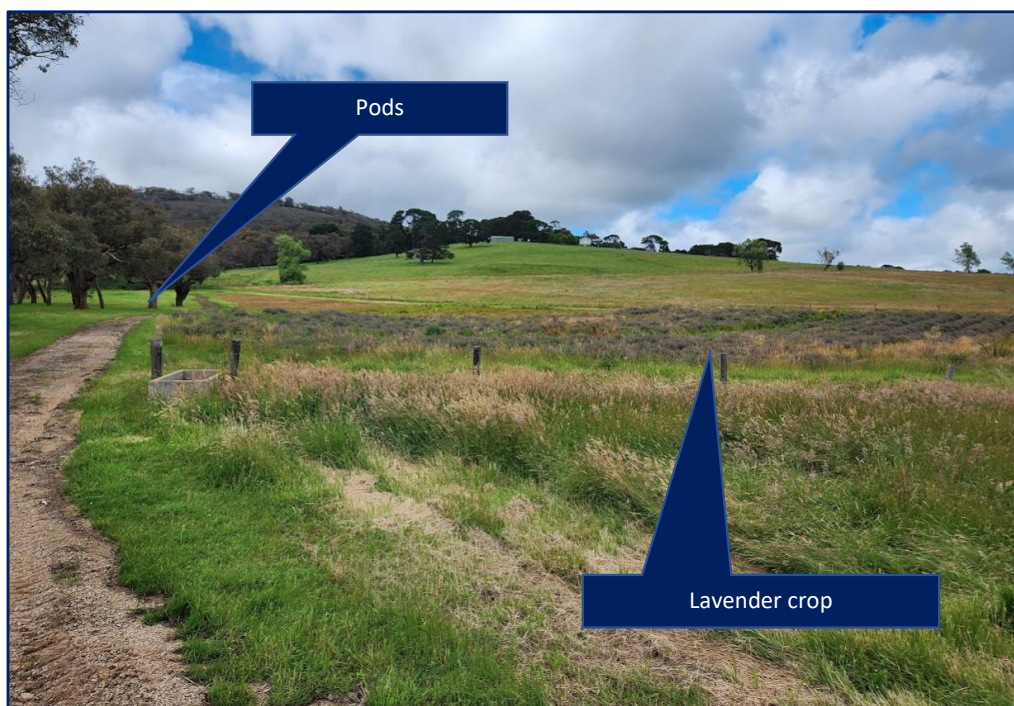


Figure 12 – looking west across proposed siting for lakehouse to lake beyond

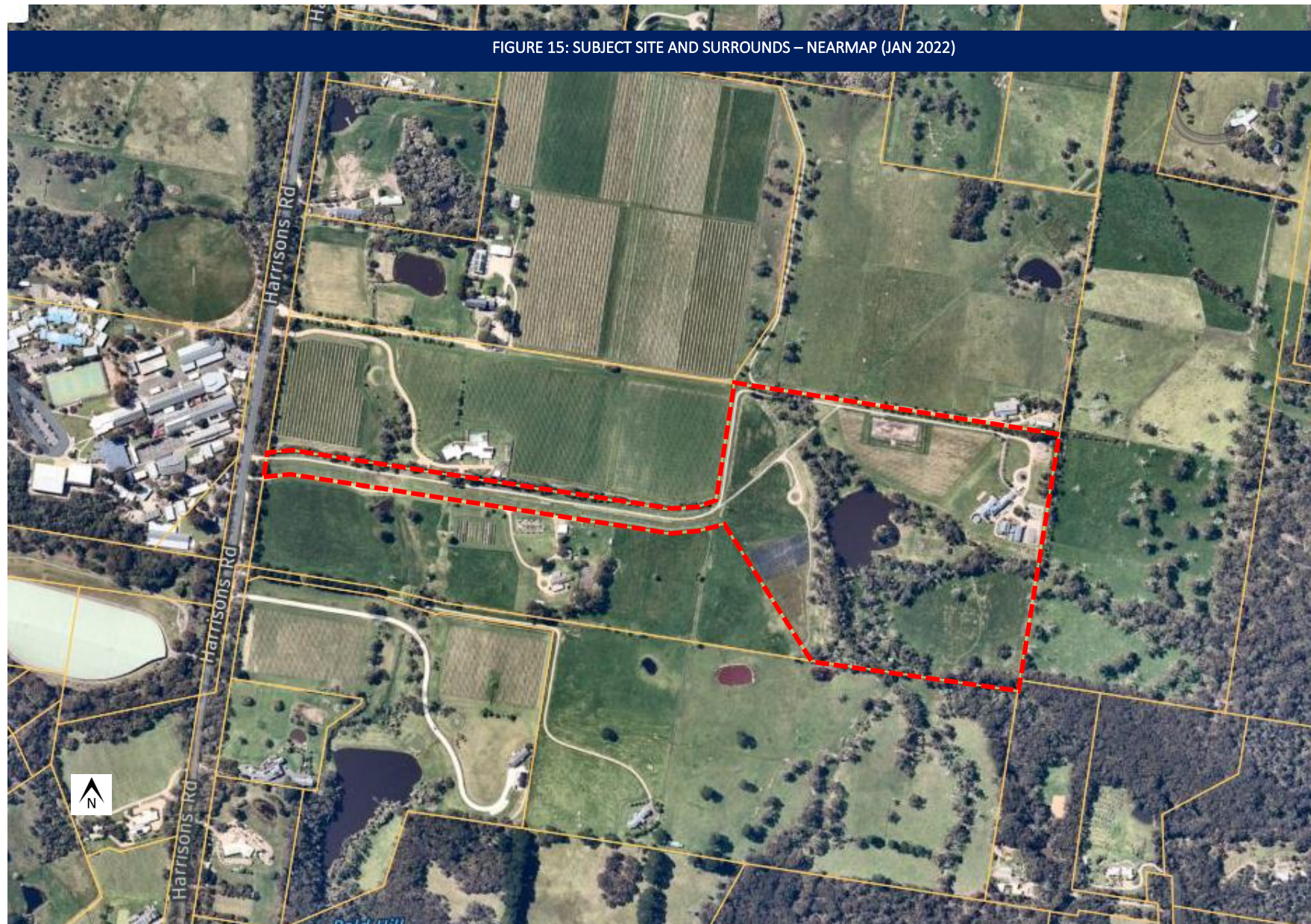


Figure 13 – looking west across vines toward horse ménage



Figure 14 – looking east across ménage toward dwelling







6. Consideration

6.1 Amended land use

Lavender

The originally approved proposal focused on the land being used to grow, harvest and produce lavender related products. The 'driveway-arm' of the property and west portion of the land was to be planted with lavender. The Host Farm pods were approved to be located between the heavily vegetated area of the land; and along the eastern edge of the lavender plantation. The remainder of the land was to remain open pasture to be grazed by horses.

Figure 19 – Land Management Plan extract from original proposal



As discussed within the accompanying Land Management Plan (LMP) the planted lavender unfortunately did not thrive on the land, despite the vast experience of the owners of the land (and recipients of the original permit), Robyn and Samuel. Extract from LMP explaining the history of this matter below:

In 2017 Robyn and Samuel of the "Cote et Campagne" partnership acquired the business and its assets and transferred it to the Mornington peninsula. Despite the heavy commitment in both financial and manpower resources terms, Cote & Campagne took the risk and finalised the

transplanting process. The moving of thousands mature plants and the oldest Lavender registrar in the country took place in May 2017 and was finalised before the winter start with the aim to start re-launching the farm and business activities by the spring summer 2017 and make the farm a prime natural production centre and touristic destination in the Mornington peninsula

In February 2021 the property was sold and the land acquired by Sandra Traviati

Unfortunately, by the time of change of ownership in 2021, the lavender had deteriorated due to harsh weather conditions in 2021 which led to drainage issues at the lavender site as well as poor upkeep of the plants resulting in the lavender becoming extremely woody with many plants dying.

Extensive work to try and reinvigorate the site yielded poor results and has consequently seen the footprint of the lavender reduced. It is our intention to replant a smaller crop and address the drainage issues at hand to yield a more productive crop in the not-too-distant future. The Lavender Stoechas (bee lavender) has appeared more hardy and to this end we are considering the future introduction of Apiculture to produce lavender infused honey.

Despite best efforts the extent of lavender is now confined to the area highlighted below.

Figure 20 – representation of surviving lavender



As mentioned within the LMP extract it remains the intention of the land owners to pursue a lavender crop, however due to the compromised viability of the crop the land owner has sought to diversify the crop raising enterprise to also incorporate two new elements as discussed below. We also draw attention to the fact that the intended lavender crop is now proposed to be grown to the south of the pavilion, in a location deemed more suitable for the crop. The failure of the previous crop to the southern side of the property identifies that this area of the land is unsuitable for lavender, hence the proposed relocation.

Olive grove

The existing Olive grove of 300 trees runs adjacent to the driveway.

Figure 21 – representation of olive groves



As permitted within the original permit, part of the land use is associated with a Host Farm and therefore it is the intent of the land owners to not-only grow and harvest the olives, but also to assist people appreciate the benefits of olives and olive oil from a health perspective. With that in mind the Land Management Plan identifies that there is an intention of conducting tasting and learning experiences for both guests and those attending the site to purchase the primary produce:

The tasting and learning experience will be held for 2.5 hours in the Pavilion and thereafter to take participants through the farm.

The olive oil tasting in the Pavilion will hold up to 30 participants where they will be taken through:

- An introduction to olive oil history and background
- The health benefits (instructional video and instructor lead)
 - Studies and results
- Varieties and characteristics specific to the farm
- Olive oil tasting
- Olive grove tour
- Closing notes and opportunity to buy Lucania estate olive oil

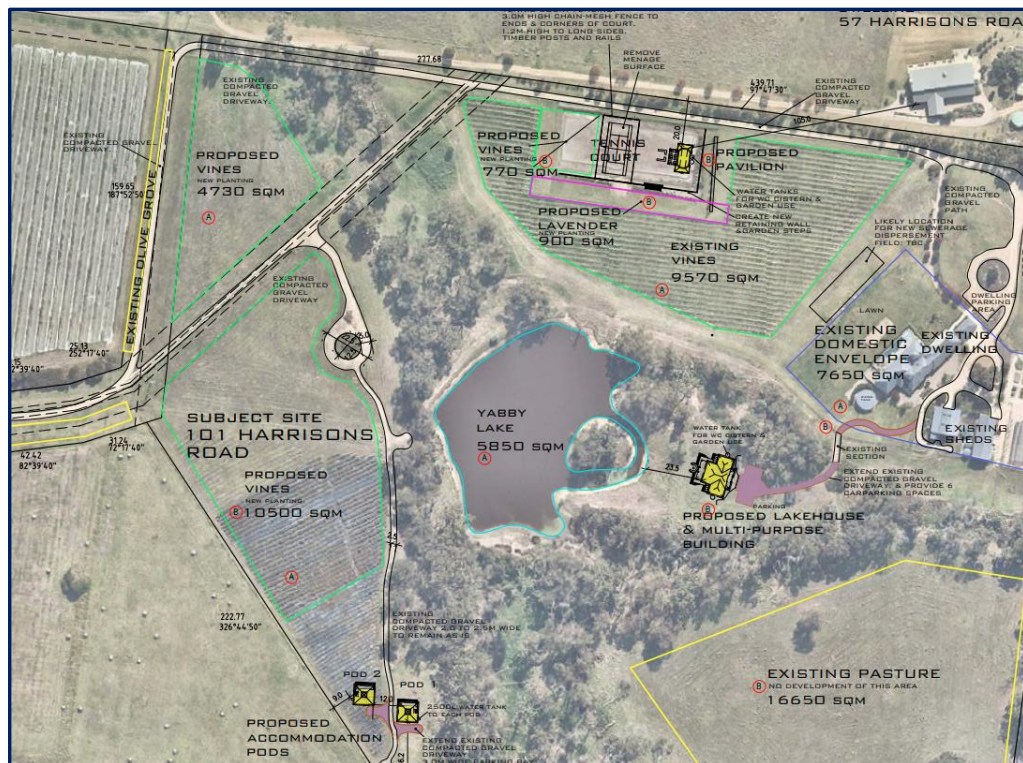
Vineyard

The north-western corner of the land was originally nominated for the growing of lavender, however this area was deemed no longer suitable, accordingly a varied crop raising enterprise will extend into this space. The central-northern portion of land is already under vine and this will be expanded into the underutilised north western corner.

The area of land that accommodated the original, failed lavender crop will now be utilised for the growing of grapes.

Production will occur off-site.

Figure 22 – representation of extent of vineyard



Amended buildings

Permission has already been granted for Host Farm Accommodation and we believe the above discussion regarding the various intended agricultural enterprise shows that there is an intensification and diversification of the agricultural use of the land; therefore the accommodation of guests remains entirely consistent with the definition of Host Farm:

Host farm	An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.
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In regard to built-form we provide the following comparison analysis:

	Original approval	Amended proposal
Number of accommodation buildings	6	3
Number of total bedrooms	6	4
Maximum number of people to be accommodated	12	8
Total footprint of all buildings	415.80m ²	407.10m ²
Total floor area of accommodation buildings	529.20m ²	328m ²
Maximum height of buildings	6.00m	7.40m
Minimum setback to nearest side or rear boundary	7m	9m

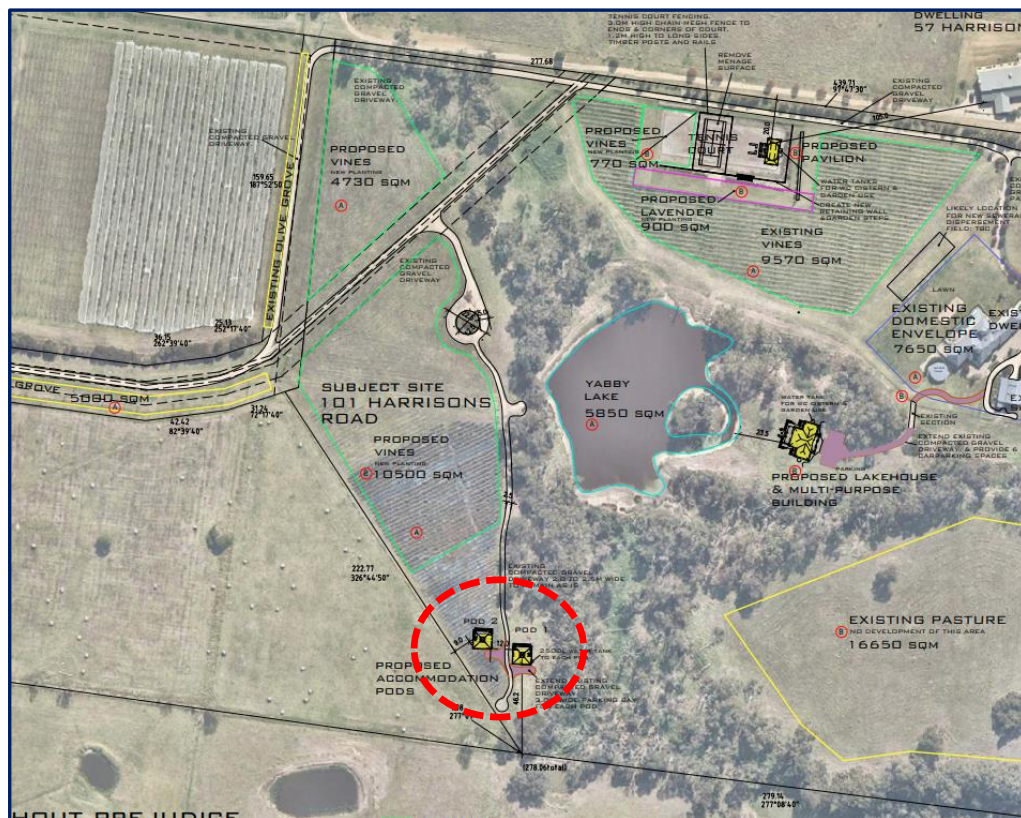
As represented above the Host Farm component of the proposal is being tempered by the amendment. Less people will be accommodated, the building footprint is reduced, the height of the buildings is reduced and buildings are setback further from adjoining properties. We say that these amendments will provide a response that is entirely reasonable in the context of the Green Wedge Zone.

Whilst we believe the initial proposal was reasonable, we expect that Council would be supportive of the changes to the proposal as a reduction in the number; and size of the buildings allows more of the land to be available for agricultural production.

Below we provide some commentary regarding the siting of the buildings:

Host farm accommodation pods (pods 1 and 2):

Figure 23 – highlighting location of pod 1 and pod 2



The two smaller accommodation pods are proposed to be sited to the south of the remaining lavender crop; and to the west of the bushland area that extends south of the lake.

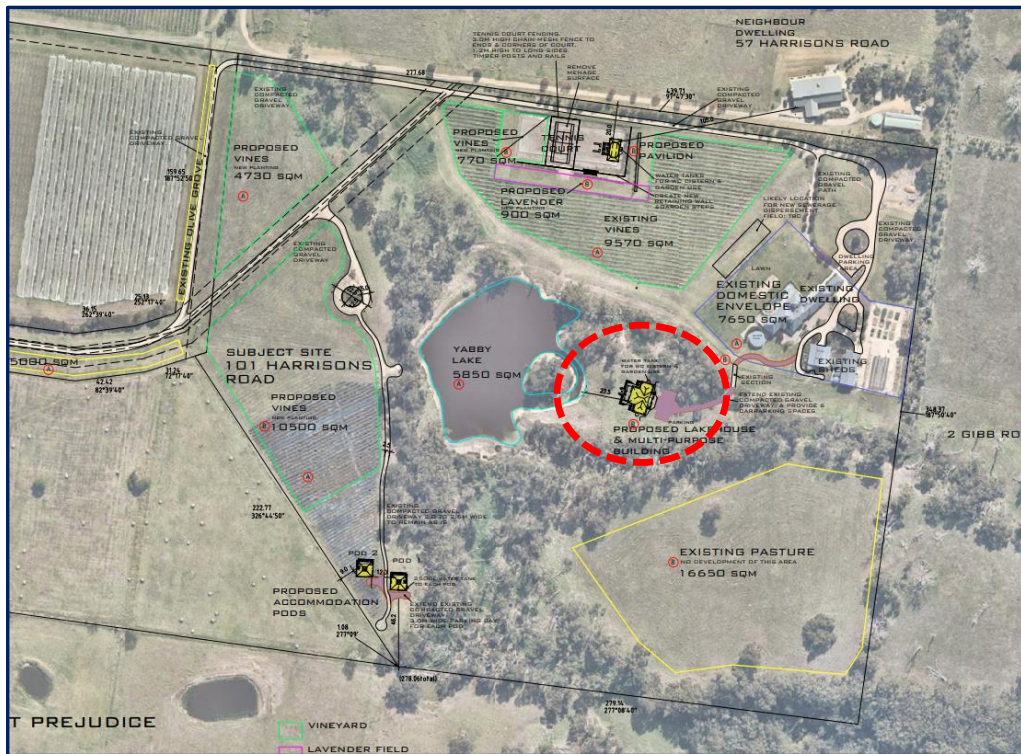
Pod 2 is located in the area that was originally intended to be part of the extended lavender plantation, however this section of lavender did not survive and it has been deemed that this sloping area of the property is unsuitable for crop raising, therefore it makes it an ideal location for the pod, as it will not detract from the land available for agricultural production.

The pods are located in an area clear of vegetation, accordingly there is no impact to the ecological values of the land, whilst an existing internal driveway already leads to this area. There will be some

minor works to create a parking space for each pod, otherwise the location will take the benefit of the existing driveway to reduce the extent of works necessary.

Lake House accommodation:

Figure 23 – highlighting location of lakehouse accommodation building



The proposed lakehouse is sited to take advantage of the pleasant outlook that is available across the lake from the proposed siting.

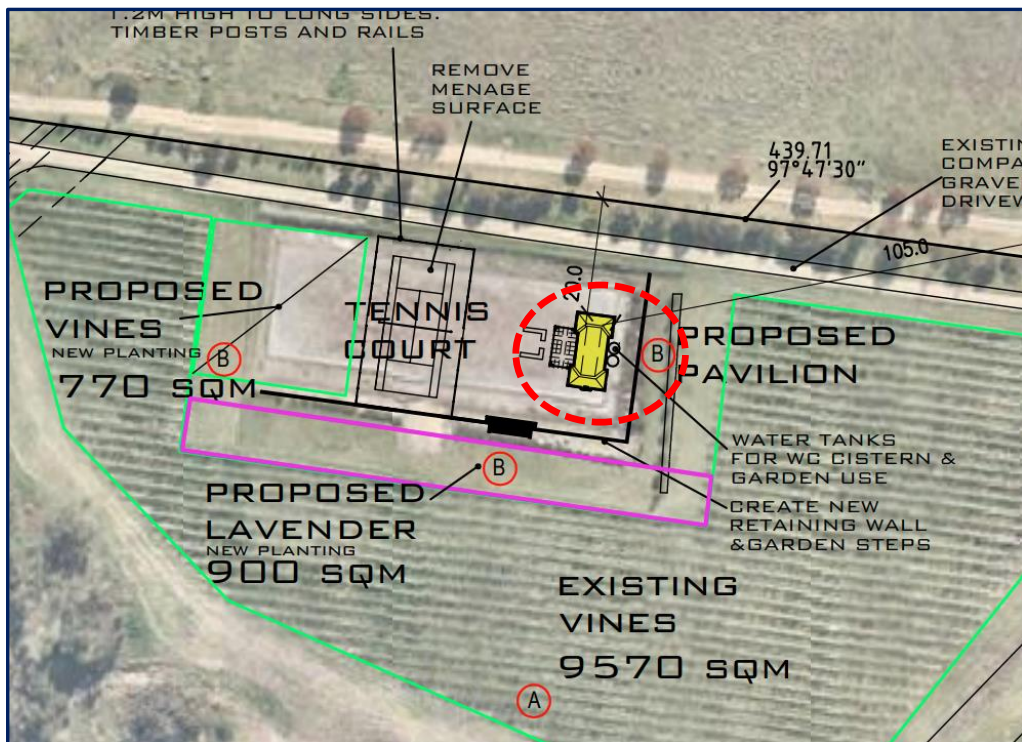
Again, one of the starting points in considering where to site the building was to ensure that the building location did not inhibit the ability of the land to be used for agricultural production. The relatively modest, cleared area to the east of the lake provides an entirely appropriate location for the building. This area is somewhat isolated from the rest of the property, being a cleared area surrounded by vegetation; and therefore isn't viable for agricultural production, however it is accessible via an upgrade to the existing, informal track that currently provides access to the clearing.

No vegetation removal is necessary to accommodate the building, whilst the 'ring' of canopy trees around the clearing ensure that the building is unlikely to be visible from any adjoining property, or the wider landscape.

The lakehouse includes a multi-purpose pavilion that will provide space to educate guests about the various agricultural enterprises that operate from the land.

Pavilion:

Figure 23 – highlighting location of pavilion



As discussed earlier in this submission, there is an existing horse ménage that was constructed by the previous land owner. The current land owners have no interest in horses, therefore making the ménage redundant.

The multi-purpose pavilion will be used in a number of ways:

- As a communal space area for people being accommodated on the land;
- To display and sell the primary produce grown on the land;
- To educate guests about the agricultural activities that occur on the land and the associated produce.

Due to the fact that the land owner wishes to enable guests to immerse themselves in the various agricultural activities that will be pursued on the land they felt it was an important that a space be

provided where guests could be educated about matters associated with the Olives (in particular the health benefits associated with olives), the vineyard and the lavender crop.

The floor plan has been created to ensure the building is primarily open-plan to allow display area, as well as presentation areas.

Due to the extent and nature of the agricultural enterprise it is also expected that **primary produce** will be available for purchase within the pavilion. The intention is that primary produce will primarily be available for purchase for guests and will be consistent with the definition of primary Produce Sales pursuant to Clause 73.03-3.

Primary produce sales	Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.
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Lavender and olive products will be available for purchase. There is no immediate intent to sell wine from the land, however there will be information provided about the growing of grapes on the land to enable guests to appreciate the vineyard/winery component of the rural land-use.

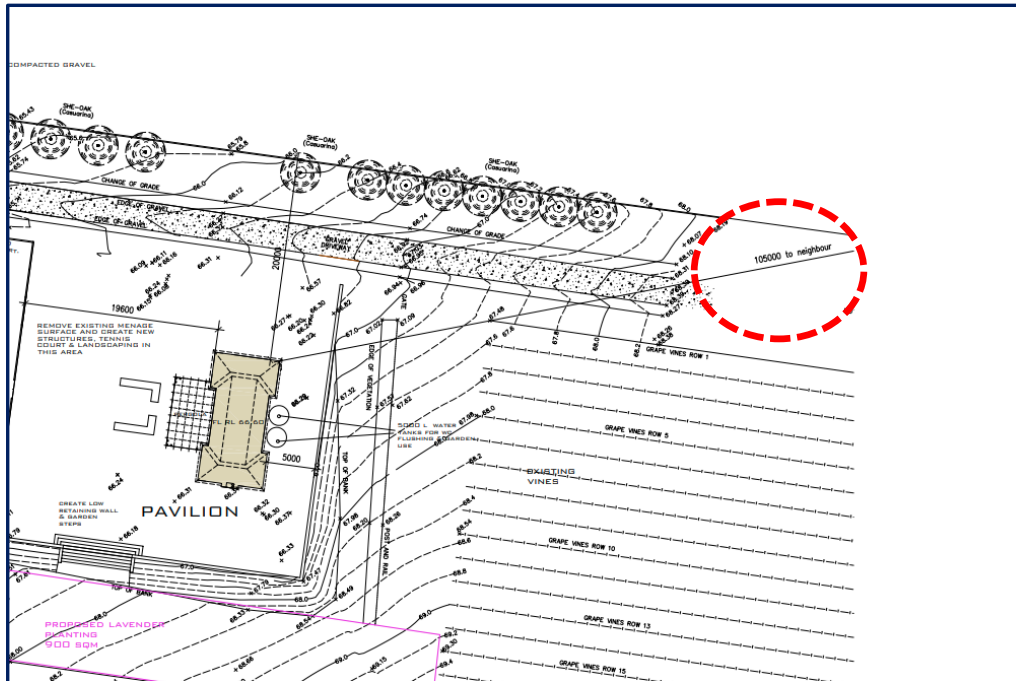
Due to the fact that the Primary Produce Sales area is less than 50m² and is more than 100m from any adjoining dwelling there is no permission required to Use a portion of the Pavilion for Primary produce Sales as it satisfies the Section 1 (no permit required) requirement of the table within the Green Wedge Zone:

Section 1 - Permit not required	
Use	Condition
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.
Grazing animal production Home based business Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.

The further benefit of the open-plan nature of the pavilion is that it provides a useable, communal space for guests. The accommodation pods are relatively modest, accordingly for those guests who wish to enjoy some time away from their accommodation pods, in a location that is essentially amongst the vines, then the pavilion, and adjoining outdoor pergola area will be available for their enjoyment.

Whilst the proposed pavilion is located within the vicinity of the northern boundary it satisfies all standard setback requirements of the Green Wedge Zone, including the standard 5m side boundary setback (the proposed setback is 20m) and the pavilion is more than 100m from a dwelling not of the same ownership. The plans identify that the dwelling to the north is 105m.

Figure 25 – setback to closet adjoining dwelling



It is also entirely relevant that there is a medium density row of vegetation along the main driveway that runs parallel to the northern boundary. This vegetation will filter any view of the pavilion from the property to the north, notwithstanding that we say the building itself will have a high degree of design expression, being designed to display rural characteristics, including weatherboard walls,, gable roof and a projecting veranda element; accordingly the blow-scale single storey building will not be obtrusive regardless of any vegetation screening.

Figure 26 – view of dwelling to the north (57 Harrisons Road) from NE corner of subject site



Tennis Court

The amendment sought relates to the inclusion of a tennis court, which requires consideration of **Clause 52.21 Private Tennis Courts**.

The objectives of Clause 52.21 are:

- *To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.*
- *To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.*

Pursuant to Clause 52.21 the application requires an assessment against the performance standards specified in the **Code of Practice – Private Tennis Court Development Revision 1 March 1999**.

Figure 27 – representation of proposed tennis court location



Code of Practice – Private Tennis Court Development Revision 1, March 1999

Element	Objective	Performance requirements	Response
1 – Court Location	<i>To achieve a layout which minimises the impact on the established land form and vegetation and which respects the amenity and character of the surrounding area.</i>	The court must be at least: • 3 metres from a street frontage; • 3 metres from an adjoining dwelling if the court is to be illuminated; and • 20 metres from a Melbourne Water declared main drain	The location of the proposed tennis court meets the performance requirements of this Element as it is at least approximately 800m from Harrisons Road and over 100m from the adjoining dwelling to the north.

2 – Fencing and Enclosures	<i>To ensure that the size, appearance and materials of the tennis court fencing and enclosures are not unduly visually intrusive.</i> <i>To provide aesthetic compatibility with nearby streetscapes and public areas.</i>	If less than 1 metre from a property boundary, the court fencing or other enclosure: • must not be more than 3 metres above the court surface; • must be of a maintenance-free material and use non-intrusive colours; and • must not be solid or enclosed for a height of more than 2 metres above the court surface.	The proposed tennis court will not be less than 1m from a property boundary. Further, the fence proposed of 2.5m does not exceed a height of 3m. The fencing is maintenance free and constructed of non-intrusive colours. Further, the fence will not be solid or enclosed.
3 – Site Works	<i>To ensure the stability of the tennis court site.</i> <i>To contain off-site effects so as to cause no detriment to adjoining land or structures.</i> <i>To limit the impact of increased stormwater run-off on drainage systems.</i>	• The site on which the court is to be constructed must not have a slope of more than 20 per cent overall. • Excavation or filling must not exceed 1 metre in depth within 1 metre of a property boundary. • Filling must not exceed 2.5 metres in depth at any point on the court site. • Drainage resulting from the court must be intercepted to avoid any overflow and must be connected to an approved point of discharge.	The location of the proposed tennis court is relatively flat with less than 1 metre of cut / fill proposed across the court. The court will not be constructed on land that has a slope of more than 20% overall and all earthworks will be properly battered and retained. Being a rural property there is no legal point of discharge, however there is an open drain adjacent to the driveway that runs north of the tennis court. Water runoff will be directed toward this existing drain.
4 – Landscaping	<i>To minimise the removal of vegetation.</i>	No vegetation may be removed:	The proposed tennis court location does not necessitate the removal

	<i>To ensure that revegetation is compatible with the landscape characteristics of the area.</i>	• in an urban zone, within 3 metres of a street frontage or adjoining public land; or • in a non-urban zone, if the site is less than 4,000 square metres. If a permit is required, replanting must occur in excess of the number of trees removed and should comprise indigenous or species similar to those removed. Temporary barriers must be provided to protect areas of vegetation which are outside the works site. Landscaping must be maintained over fill batters.	of any vegetation. The area between the court and boundaries will be maintained to ensure appropriate landscaping can be proposed to assist in screening the court from neighbouring properties.
5 – Illumination	<i>To prevent excessive light spillage and other effects from detrimentally affecting the amenity of dwellings on adjoining properties.</i>	Any lighting system must not exceed an illumination level of 12 lux and an average illumination of 10 lux when measured at the nearest habitable room window of an adjoining dwelling or at a point 3 metres outside the property boundary, whichever is the nearest to the light source. Any lighting system must: • comply with the 'Residential Tennis Court Lighting Code' produced by the Tennis Court	No court lighting is proposed.

		Builders Association of Australia; • be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling; • use light poles which are not more than 8 metres above the court surface; and • be certified after installation by a qualified lighting engineer.	
6 – Privacy	<i>To ensure that the tennis court and its use do not detract significantly from the amenity of the surrounding area and do not cause unreasonable detriment to privacy.</i> <i>To limit views into neighbouring secluded private open spaces and habitable rooms.</i>	• The court must not be used for commercial purposes such as professional tennis coaching or court hire. • The court must not be used between 10.30pm and 7.30am. • No mechanical equipment such as ballthrowing machines may be operated between 7pm and 8am.	The court will be solely used for residential purposes within the playing times as specified by this performance requirement.
7 – Construction Methods	<i>To ensure that the method and timing of construction prevent undue disturbance to the existing conditions of the site and the amenity of the surrounding area.</i>	• Adjoining residential properties shall be notified before any works are undertaken within 2 metres of the boundary. • Temporary barriers must be provided to protect areas of vegetation which are outside the works site.	Prior to the construction of the tennis court, adjoining residential properties will be notified of works and all requirements were compliant with and undertaken in accordance with this Element.

		• The method of construction must comply with the 'Guide Specifications for Tennis Court Construction' produced by the Tennis Court Builders Association of Australia.	
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Further to the above, we say that the construction of a tennis court, in an area of the land that is already flat is an appropriate re-purposing of the ménage. The tennis court is intended to be used for domestic purposes and its location 800m from the road and at least 100m from the nearest adjoining dwelling will ensure that it will not result in any visual intrusion and will not affect the amenity of any person as evidenced by the extent of compliance with all Elements of the *Code of Practice – Private Tennis Court Development Revision 1 March 1999*.

Carparking

Due to the fact that this application is an amendment it is relevant to compare the previous approval, with the current proposal. Whilst there were no specific 'carpark-number' permit conditions applied to the approval, the plans identified the provision of 20 car spaces, 3 bus spaces and two accessible spaces.

The current land owner felt that the proposal for one, centralised carpark was not-only impractical, but would also create the appearance of a somewhat commercial carparking outcome. The land owners wish to ensure the rural feel of the property is maintained throughout, therefor the amended proposal relates to carparking being provided for the needs of each building.

Figure 28 – extract from previously approved plans, showing one centralised carparking area



To assist we identify the following, standard carparking requirements prescribed by Clause 52.06, that apply to each proposed land use:

Group Accommodation – Group Accommodation does not have a prescribed parking rate within Table 1 of Clause 52.06, however we submit that the parking generated is consistent with Bed and Breakfast, whereby guests are accommodated away from their normal place of residents, often for a short period of time.

The parking rate for Bed and Breakfast is essentially prescribed within the Zone control, rather than Clause 52.06:

At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.

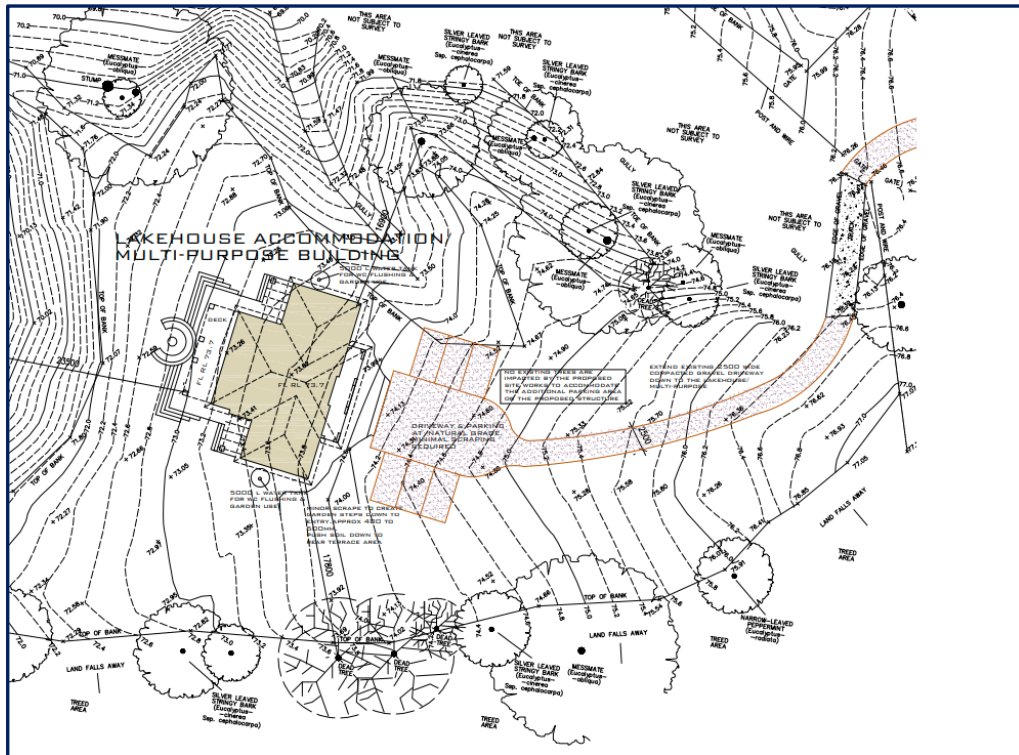
With this parking rate in mind carparking is provided as follows:

Pod 1 – 1 dedicated car space adjacent to the accommodation pod

Pod 2- 1 dedicated car space adjacent to the accommodation pod

Lakehouse – capacity for six spaces adjacent to the building. There are some additional spaces for the Lakehouse as it is intended to also be used for educating the guests about the agricultural matters.

Figure 29 – plan showing vehicle access and parking availability for the lakehouse



Primary produce sales – the primary produce sale area occupies a footprint of approximately 23m². The carparking requirement pursuant to Clause 52.06 is for 4 spaces for every 100m² of floor area. This requirement would only generate the need for 1 car space, however due to the expansive nature of the property guests may drive from their accommodation to the pavilion for education sessions, or for the primary produce sales therefore additional parking has been provided to ensure the parking needs for guests are catered-for. The plans identify that a total of six parking spaces are provided within the area immediately in front of the pavilion.

Response to planning controls:

As identified earlier in this submission the subject site is affected by the following planning controls:

Zone

Clause 35.04 – Green Wedge Zone, Schedule 3 (GWZ3)

Overlays

Clause 42.01 – Environmental Significance Overlay – Schedule 3: Central Peninsula (ESO3)

Clause 42.01 – Environmental Significance Overlay – Schedule 17: Streamlines (ESO17)

Clause 42.01 – Environmental Significance Overlay – Schedule 28: Mornington Peninsula Bushland (ESO28)

Clause 42.03 – Significant Landscape Overlay – Schedule 1: Ridge and Escarpment Areas (SLO1)

Clause 44.06 – Bushfire Management Overlay (BMO)

Clause 42.02 – Vegetation Protection Overlay – Schedule 2: Significant Tree lines (VPO2)

The general intent of the aforementioned Planning controls is to:

- Ensure land use is consistent with the objectives of the Green Wedge Zone, which is “to recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources”.
- Avoid buildings that impact the rural landscape vistas available from adjoining properties, the public realm or the wider landscape.
- To avoid any detrimental ecological impact.

We say that the proposed amendment is entirely responsive to the above objectives.

- The vast majority of the land is available for agricultural production and the land owner fully intends to pursue the agricultural enterprise that are represented on the submitted plans and described within this submission and the Land Management Plan. Overall this amendment will result in a far greater footprint of primary production than what was approved under the original permit. All areas of the land that are not supporting native vegetation will be used for agricultural pursuit, including the wide strips adjacent to the battle-axe driveway. This outcome will maximise the agricultural values of the land, which is entirely consistent with the objectives of the GWZ and satisfies Council’s intention for land users.

- No vegetation removal is proposed as part of this application. Great care has been taken to site buildings in areas where no vegetation removal is required. The buildings are sited in such a way that guests and visitors will be able to appreciate the vegetated nature of the property, but without any vegetation having to be removed to allow the buildings to be nestled into the bushland.
- In regard to the visibility of the buildings we advise that the nature of the property and length of the driveway ensures that no buildings will be seen from the street.

The proposed accommodation pods will be somewhat visible from the adjoining property to the south and south west.

Figure 30 – context of surrounding properties



Regardless of the fact that there may be glimpses of the pods, we say that they will certainly not be obtrusive. The low scale pods are not going to create visual intrusion regardless of their siting, due to their modest size and scale, regardless it is important for Council to recognise that the land 'behind'

(east) of the pods continues to rise, whereby the outlook from the nearby dwellings is uninterrupted as the view is maintain well-above the proposed pods. Representation of this can be seen below, whereby we highlight the dwelling to the south (135 Harrisons Road). It is clearly evident that the location of the dwelling will allow all existing landscape and distant Bay views to be maintained, uninterrupted.

Figure 31 – dwelling at 135 Harrisons Road



In Figure 30 we did highlight a dwelling to the west (in blue) however we don't believe this dwelling will have any meaningful view toward the pods due to the dense vegetation to the east side of the dwelling. Due to the fact that each of the dwellings highlighted in Figure 30 are at least 320m from the modest pods, so we say that there will be no unreasonable visual intrusion as a result of the proposed accommodation pods 1 and 2.

In regard to the lakehouse, it is evident from a review of the aerial photographs and ground level photographs that the proposed cleared area that is intended to accommodate the lakehouse is encircled by canopy trees that provide a substantial screen. We do not necessarily contend that the lakehouse will be entirely screened by the vegetation but nothing more than modest glimpses may be available from nearby properties. Regardless, we say the thoughtful siting, amongst the vegetation, centrally on the land, will ensure that the lakehouse is not prominent within the landscape and from most perspectives not visible at all.

Figure 32 – siting of proposed lakehouse (glimpses may be available through trees)



Figure 33 – looking from west of menage in a northerly direction toward lakehouse siting (will not be visible through trees)



We discussed the location of the pavilion and tennis court earlier in this submission, particularly in relation to the adjoining property to the north.

Without wishing to re-state the same submissions we say that the location of the pavilion and tennis court, both more than 100m from the adjoining dwelling will ensure that they are not visually prominent when viewed from any perspective.

As represented in Figures 33 and 34, the existing ménage is relatively low on the site and certainly not in a prominent location. A combination of topography, existing vegetation and the low scale design will ensure that the pavilion is unlikely to be visible from any property, aside from the land immediately north, however it is important to recognise that there is no requirement for a building to be invisible in the landscape; rather it is important that a building not be obtrusive. For the reasons described above we say that the pavilion and tennis court will not be obtrusive.

Figure 34 – looking from south-east of ménage (near existing dwelling), across the vines to the proposed location of the pavillion and tennis court



7. Conclusion

As demonstrated within this report, the proposed amendment results in an orderly planning outcome. The amended buildings reduce the extent of built form across the property, whilst allowing guests to appreciate an active primary production farming experience.

The pavilion building will assist to support the primary production enterprise, whilst also allowing guests a comfortable, central area to congregate.

We expect that Council will recognize the care and attention that has been given to ensuring the best possible outcome for the land, with the focus of activity remaining soil based agricultural enterprise.

*GRUMENTO ESTATE trading as
Lucania Estate*

Home of Lucania Estate Vineyard, Olive Grove
and Lavender

Land Management Plan & Work Program

101 Harrisons Road, Dromana

December 2022 (Updated April 2024)



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EXECUTIVE SUMMARY

We seek to apply for an amendment to the previous permit P17/1892.

An amendment is sought to the Farm / Land Management Plan endorsed under the historic permit (P09/261). In our view this amendment represents a plan which will reduce the number of guests and consequently the amount of accommodation and the size of buildings and car parking on the property, thus increasing the agricultural land use offering a smaller and sustainable host farm tourism opportunity on the Mornington Peninsula.

The proposed permit application and this amendment are consistent with the councils' stated objectives for enhanced tourism activities as outlined under the Mornington Peninsula Planning Scheme.

"to support businesses that improve the ability to experience the Peninsula's recreation values such as the provision of short term and home-hosted accommodation, host farms and similar uses" and "to promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions."

This Land Management Plan should be read in conjunction with the supporting reference referred to within this report together with the written Planning Submission prepared by Nepean Planning Consultants (Version 1, dated December 2022 and revised March 2024); and the Application to Amend Planning Permit P17/1892.02.

In summary, the application seeks an amendment to the previous permit for the use and development of the land for a host farm including the development of three accommodation units, inclusive of two single bedroom accommodation units and one two-bedroom unit to encourage a family orientated stay, specifically sited and designed for persons to experience the farm practices of the proposed land use with minimum impact on adjoining properties. The property currently has a large horse manege which is not used and hence has become a weed and mud area (eyesore). Our proposal is to make use of this "disturbed land" instead of developing areas with potential agricultural use.

1. This amendment seeks to reduce in number the host farm accommodation units, currently permitted from 6 to 3, redesigning the units to better suit a rural landscape, with gentle pitched roofing and clad in Colorbond 'monument' sheeting, sympathetic with the surrounding vegetation and landscape. These accommodation units are located in such a way as to minimise their impact on agricultural use (existing and potential), landscape, cultural heritage and biodiversity values on the site and adjoining land.
2. This deletion of 4 accommodation units significantly reduces the impact on the adjoining forest area and increases agricultural land space with more green areas.

3. The proposed incorporation of a modest Multi-Purpose Pavilion on an unused horse manege to incorporate a comfortable communal space, on offer to guests enjoying the farm stay experience, where education on sustainable farming practices can be delivered. These small, private experiences will be inclusive of a boutique tasting element of olives and wine to appreciate the 'farm to table' concept. Education on the farming of lavender, its medicinal benefits and exploring the various lavender products available will also be on offer. The Pavilion will include a small retail component for those enjoying the farm stay and who wish to purchase the produce after a tour. As these small groups of host farm guests will access the Pavilion on foot and during daylight hours, we do not believe there will be any associated noise impacts to the neighbouring property.
4. The addition of a tennis court is also proposed for the unused section of the horse manege. The proposed tennis court will have no associated tennis court lighting in consideration of the neighbouring property and will only be used in daylight hours.
5. Incorporation of a proposed family orientated 'Lakehouse' accommodation unit with two bedrooms situated on an open paddock of land not used for agriculture. This unit would contain a multipurpose room to host larger groups (up to 12 people) approximately 3-4 times per annum, on a day trip basis only, to enjoy the host farm tours and experience the associated produce. On these designated days, the host farm accommodation unit would not be hired out to host farm guests. Access to this area will be by an extension of the existing gravel road at the rear of the residential dwelling. Carparking for six cars will be at the Lakehouse so as not to cause any disturbance to neighbouring properties and will be conducted in daylight hours.
6. The growing and harvesting of four specific types of olives to produce an olive oil with extremely high polyphenol content for taste and medicinal purposes. Currently there are 300 olive trees planted in 2021 with the first harvest expected in 2 years.
7. The growing and harvesting of grapes. Lucania Estate has a substantial vineyard growing 'Pomade' pinot noir grapes, and successfully produces a quality wine with high resveratrol content with minimal intervention, (ie herbicides, fertilizer, fungicides), currently being sold in restaurants on the Mornington Peninsula. This amendment seeks to increase this proposed vineyard footprint.
8. The growing and harvesting of a variety of lavenders to produce lavender based products used to promote wellness and reduce stress. The size of the lavender area has been reduced and relocated to a dryer land area to produce a higher quality crop.
9. Lucania Estate proposes to introduce a specialised 'Super Yabby' bred by the CSRIO for farming to the existing lake, subject to further analysis of the co-mingling with the existing yabby population.

Overall, the amendment has a strong environmental focus, inclusive of education on the 'farm to table' concept through sustainable farming practices and the production of products with significant health benefits.

101 Harrisons Road, Dromana (The Site), also known as Lucania Estate is currently used for extensive agricultural pursuits including specialised olive tree cross pollination and cultivation for the future production of olive oil that is high in polyphenols for medicinal purposes, viticulture of pinot noir grapes, lavender cultivation, and production of various organic lavender-based products for wellness and stress relief and an associated dwelling.

We believe the advantages of this amendment as opposed to the current permit are;

1. Reduction in the number of industrial looking accommodation units, from 6 to 2 on the south-west boundary and with a new set back of 9 metres from this boundary as opposed to 7 metres. The location of these units are private and unable to be seen, by the neighbouring residents. The larger accommodation unit, designed for a family stay, is located in a private, secluded paddock, not for agricultural purposes. Car parking will be at this accommodation unit and not near the residential dwelling in consideration of the neighbouring property.
2. The family accommodation unit contains a larger multi-purpose room enabling visits by occasional larger groups of up to 12 people (as opposed to regular large busloads of tourists) and is set in a private, secluded location, not in the line of sight of neighbouring residents. As these infrequent, larger gatherings will be conducted only during daylight hours, any associated noise impacts are not anticipated to cause an unreasonable level of detriment.
3. Deletion of the large sales and production shed 21m x 9m plus 9m x 3m decking as well as the proposed deletion of the machinery shed 10 m x 9m from the north-west paddock, currently permitted, positively impacts the surrounding landscape, allowing for the further agricultural pursuit of vines. It is intended to use the current sheds that already exist on the property, inclusive of the unused horse stables, as machinery and production sheds. This represents a substantial reduction in the construction footprint.
4. Deletion of the associated car park area which includes 20 car parking spaces as well as three bus spaces (3m x 10m). We believe by deleting busloads of people accessing the property regularly as per the current permit, reducing the number of accommodation units available and deleting the large sales/retail shed and associated large designated car park space, further speaks to our commitment not only to offer consideration to neighbouring properties, but to also honour the rural character of the property, while offering an innovative host farm experience.
5. The current permit with the mezzanine style accommodation units has the capacity to sleep 4 people per unit, so 24 guests per night. This reduction in accommodation numbers from 24 – 8 guests per night, further speaks to our commitment to develop a boutique host farm experience while considering neighbouring properties.

MISSION STATEMENT

Lucania Estate focuses on the sustainable cultivation of vines, olives, and lavender, integrating each element into a cohesive cycle of growth and production emphasising health benefits and ecological responsibility. Guests will be encouraged to immerse themselves in a relaxed, unstructured environment where they can freely engage in various activities at their own pace. Whether participating in harvesting grapes, learning about the process of making olive oil, or exploring the uses of lavender in health and wellness, guests will enjoy a hands-on opportunity to learn and explore sustainable farming methods in a relaxed, nurturing environment. The host farm aims to educate and allow guests to unwind amidst the natural beauty of the vineyards, olive groves, lavender field and the large lake (dam), drawing on the serene landscape and rich offerings of the Mornington Peninsula. This holistic, health-focused approach ensures a rejuvenating, informative experience in an idyllic host farm setting on the Mornington Peninsula, designed to offer guests a tranquil, educational experience deeply connected with nature.

Tours on offer for those experiencing the farm stay;

1. Olive Grove tours, education and tastings
2. Vineyard tours, education and tastings
3. Lavender tours inclusive of education on how lavender is harvested and processed and the medicinal benefits of lavender.

OVERALL VISION

- To develop a farm stay experience with an emphasis on education of sustainable farming practices from 'farm to table'.
- To cultivate, harvest and facilitate education on the selection of specific olive tree variants to produce an olive oil extremely high in quality polyphenols proven and targeted for its anticarcinogenic properties and generalised health benefits. Education will be conducted via interactive olive oil tastings, olive grove tours and associated videos. Farm stay participants will have the opportunity to participate in harvesting if desired.
- To cultivate and harvest "Pomade" Pinot Noir grapes to produce a minimum intervention quality wine high in resveratrol. Education pertaining to the potent antioxidant properties and the extensive health benefits of resveratrol will be conducted via vineyard tours and wine tastings. Farm stay participants will have the opportunity to participate in harvesting if desired.
- To cultivate and harvest *Lavendula Augustifolia*, *Lavendula x Intermedia*, a cross between *L. Augustifolia* and *L. Latifolia* and Bee Lavender to produce a variety of lavender products beneficial for health to reduce stress and invoke relaxation. Education regarding the extensive health benefits of lavender will be conducted via lavender tours and sampling of lavender products specifically created for Lucania Estate using the lavender harvested onsite. Farm stay participants will have the opportunity to participate in harvesting and pruning the lavender if desired.
- Proposed future Apiculture to produce a lavender honey created through the symbiotic relationship with bees and the Bee lavender. Future introduction of 'Flow Hive' beehives where honey can be harvested without opening the hive and disturbing the bees.
- The farm also has extensive vegetable boxes and a large, enclosed orchard which includes cherry, peach, apricot, pomegranate, plum, avocado, nectarine, apple, pear, orange, lemon, mandarin, lime and major strawberry patch which participants can have access to as desired.
- Encourage farm stay participants to be actively involved with farming activities wherever possible and according to their level of interest, dependent on the season.

The property is fortunate to have a large lake with associated natural wetlands with abundant wildlife. It is the intent to introduce a new species of 'Super Yabby' – *Cherax Destructor* to the lake designed by the CSIRO as a much sought after culinary food source to be sold to neighbouring restaurants. Fishing of the yabbies in the lake will be available to those experiencing the farm stay. Introduction of the 'Super Yabby' will be a slow process to maintain and evaluate the viability of the current yabby population.

Experiencing wildlife in a natural setting including a large kangaroo population and an extensive variety of bird life such as rosellas, white and black cockatoos, rainbow lorikeets, and galahs in a wetlands environment, as well as two wedge tail eagles living in neighbouring Bald Hill Reserve. To maintain the management, planting and selling of produce (olive oil, wine, lavender, yabbies and the associated by-products

Location

The irregular shaped lot (15.64 hectares) is known as 101 Harrisons Road Dromana and more formally known as Lot 3 on Plan of Subdivision 621389E contained within Volume 11176 Folio 172. The site is located to the rear of Lots 1 and 2 which have primary frontage to Harrisons Road directly opposite Dromana College and immediately adjacent to Trofeo Estate winery.

The site is currently used for the purpose of the cultivation of olives, vines, lavender to be replanted in a more sustainable location throughout 2024 -2025 and a dwelling. Access is provided via a gravel driveway from Harrisons Road and vegetation onsite is well managed.

The contemporary single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximise views and vistas across the site, elevated to taking in the sloping topography to the west.

A lake is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the lake extending north-south and further east into neighbouring lots.

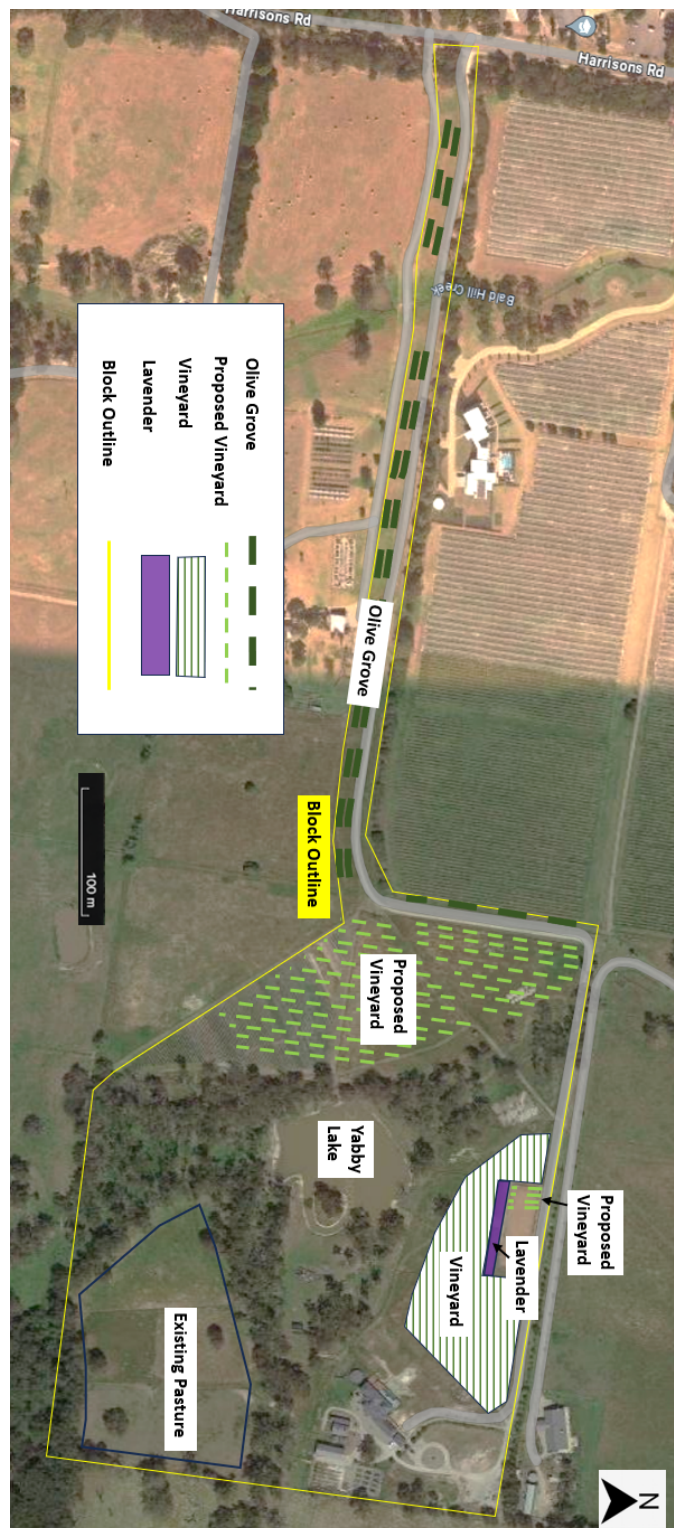


Figure 1 Block location showing the olive grove, vineyard, yabby lake and proposed lavender replanting location.

THE OLIVE GROVE

Overall vision

To facilitate the production of high-quality extra virgin olive oil (hereafter referred to as “olive oil”) for the health benefits of individuals by conducting informative and interactive olive oil tastings and olive grove tours. The olive orchard is unique in that four separate varieties of olive trees have been planted in order to cross pollinate and blend into one olive oil to maximise the polyphenol level in that olive oil whilst maintaining a great taste.

Background

For thousands of years, it’s been strongly believed amongst the Mediterranean bordering countries that olive oil has medicinal properties that promote quality and longevity of life. It wasn’t until the early 1990’s following a scientific conventional study conducted in Crete that received global recognition substantiating the medicinal properties of consuming olive oil on a regular basis. This study’s findings lead to the proliferation of plantings of the first commercial olive groves in Australia during the 1990’s.

The most important recent study published in 2022 by Guasch-ferre et al. that documented the impact of 90,000 individuals and found that regularly consuming more than half a tablespoon a day of olive oil, that individuals from this study (during 1990 to 2018) found:

- Total Mortality and Cause related mortality reduced by 34%
- Cardiovascular disease mortality reduced by 19%
- Neurodegenerative disease mortality reduced by 29%
- Cancer disease mortality reduced by 17%
- Respiratory disease mortality reduced by 18%

Purpose

Olive oil production has really been established for the betterment of customers who are health curious, conscious or who enjoy the taste of olive oil. Consideration for the purchase of the property was due to the highly fertile grounds (proximal to granitic weathered soils), access to fresh water, topography and climatic considerations which directly impact the polyphenol concentrations in the olive oil and therefore, the health benefits.

The unique micro-climate conditions of the farm (facing north with slightly warmer temperatures and low cloud cover) enable the olive grove for good levels of growth.

Polyphenol concentrations seem to increase in colder climates and 38 degrees latitude is approaching the limit of maximising polyphenol concentration without detrimentally reducing the productivity, growth and establishment of olive trees in colder climates.

The olive grove has been designed in almost every aspect to enhance the health benefits of the olive oil it will produce. This comes down to the olive varieties chosen, the farm practices, pressing methodologies and storage types.

Location and layout

The layout of the current olive grove can be found in the map on figure 1. Currently there are 300 olive trees insitu of which four varieties are at various stages of maturity as these trees have different growth rates and disease susceptibility. We have lost approximately 15% of the original plantation due to various factors. Replacement plants have been purchased with the intention to replant in the coming season.

Health Benefits in our olive oil

Polyphenols

Polyphenols are the anti-oxidants found in olive oil and are responsible for eliminating dangerous and metastasising free radicals.

These polyphenol concentrations increase when:

- Olive oil is produced in cooler climates
- Certain olive varieties produce varying amounts of different polyphenols
- How much water the plant receives during the olive growth stage directly effects the polyphenol levels. Generally, the less water the plant receives, the higher the polyphenol concentration
- The time the paste is in the malaxation stage (aeration of the crushed olives) during pressing

There are many different types of polyphenols found (some unique to olive oil) and some of the main types are: Hydroxytyrosol, Tyrosol, Oleacein, Oleuropein, Oleocanthal, Luteolin and Apigenin.

Healthy fats

The healthy fats found in abundance (typically 95%+ of the oil content) in olive oil are monounsaturated and polyunsaturated fats. These have shown in countless studies to help in cardiovascular health particularly when substituted for butter in diets. The fat component in olive oil is likely to be largely responsible for the significant 19% reduction in cardiovascular mortality found in the Guasch-ferre et al. 2022 study.

Olive Grove Land management plan

Combating climate change – Carbon Dioxide Sequestration

Olive trees during the transpiration process sequester CO₂ while releasing oxygen to the atmosphere during the natural tree processes such as growth, production, and hibernation.

Olive trees take 10 years to reach full size and once they are at this size (5 metres tall and 3 metres wide) they sequester on average 70 kg of CO₂ every single year.

300 fully grown trees of these parameters could sequester up to 21,000 kg of CO₂ every year and these olive trees can be established and productive for 100's of years. The oldest olive tree known on record, located in Crete, still produces olives today.

Environmentally friendly

Olive trees require very little water and nutrients compared to other crops and in particular compared to other oil producing crops such as canola, sesame, soybean and sunflower oils. This means the water required for these trees will be easily met by the rain water fed dam onsite. Also, operational practices such as turning over the soil every harvest and soil over utilisation is avoided when farming with olive trees.

Productive Varieties

VARIETY	Picual	Frantoio	Leccino	Coratina	Koroneiki	Kalamata
Agronomic Characteristics	Picual is highly rated for its early start to bearing and its high productivity. The fruit has low attachment making it suitable for mechanical harvesting. It is tolerant of cold, salinity and excess soil moisture. Picual is self-compatible and in Australia is proving to be a good pollinator for a number of other varieties. Picual is a hardy variety and adapts well to different climates and soil conditions. It is sensitive to verticillium wilt and peacock spot.	Frantoio is productive with consistently heavy oil yields. Foliage is a deep green colour. Frantoio has good quality pollen but benefits from cross-pollination to maximise production.	Leccino is highly productive, particularly in temperate to cool climates, with a compact fruit ripening period. The tree resists low temperatures, wind, fog, olive knot and fungal diseases, especially peacock spot. Foliage is silver green and leaf size is medium small. The trees growth habit is upright. Due to its low quality pollen Leccino must have cross-pollination to ensure fruit set. This can be achieved using Picual, Frantoio or Pendolino.	Coratina comes into bearing very early and productivity is high and somewhat alternant. This variety has shown some susceptibility to sooty mould. Coratina is not very tolerant of cold and in some areas of its native Italy it is planted as a pollinator, however Coratina should be planted with other varieties for cross-pollination. This can be achieved using Arbequina, Picual, Manzanillo or Pendolino.	Koroneiki flowers early and produces abundant pollen but should be planted with pollinators. This variety is resistant to drought but does not tolerate cold. It is resistant to peacock spot and moderately resistant to verticillium wilt.	Sensitive to peacock spot and verticillium wilt. Tolerant to olive knot and olive fly
The Oil	The oil yield of Picual is high, although it is known to be variable in the first years. The oil is of high quality with very particular characters and with extraordinarily high stability. Picual oil is often blended with other oils that have low stability.	Frantoio produces high quality oil and heavy oil yield and is highly regarded around the world. The oil is well balanced and fruity and has good stability. It is also easy to process.	Leccino is well known for the quality and character of the oil it produces. The oil content is medium and lower than Frantoio. The oil is superbly balanced and palatable fresh off the press without the harsh bitterness associated with some oils. In Tuscany it is often blended with Frantoio.	Coratina produces very high quality oil with high levels of polyphenols making it very stable. In Italy the oil produced from Coratina is intensely fruity and pungent. Interestingly these sought after oil characteristics are present in oils from Coratina in completely different growing areas like Argentina.	The oil content of Koroneiki is high and is rated highly. The oil has a high level of oleic acid and is very stable	Oil content is medium but oil quality is high. Low in bitter compounds. High pungency.
The Fruit	Fruit shaped is oval and curved with a nipple on the end. Both oil content and yield are high. The fruit ripens early to mid season. During the first years fruit tends to be larger than normal and they are highly rated for pickling as black table olives for the firmness of their flesh.	The fruit is oval shaped and of medium size. It has no nipple but has many small lenticels. The fruit ripens late in the season and is phased. In some areas in Australia Frantoio may ripen slightly earlier.	The fruit is oval shaped and of medium size. It ripens simultaneously from the tip end first and ripening is early in the season. This allows the fruit to be picked early without loss of yield	The fruit is of medium size and oval with no nipple and many small lenticels. It ripens evenly and late in the season. In some years it is also suitable for green table olives.	The fruit is ovoid and small (approx 1-2 grams) and so harvesting by shaker will be limited. Koroneiki ripens early to mid season.	Meaty and textured, 4 or 5gm per olive. High productivity and alternative bearing, average height. I am guessing its ok by
TREE	Picual is a medium vigour tree with an erect, dense canopy. It comes into production early. In Australia it has started to bear heavy commercial crops before most other varieties. It shows constant and high productivity and is very hardy. The Picual variety represents about 90% of the olive trees planted in the Jaen region of Andalucia, Spain, the largest olive growing area in the world.	Frantoio is of medium vigour and has a drooping medium dense canopy. It has an intermediate start to bearing, a constant and high productivity and is renowned for its adaptability to cool to cold climates. The Frantoio variety is the main variety of Tuscany and is famous throughout the world.	Leccino is a vigorous tree with a dense canopy. It adapts easily to various olive growing environments.	Coratina is one of the important Italian varieties, especially favoured in the area of Puglia, the largest olive growing area of Italy. This variety adapts very well to different growing environments and conditions. The tree is of medium vigour and has a spreading dense canopy.	Koroneiki is the main oil variety in Greece. The tree has medium vigour with a spreading sparse canopy. It comes into production early and its productivity is high and constant. It has a medium rooting ability and is usually grafted.	Low tree trunk thickness, sensitive to medium for cold.
Bitterness	Moderate	High	Moderate	High	Moderate	Low
Taste	Spicy, sour and bitter	Balanced, good level of grassy, banana and spice	Balanced, good level of grassy, banana and spice	Good level of grassy, banana and spice	Well balanced and spicy good grassy flavours	Balanced, textured and
Purpose	Dual	Oil	Oil	Oil	Oil	dual
ORIGIN	Spain	Tuscany, Italy	Tuscany, Italy	Puglia, Italy	Greece	Greece

Soil Requirements and ground management practices

Soil conditions are required to be of satisfactory nutrient levels for growing olive trees. A Soil test across the farm was conducted in 2021 and will be repeated late 2024.

Disease and pest management

Olive tree disease and pest management is conducted using organic pesticides, herbicides and other natural remedies to combat any undesirables on the farm.

Olive Tree management practices

Typical olive tree maintenance includes:

- Watering olive trees during periods of lack of water
- Fertilising the soil nearby the tree roots
- Pruning the branches into
 - A straight trunk to ensure mechanical harvesting is possible by a tree shaker
 - A conical canopy shape in order to bring light into the centre of the tree to promote fruit set
- Tying and fixing trees to stakes

Harvest

Harvesting process

Harvest will occur in late May to early June depending on the ripening of the fruit. The varietals have slightly different timing which is governed by the temperature lead up during flowering and soil conditions (nutrients, water) during maturation of fruit. Given we have several varietals, some will be more mature while others will be slightly under mature which will make for a great blend of ripened and early harvest fruit on the palate. The harvest will occur in one single day where a tree shaker and operator (example picture below) will be hired which can perform 1 tree shake (start to finish in 60 seconds) to remove and capture olives at approximately \$7 per tree. The harvest should only take around 5 or 6 hours for 300 trees. These will be emptied into large nally bins that will be transported that day to the oil press for processing.



Figure 2 Olive harvester

Oil Press

Several oil presses are available for processing 3rd party olives on the Mornington Peninsula. Market rates are approximately \$320 per nally bin which hold approximately 380 kg of olives. Processing of the fruit start with crushing the olives to paste which is then separated into crushed pips and liquids. The liquids are then separated in a centrifuge that separates the water from the oil.

Processing will be complete within the day where it will then be held in storage tanks locally or directly put into bottles unfiltered.

Distillation and storage

The distillation process helps remove any heavier particulates that were not able to be separated from the oil during the centrifuge process. Intermittently, over a matter of weeks and months the large vats will be purged of any settling materials within the oil to ensure premium quality.

Bottling

Bottling services can be linked to the oil press process where oil can be directly poured into bottles. This costs approximately \$2 - \$5 per bottle depending on the type of bottle, printing of labels and the cap type.

Marketing and distribution

Marketing will be conducted via lucaniaestate.com.au and social media outlets (Facebook and Instagram). This has already been set up and starting to get traction by posting picture and blog content touching on the medicinal aspects of olive oil.

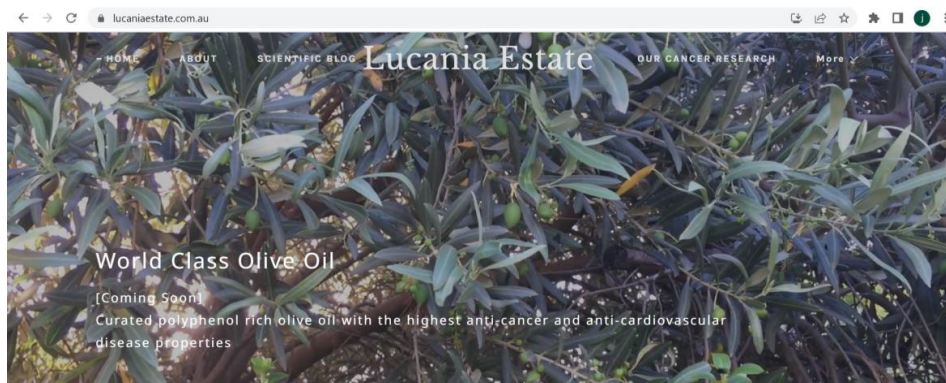


Figure 3 Lucania Website

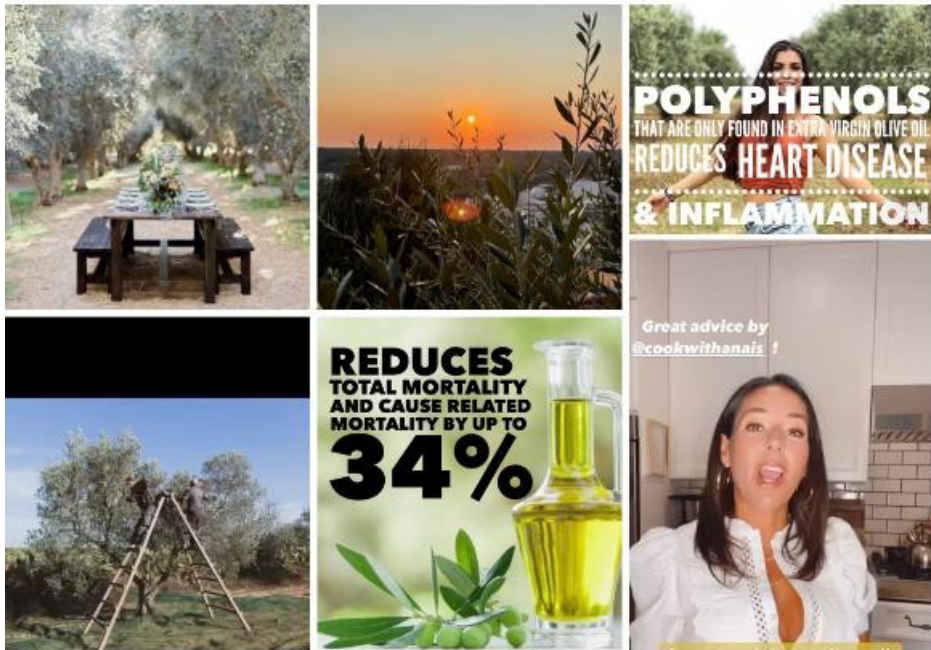


Figure 4 Instagram feed



19 August 2021

THE MOST IMPORTANT EVOO SCIENTIFIC STUDY OF ALL TIME?

One of the most renowned scientific articles on olive oil is the Predimed study. It was a randomised controlled study that looked at the impact of Extra Virgin Olive Oil (EVOO) on the Mediterranean diet(1).

[Continue Reading](#)



15 August 2021

WHAT SHOULD YOU LOOK FOR IN YOUR EXTRA VIRGIN OLIVE OIL?

Have you ever thought, what am I really buying? Olive oil is one of the most adulterated substances on earth. Some olive oil producers and sellers water down and add other substances to fill out the oil and reduce their ...

[Continue Reading](#)



3 August 2021

ANTI-INFLAMMATORY - OLIVE OIL

A study by Fito et. al (2007) tested the impacts of two different olive oils on anti-inflammatory responses in stable coronary disease patients. The two olive oils were different in that; the first was a virgin olive oil...

[Continue Reading](#)



31 July 2021

PAIN REDUCTION IN PATIENTS WITH RHEUMATOID ARTHRITIS

Effects of Rich Polyphenols Olive Tree Extract On Inflammation and Pain in Patients with Rheumatoid Arthritis

[Continue Reading](#)

Figure 5 Scientific Blog Posts from Lucania Estate website

Olive Oil Tasting and Tours

Schedule

The tasting and learning experience will be a small boutique offering at the Pavilion to participants enjoying the farm stay experience.

3-4 times a year, larger groups of up to 12 guests will experience the same offering at the larger multi purpose room in the accommodation unit known as the 'Lakehouse'.

Participants will be taken through:

- An introduction to olive oil history and background
- The health benefits inclusive of studies and results
- Varieties and characteristics specific to the farm
- Olive oil tasting
- Olive grove tour
- Opportunity to participate in olive harvesting, season dependant
- Closing notes and opportunity to buy Lucania Estate olive oil

Economics

Tree Age	yr 3-4		yr 5-7		yr 7-10	
Tonnes/hectare	0.25	1.5	6	8	8	10
Olives per tree (kg)	1	2	12	25	27	40
Extra virgin olive oil yield	0.1	0.2	0.1	0.2	0.1	0.2
Price per litre (\$)	\$ 8.0	\$ 10.0	\$ 8.5	\$ 10.5	\$ 9.0	\$ 11.0
Average olive oil litres production per tree	0.1	0.4	1.2	5	2.7	8
Average oil revenue per tree (\$)	\$ 0.8	\$ 4.0	\$ 10.2	\$ 52.5	\$ 24.3	\$ 88.0
Projected revenue on 300 trees	\$240	\$1,200	\$3,060	\$15,750	\$7,290	\$26,400

Table 2 Olive Farm Economics

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THE VINEYARD

Vision

The growing and harvesting of 'Pomade' Pinot Noir grapes to produce a minimum intervention, quality Pinot Noir wine high in resveratrol.

Background

Resveratrol is primarily found in grape skins and is strongly associated with red grapes and red wine made from grapes. Wine such as Pinot Noir, Malbec and Petite Sirah have the highest resveratrol content and have potent antioxidant properties which assists with alleviating joint pain by preventing cartilage breakdown. Such wine characteristics are also more favourable for people with cardiovascular heart disease and is the wine of choice by cardiologists for people having undergone open heart surgery.

According to The Mayo Clinic, studies suggest that the high antioxidant levels in resveratrol might help to prevent damage to blood vessels, reduce low density lipoproteins (LDL) cholesterol, lower blood pressure and prevent blood clots.

Resveratrol has been linked to lower risks of cancer, stroke and heart disease

Location and Layout

4 acres of vines are located in the northern part of the property with a vision to further increase planting of 'Pomade' Pinot Noir vines in the west area.

Please see map on figure 1.



Figure 6. One of 13 large tubs containing our vineyards second harvest

Land Management Plan

The vines are situated in an ideal sloped location on the property with a northerly orientation. This northerly aspect is ideal as the sun and wind reduces the risk of mould infestation significantly and hence the reduction in use of fungicides to the vines. This assists with the 'minimal intervention' practices pursued on the property.

Hay bales from the property surround the vines to assist with weed control that reduce the need for herbicides. The hay does break down over time which then becomes a natural fertiliser. Reducing fungicides, herbicides and fertiliser on the property is an important component of the farm management activities.

The 10 acres of land adjacent to the Lakehouse paddock will be left undeveloped for the production of hay to be utilized by the vines and for wildlife enjoyment.

Vines are irrigated via the onsite dam fed by rainwater

Tours of the vines, wine tasting and education regarding the practices of 'minimum intervention' and the processing of high resveratrol wine will be conducted in the Pavilion for those enjoying the farm stay. Farm stay participants can also be involved in harvesting if desired, in the appropriate season.



Figure 7 Vineyard (using weed mats from hay bales to control weeds and naturally fertilise soil.

Harvest

Grapes are harvested in February/March with the first crop successfully harvested in 2023. The crop for 2024 has recently been harvested and yielded 5 ton of high-quality Pomade grapes. One ton yielding approximately 64 dozen bottles, so approximately 320 dozen bottles will be produced for 2024 which is an excellent result for only the second year of harvest. The grapes are picked by a local workforce and production occurs offsite by a specialist winemaker.

The methodology of the wine production is carried out to maximise the highest resveratrol concentration possible. This is achieved by pushing the skins floating on the top down repeatedly when the wine is stirred so that the grape skins and seeds are in contact with the wine until the fermentation process is complete. Red wine prepared through this method has the greatest resveratrol concentration.

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THE YUULONG LAVENDER FARM

History

Yuulong Lavender Farm - Mt Edgerton , the oldest lavender farm in Mainland Australia

Set on a total of 20 acres, the farm had established licensed cafe & tearooms, gift shop, plus large implement/machinery shed, production/drying shed, packing room and greenhouse/nursery area. Five acres of lavender plants flowered over summer, as well as another half-acre of cottage gardens that provided an array of colour from spring through to autumn.

For more than 30 years Yuulong Lavender Estate attracted visitors from all over Australia as well as international tourists. With steadily increasing business from in-bound tour operators as well as bookings from Probus, seniors, garden and travel groups the farm became a hive of activity from spring through to autumn.

In 2017, the previous land owners, Robyn and Samuel Pye of the “Cote et Campagne” partnership acquired the business and its assets and transferred it to the Mornington Peninsula. Despite the heavy commitment in both financial and manpower resources terms, Cote & Campagne took the risk and finalised the transplanting process. The moving of thousands of mature plants and the oldest Lavender registrar in the country took place in May 2017 and was finalised before the winter start with the aim to re-launch the farm and business activities by spring 2017 to make the farm a prime natural production centre and touristic destination on the Mornington Peninsula.

In February 2021 the property was sold and the land acquired by Sandra Traviati. Unfortunately, by the time of change of ownership in 2021, the lavender had deteriorated due to severe weather conditions experienced on the Peninsula in 2021 which led to severe water and drainage issues at the lavender site, culminating in significant root rot of most plants. Furthermore, sadly a marriage breakdown in 2019, led to significant neglect of the plants, resulting in the lavender becoming extremely woody with most plants dying before changeover of the property. By late 2023, the lavender plants, having been transplanted at 5 years of age, were approximately 12 years of age. The average life span of well maintained lavender plants is approximately 10 – 15 years.

Extensive work to try and reinvigorate the site yielded poor results and consequently required the remaining lavender to be removed as it had died or was non productive. A new lavender site has been established and works to begin soil and site preparation, which takes 6-8 months, are currently underway after a successful trial of lavender planting in this area. The replanting of new lavender, while a smaller footprint, will hopefully yield significant quantities of oil and dried lavender to use in Lucania’s product offerings. The Lavender Stoechas (bee lavender) will be replanted for the future introduction of Apiculture to produce lavender infused honey. Sandra is an active member of TALGA. The Australian Lavender Growers Association.

Site Layout

The site layout is illustrated in figure 1.

Lavender – Land Management Plan

Benefits

Lavender is a hardy plant that thrives in sunshine and dry soil, so under watering or drought isn't an issue for this stunning flower. Correct plant drainage is however critically important as poor drainage leads to root rot. To this end the replanted lavender will be planted in raised mounds to facilitate drainage in the wetter months.

Scent: Lavender is an incredibly aromatic flower with a soothing scent, and fantastic blue-violet buds. Lavender is used for fragrance, soaps, shampoo, conditioners, as well as heat packs and sleep pillows etc. Lavender is also a primary ingredient in sleep assisting and stress relieving products. Culinary lavender is also used for a variety of dishes including, scones, cakes, biscuits and teas.

Repel Mosquitoes, Flies, Fleas and Moths: Planting lavender in the garden is a great choice for those who are mosquito magnets! Unlike humans – who tend to be drawn to the soothing scent of lavender – mosquitoes are repulsed by it. Using lavender's natural repelling powers is far safer than using DEET

Attract Pollinators: Butterflies and bees are highly attracted to lavender. Encouraging bees assists in pollinating flowers and plants and the pursuit of apiculture will allow for a beautiful lavender honey offering. Further, it is expected that the flow-on benefits to neighbouring wineries (including *Trofeo Estate*) through both lavender production and the introduction of apiculture will be positive.

Specific health benefits from Lavender.

A number of studies have reported that lavender essential oil may be beneficial in a variety of conditions, including insomnia, alopecia (hair loss), anxiety, stress, and postoperative pain. However, most of these studies have been small. Lavender is also being studied for antibacterial and antiviral properties. Lavender oil is often used in other forms of integrative medicine, such as massage, acupuncture, and chiropractic manipulation.

Research has found a reduction in stress and anxiety through the inhalation of lavender or topical skin applications.

Researchers have discovered that lavender produces calming, soothing and sedative effects when its scent is inhaled. In fact, the scent of lavender can actually change brain wave patterns, which is why it can work for a variety of neurological issues.

Improve Cognitive Function: Not only does lavender oil boost mood, but other studies have shown that its scent helps people perform math faster and *more accurately* than those who don't inhale the aroma before taking tests.

Insomnia or Agitation: In folklore, pillows were filled with lavender flowers to help restless people fall sleep. Scientific evidence suggests that aromatherapy with lavender may slow the activity of the nervous system, improve sleep quality, promote relaxation, and lift mood in people suffering from sleep disorders. Studies also suggest that massage with essential oils,

particularly lavender, may result in improved sleep quality, stabilise mood, improve concentration, and reduce anxiety. In one study, people who received massage with lavender felt less anxious and more positive than those who received massage alone. Several small studies suggest that lavender aromatherapy may help reduce agitation in people with dementia. Lavender flowers have also been approved as a tea for insomnia, restlessness, and nervous stomach irritations.

Headache Relief: Known for its anti-inflammatory properties and its ability to dilate blood vessels, lavender can reduce the pain associated with headaches.

Lavender Tea for Stomach Problems & More: Steep fresh or dried lavender flowers in hot water for three minutes before straining and drinking. This tea helps stomach problems, bad breath and the pain associated with arthritis, backache and headache. People can also try a calming cup before bedtime, especially if feeling anxious, overwhelmed or depressed.

Other uses: Aroma therapists use lavender in inhalation therapy to treat headaches, nervous disorders, and exhaustion. Herbalists treat skin ailments, such as fungal infections (like candidiasis), wounds, eczema, and acne, with lavender oil. It is also used in a healing bath for joint and muscle pain.

Another study found that lavender oil may improve pain control after surgery. Fifty people undergoing breast biopsy surgery received either oxygen supplemented with lavender oil or oxygen alone. People in the lavender group reported better pain control than people in the control group.

In one study, the smell of lavender reduced crying in babies and sent them into a deeper sleep, while simultaneously reducing stress in both mother and child. This may be because the aroma is known to slow down heart rate and lower blood pressure and stress levels.

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Production - Genus Variety

Although there are over 30 species of lavender, with hundreds of varieties, there are just 3 species that are widely grown by most commercial growers.

- *Lavendula Augustifolia*, also commonly called 'English' lavender or true lavender.
- *Lavendula x Intermedia*, called lavandins, as they are hybrids created by crossing *Lavendula augustifolia* with *Lavendula latifolia*, also known as 'Spike' lavender.
- *Lavendula Stoechas*, known also as topped lavender, Spanish lavender or bee lavender

Lavendula Augustifolia

Lavendula augustifolia, or English lavender, is a cold hardy species that does well in our climate zone, with mild summer heat and long hours of daylight. The plants have grey foliage and flowers ranging in colour from white to purple. The sweet fragrance of the true lavenders is ideal for culinary use, and the aroma and quality of the essential oil they produce.

Lavendula x Intermedia

This lavender species is a cross between *L. augustifolia* and *L. latifolia*, and are called lavandins. They produce large plants, with more long floral spikes than the true lavenders. Many varieties are grown solely for essential oil production, as they can yield over five times as much oil as true lavenders. The oil contains low camphor, with a pungent, woody aroma. Lavandins are very hardy and flower later than true lavenders, usually in summer time.

Lavandula Stoechas

This unique lavender species is easy to recognize, with a cylinder shaped flower head topped by leafy extensions that resemble rabbit ears. *Stoechas* are often called "topped lavenders" or Spanish lavender. They are the earliest lavenders to bloom and produce flowers all through the season, but are less hardy. The fragrance of most varieties contains a hint of rosemary, for a unique scent that is often used commercially for air fresheners and deodorants. Bees are highly attracted to this type of lavender. Lavender *Stoechas* will be planted to further our apiculture pursuit.

Lavender field location

The new lavender location will be adjacent to the vines near the proposed Pavilion. Please see diagram 1. Test plants grown in this location have yielded very positive results.

Soil requirements

Lavender must have well drained soil, with a pH of 6 to 8. Most plants need a specific pH range to thrive, and lavender likes the neutral range, with 6.5 to 7.5 being just about ideal.

In addition to the proper pH, lavender does best in sandy loam soil that provides good

drainage. If the soil becomes saturated with water, as often happens in clay soils, areas with hardpan or a high water table, the result is root rot disease that will kill the lavender plants. Drainage to the new lavender site will be addressed and the use of raised growing beds to improve water drainage will be maintained.

Water measure

Lavender is a xerophyte, in other words, water hardy, not requiring irrigation, at least once established. Unfortunately, this characteristic appears to be taken to the extreme by some growers and flower and oil yields subsequently suffer. As with many other essential oil producing plants there will be key stages of growth that are critical to flowering and essential oil accumulation. Indeed, because of its Mediterranean origins, lavender is a drought tolerant plant that requires less water than most crops to do well. However, young lavender plants need regular watering until their root system is well established and watering after harvest helps produce more flower stems for the next season.

Once lavender plants are mature, which takes three years; they will be productive for ten to fifteen years if well maintained and with adequate drainage.

Watering will occur once a fortnight using stored rain water and lake water during the hot summer months with the addition of Seasol to enhance root ball formation.

Disease, pest and animal control

When lavender is grown in an area with a suitable climate and in well-drained soil, it has few problems. Spittlebugs may appear in spring, the best control is simply washing off the bugs and spittle with a strong spray of water. Root rot is a common problem in wet soils, caused by fungi. The solution is prevention; by making sure the planting area is well drained.

Pruning / Cutting

Lavender requires careful pruning after each harvest. After planting in the first year, new growth will be removed, including the flower stems. The plant will be pruned into a ball shape to encourage a thicker more productive bloom in the second year.

In the second year, the new growth is pruned early in the season to encourage flowering. In autumn of the second year, plants will be pruned again to remove the flowers and continue training the plant into a ball shape. Within the first and second years, lavender flowers can be successfully dried and used for a variety of purposes eg; eye pillows, sleep pillows, heat packs, moth repellent sachets. The third year is when most lavender varieties are considered 'mature' plants, and ready to harvest for oil production.

If the plant is a double bloomer, The lavender will be harvested and pruned one more time after the second bloom

Processing and distillation site

Lavender bunches will be processed on site in the shed/barn adjacent to the house

Drying

After harvesting the lavender bunches, they must be bound with a sturdy rubber band around the base of the stems and hung upside down from horizontal wires in a drying shed. The drying area should be dark, have good ventilation and be rain proof (so the lavender dries quickly). One must ensure to leave enough space between bunches for air circulation to prevent mould. A roof ventilation fan should be used to increase air movement and help the bunches dry faster. The mezzanine level of the shed/barn will be used for drying because of its heat retaining and aeration capabilities.

Oil processing

There are 2 distillation methods: Hydro distillation, also called water distillation, or steam distillation. In hydro distillation, water and plant materials are boiled together in a tub, producing hydrosol, a blend of oil and water. Since oil is lighter than water, it floats to the top, where it can be separated from the hydrosol water.

Steam distillation uses a boiler to produce steam, which passed through the lavender plants suspended above it in a basket. As the steam passes through the lavender, it ruptures the oil glands on the flowers, allowing the oil to vaporize with the steam. This blend of steam and lavender then flows to a condenser, a coiled tube that removes heat

When the heat is removed, the water and oil separate. In the separator, the oil is removed and the hydrosol, or lavender infused water is drained. Both the oil and hydrosol are then stored until used in glass containers in a cool, dark place.

As the distillation process requires a high level of skill, as lavender oil is complex and highly flammable, we plan to outsource the distillation process of our lavender at this stage. The lavender oil will then be returned onsite and utilised in our own product offerings.

Bud processing

The best and most affordable way to process the lavender harvest for buds is to use a screen made from 1/4" galvanized hardware cloth on a wood frame. Rubbing the stems over the screen will loosen the dried buds, which then fall through the screen. After processing, the dried buds must be stored in an airtight container until sold or used in sachets or other craft items. Buds will be processed on the ground floor or upper area of the barn, adjacent to the main house.

YABBY AND AQUACULTURE FARM PROPOSAL

Context and Habitat

Australian common Yabbies (*Cherax Destructor*) are a heavy-bodied Australian freshwater crustacean in the family of Parastacidae. The Yabby has the largest range of all freshwater crayfish and occurs across most of Victoria, western New South Wales, southwestern Queensland and eastern South Australia.

Yabbies are native to the land west of the Great Dividing Range throughout the Murray-Darling Basin System. They have been introduced to the Northern Territory, Western Australian and coastal New South Wales. Yabbies live in freshwater lakes, lakes, ponds, river and creeks, and are an important dietary item for Platypus, water birds such as the White Ibis, Cormorants and Australian Native Freshwater fish such as Murray Cod and Golden Perch (Yellowbelly).

Cherax Destructor Source: Australian Museum



Figure 8 Picture of a yabby

Yabbies are found in many ephemeral waterways and are extremely hardy. They can survive dry conditions for many years by lying dormant in burrows sunk deep into muddy creek and swamp beds. During the wet season, they can travel kilometres across wet land in search of new waters to make home. Yabbies often have largely fluctuating populations which can change dramatically over a short period of time. A dried-up creek or lake can fill with floodwaters and suddenly teem with yabbies. Then, the Yabby population can suddenly drop off which cannot be accounted for by heavy fishing. This “boom and bust” period is not properly understood.

Yabbies are rarely found in clear water, and are often found in muddy waters, which gives the yabbies protection from predators. However, some predators do not depend on sight and can sense pressure changes tracking prey on muddy water. The Yabby protects itself by creating burrows in the base of the lake. They feed on decaying plant matter and are largely

vegetarian. They scavenge on decaying plant and animal matter. They enjoy eating dried out hay, decaying vegetation and manure found on farms.

Breeding and Life Cycle

Breeding begins in spring when water temperature reaches between 15 to 16 degrees. The first batch of eggs hatches 8 to 10 weeks later in early summer. The young leave three weeks later and then the female is ready to breed again. Because of the warmer temperatures over summer, the second brood only takes 3 to 4 weeks to incubate. The warmer the water stays, the longer the breeding season lasts.

Yabby growth appears to be fastest at 23 to 25 degrees water heat. After maturity is reached, the female grows more slowly than the male, because of the greater effort devoted to spawning. A female will never grow to the size of a male, which can reach 300 grams. The average Yabby size caught is 7 to 20 cm long, and weighs 20 to 80 grams. A Yabby of acceptable commercial size sits at about 10 cm long.

Yabbies can be found with claws or legs missing usually from aggressive encounters with other yabbies, or during defence from a predator. Loss of limbs can also come from an imperfect moult. Moulting is a time of great stress and contributes significantly to Yabby mortality. The soft outer shell sheds, leaving the Yabby defenceless against predation. Competitions for food supply in a pond also weakens many individuals, making them more vulnerable to disease or predation.

Causes of Yabby death include old age predation, injury, starvation, and disease. In a natural population, with limits to space and food, only a few of the 500 to 1000 young produced by each female will survive to 2-3 years to replace the parents. Four or five years is generally the longest a Yabby can live in the wild.

In order to provide a safe and sustainable environment for our Yabbies, agricultural lime will be distributed on the banks of the lake yearly and washed in naturally by rain in order to feed calcium into the lake to support the moulting and growing of Yabbies and strong shell development. The lake will also be supplemented by hay from the surrounding paddocks. Yabby growth and food supply will be monitored year-round.

Biosecurity

Few significant diseases have been reported in Australian freshwater crayfishes. Porcelain disease (also 'white tail' or 'white muscle' disease) can occur in the Yabby. The disease is easily detected in the late stages, when the underside of the tail turns white, and the walking legs often become splayed and rigid. It is invariably fatal and appears to be transmitted by cannibalism of dead or dying crayfish. However, in wild stocks, the disease does not seem to be important, and does not represent a major risk factor.

All yabbies to be supplied to Lucania Estate will come from the Yabby Dabba Doo Yabby and Fishery Farm, which is a controlled biosecurity zone. Each Yabby is screened for disease, and genetically screened for optimum health such that upon release to the lake, no pests or diseases are introduced to the natural environment.

Fishing and Sustainability

Yabbies will be fished sustainably and conducted using wildlife friendly open-top lift nets, in accordance with moving away from unsustainable Opera Net fishing.

The following commercial license under the Victorian Fisheries Authority will be applied for: Aquaculture (Private Land – Yabbies) License

Yabbies are expected to be fished seasonally, in accordance with their growth and breeding season. The first fish will occur in Spring, and another in Autumn according to the cycle of our Yabbies' growth and on the advice of Yabby Dabba Doo.

Lake Stocking

A supply of 1,500 to 1,850 live yabbies is planned to be released slowly into the lake with a size stock of 60-100mm. This is a perfect size for sustainability, as any smaller the yabbies may not survive moving to the new environment, and any larger, they may wander from the intended lake site. At this size, they are too big for most fish and eels to eat, and large enough to start breeding right away. The yabbies will be introduced slowly to assess any detrimental effects on the existing yabby population.

Yabbies need area, not volume, and to build a sustainable population which is calculated based on the square meterage of the lake. To ensure a sufficient mix of males and females, Yabby Dabba Doo recommends 1 Yabby per 10m². However, for more commercial fishing, better results are achieved with 3 Yabbies per 10m², but an area of at least 150m² is required in the lake.

The lake at Lucania is ~5,653 m², which is ample room for aquaculture. It is worthwhile noting that the lake at Lucania is a large and significant body of water, with ample opportunities for yabbies to hide and evade predation given the presence of an island, and reeds for the yabbies to hide within, as well as wetlands area. It is an ideal environment for Yabby aquaculture.

Lucania Estate is an ideal environment for Yabbies. Water running off the Bald Hill Nature Reserve collects in the wetlands area, which drains down to the main lake. It is important to note that the fresh rainwater, filtered by the extensive wetland system at the base of the hill provides ideal water supply to the lake and for the Yabbies. Given there are no upstream farming practices, the water supply is clean and devoid of artificial pesticides, petroleum products or other undesirable inputs for eating-grade Yabbies. Historic water test results have been positive for aquaculture pursuits however we intend to undertake another full water test prior to releasing the Yabbies to ensure optimal health and water quality.

Marketing and Supply

The practice of fishing and eating yabbies has been observed for centuries, with Indigenous Australians fishing and eating Yabbies, with Middens of shellfish remnants discovered widely across many sites in Australia. Freshwater Yabbies have been consumed for centuries and represent a desirable food source. Today, freshwater Yabby is also prized by high-end restaurants, and Australian cuisine.

The supply of freshwater eating-grade Yabby from Lucania Estate will be marketed to neighbouring restaurants, wineries and high-end hospitality venues across the Mornington Peninsula. A high-quality seasonal supply of eating yabbies will provide an income stream to the farm, and allow many local residents to enjoy this local, sustainably caught Australian delicacy.

Sources and References

1. Yabby Dabba Doo: <https://www.yabbydabbadoo.com/>
2. Australian Museum: <https://australian.museum/learn/animals/crustaceans/black-yabbie/>
3. Victorian Fisheries Authority: <https://vfa.vic.gov.au/recreational-fishing/recreational-fishing-guide/catch-limits-and-closed-seasons/types-of-fish/yabby-freshwater>
4. New South Wales Department of Primary Industries: <https://www.dpi.nsw.gov.au/fishing/fish-species/species-list/yabby>

Host Farm Activity and Management Plan

Introduction

The landowners will be the Hosts of the farm stay, living on site providing service, instructions, education and surveillance to the host farm guests.

The residents and family of Lucania Estate include three geoscientists, all with a strong interest in sustainable farming practices and habitat conservation and the family are active participants in the Dunns Creek Landcare Group.

It is expected that the host farm will result in positive outputs culturally and environmentally.

Keeping cattle off the block has already created something of a wildlife haven. However, the ethical management of the olive grove, vineyard and lavender, as well as the native area to be re-created requires extensive manpower on a constant basis, from weeding to harvesting. In season the workload is very extensive.

Guests at the host farm will have the option to select their preferred activities to take part in, on offer during the time of their stay.

Host Farm Booking & Operation (Onsite) Process

- Guests book the accommodation via an online booking website to be established.
- Upon check in, guests are advised re tours available and activities to participate in as desired.

Meals

Basic provisions will be provided within the cabins. Recommendations for surrounding wineries and restaurants will be provided which will encourage support of businesses in the surrounding area..

Host Access

At least one Host will be onsite when guests are present and will be contactable by mobile phone.

The onsite *Emergency Management Plans* and *Guest Information Booklets* will be provided to each cabin.

Servicing of Rooms

Short stays (1-2 nights) rooms will not be serviced during stay

Longer stays (3-7 nights) rooms will be cleaned & provided fresh towels & provisions (Precooked bakery, preserves, etc.) every 2nd day unless otherwise arranged with guests.

Duration of Stays

Accommodation will be offered on a short stay (1-2 nights) and long stay (3-7 nights) basis

Check in would be from 2pm and checkout before 10am

Capacity

With a total of 3 accommodation offerings (one with two bedrooms for families) capacity exists for a maximum of 8 guests per night.

Accommodation type

The Host Farm Accommodation is strategically sited and designed, following these key principles:

- Provision of privacy and orientation to maximise views across the site and towards the bay.
- Environmentally sustainable
- Respectful of existing landscape and neighbouring properties by incorporating Planning Permit P09/2621. The Section 173 Agreement prepared in response to Condition 14 of the Planning Permit P17/1892. The existing agreement sought to regulate the use and development of the land and included “standard” restrictions, as outlined below.

The Owner covenants and agrees that:-



- 4.1 The Owner is fully aware of:
 - 4.1.1 the potential emissions associated with agricultural activities and proceeds with the use and development of the Subject Land in accordance with the Planning Permit in full knowledge that one of the objectives of the Green Wedge Zone under the Planning Scheme is to accommodate productive agricultural use and that this activity should be expected.
 - 4.1.2 the Owner's obligations in relation to proper land management. This extends to ensuring that all dogs and cats are retained within the boundaries of the Subject Land at all times.
- 4.2 The Owner must protect and enhance any significant native vegetation or fauna habitat on the Subject Land. This may include a requirement for a habitat restoration plan and vegetation requirements to the satisfaction of the Responsible Authority.
- 4.3 The Owner must not erect any fencing or freestanding walls on the Subject Land that do not have a rural character.
- 4.4 The Owner must not plant any hedge lines, which, at maturity, would form a solid visual wall, and must not construct any bund wall or similar earthworks or other artificial barriers that obstruct existing view lines on the Subject Land, except with the approval of the Responsible Authority.
- 4.5 If required by the Responsible Authority, the Owner must open and maintain any significant view line from the public realm by the removal of existing vegetation, earthworks or other artificial barriers on the Subject Land, to the satisfaction of the Responsible Authority.
- 4.6 The Owner must remove any former dwelling or derelict building on the Subject Land. This does not apply to any building approved for the provision of host farm accommodation.
- 4.7 The Owner must submit a land management plan to the Responsible Authority, to the satisfaction of the Responsible Authority, demonstrating one or more of the following elements:
 - 4.7.1 Biodiversity protection and enhancement;
 - 4.7.2 Use of the Subject Land for productive agricultural purposes;
 - 4.7.3 Provision of opportunities for recreation linked to the experience of the natural environment, agriculture or
- ultural heritage having regard to the existing conditions and capabilities of the site.
- 4.8 The studio must not be used as a second dwelling.

The existing agreement has served its purpose and has effectively controlled the use and development of the land, but all matters, including ecological enhancement are captured in the new Agreement and will be controlled as such.

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LAND CAPABILITY ASSESSMENT REPORT

101 Harrisons Road
Dromana VIC



Prepared for: WEST VALENTINE BUIDING DESIGNERS
99 Waverley Road
Malvern East VIC 3145

Site: 101 Harrisons Road
Dromana VIC 3936

Prepared by: R H Krainz – Eco Vision Australia

Reference No. 51FO23 LCA COM

Date: June 16, 2023

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1. Executive Summary

The purpose of this report is to provide details and the location of the proposed wastewater management system for West Valentine Building Designers on behalf of their clients who are proposing to undertake a development (host farm accommodation) at a mixed use agricultural property to include the following:

- Two Accommodation Pods containing one bedroom each – Occupancy 2 persons per pod – Total 4 people.
- One two bedroom ‘Lakehouse Accommodation’ – Occupancy 4 people
- One multi-purpose pavilion to be used as communal space for people using accommodation on the property. An educational facility for guests about agricultural activities on the land and associated produce. Display and sell the primary produce grown on the land (no onsite food production. Usage is predominately on weekends with numbers being a maximum of 20 people.
- Renovation of the existing dwelling to contain five bedroom + spare room – potential nine person occupancy.

The site contains an existing worm farm with the Land Application Area (LAA) provided by subsurface trenches located within the south east corner of the site. The existing system and LAA will be decommissioned. This currently services the existing four bedroom dwelling. The above development requires an upgraded wastewater treatment system due to a substantial increase in hydraulic and BOD load. The installation of a system capable of treating wastewater to a minimum secondary treatment level is required. It is proposed to use subsurface irrigation (SSI) to distribute wastewater within two areas as shown on the site plan.

It is proposed to install a Taylex ABS wastewater treatment train in conjunction with a land application via sub surface irrigation (SSI) located on two areas of the site. The size of the allotment is approximately 15.89ha. The site is very gently undulating with upper portions of the site towards the north east corner being slightly elevated. Entry to the property is from the west via a narrow driveway fronting Harrisons Road.

The methods used for this report include soil tests and site survey undertaken by Eco Vision Australia (May 11th, 2023). The onsite soils in two location are consistent with the underlying geology being Quaternary Alluvial Sediments (Dromana Alluvial Fan). The ASC soil type for this geology are predominately Yellow Grey Sodosols Ferrosols. These are described soils that are Alkaline and Sodic between the A & B horizon. The site visit and field work has confirmed these characteristics in two locations. The proposed LAA for secondary treated wastewater is located in two locations one field on more elevated land and the other located within the vicinity of the original lavender field including the vicinity of the two smaller accommodation pods as depicted on the site plan. A separate field is required that ensures wastewater is not pumped uphill and across any watercourses based on Melbourne Water advise.

The overall land capability rating is regarded as being poor utilising the Land Capability Matrix. This is due to the average rainfall, soil permeability category, and low exposure as the main mitigating factor. Other matrix indicators across the site rated between very good to fair. Watercourse set backs from the LAA to the east are 30m which meet EPA requirements in conjunction with EPA 891.4.



Four boreholes were dug across the site as depicted on the site plan. The soil type in the LAA for both zones 1 and 2 consists of a moderately structured brown loam to clay to a maximum depth of 300mm overlying a moderately structured brown yellow clay loam to a maximum depth of 600mm. Between 600mm to a maximum depth of 1100mm the soil grades into a strongly structured yellow brown slightly mottled light clay. Below 1100mm to 1500mm the soil grades into a strongly structured yellow brown slightly mottled medium clay. There was a minimal textural change between the A & B horizon change indicating a gradual change in soil permeability throughout the profile. No groundwater was encountered on the site inspection.

Hydraulic and BOD loading rates have been calculated with the site operating at maximum capacity throughout the year. It is highly likely that the hydraulic and BOD load will be significantly below the calculations.

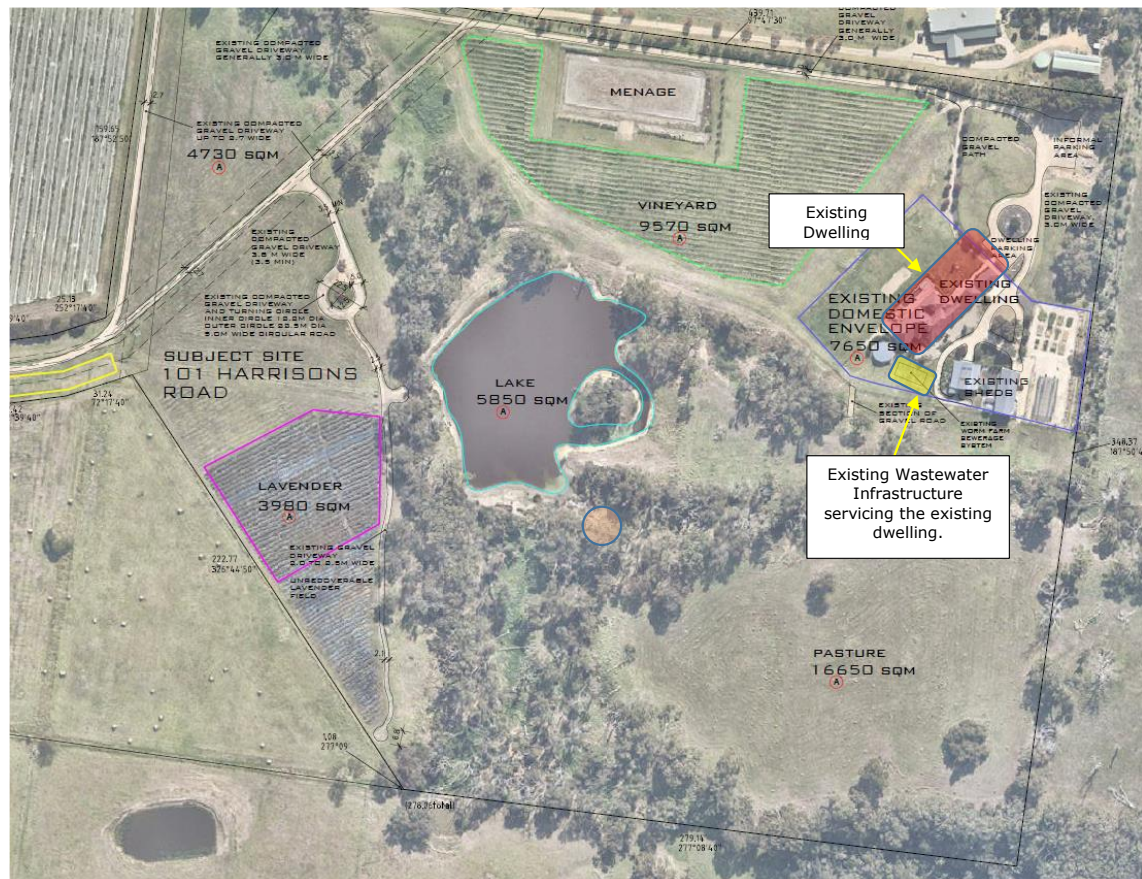
It is proposed to install a wastewater treatment secondary treatment system to service the proposed host farm development including the upgraded and renovated dwelling. The Land Application Area will be provided by Subsurface Irrigation (SSI). The wastewater fields are to be located a minimum 30 metre distance from any watercourses. The site visit noted that the 'lakehouse' accommodation building is elevated above the Yabby Dam with planning and Geovic mapping noting this area as part of the existing Yabby Dam. Ground truthing noted that this was not the case.

Installation of a secondary waste water treatment train consisting of the following:

- **Zone 1** – 1 1000L pumpwell for the proposed 2 bedroom accommodation lakehouse accommodation building and 1 1000L pumpwell for the multipurpose building to be pumped to the wastewater treatment system described below located to the south of the existing sheds as depicted on the site plan.
- **Zone 1** - Installation of a 10,000L balance/buffer tank to hold and store wastewater (in addition to reduce the BOD load by approximately 44%) with a Taylex 2,000L ABS treatment tank that meets BOD <20 mg/l and SS <30 mg/l;
- **Zone 2** - Installation of a Taylex 2,000L ABS treatment tank that meets BOD <20 mg/l and SS <30 mg/l;
- **Zone 1** - Subsurface irrigation is used in conjunction with the wastewater treatment system the LAA area sized at an area of 1,200m² (1107m² - Water Balance) which should be subdivided into three fields sized at (400m² each) as depicted on the site plan;
- **Zone 2** - Subsurface irrigation (minimum 30m from the watercourse to the east) is used in conjunction with the wastewater treatment system the LAA area sized at an area of 250m² (227m² Water Balance) as depicted on the site plan;

The aim of the on-site waste water management system achieves best environmental practice on the property. This is by the installation of a secondary waste treatment system which aids in maintaining the environmental amenity of the site.

ECO VISION *Australia*
ABN 96 203 943 465
Land Management Consultants



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2. Introduction

Eco Vision Australia has been engaged to undertake a Land Capability Assessment (LCA) for a site at 110 Harrisons Road, Dromana for a proposed development to include a renovated dwelling, multipurpose building, Lakehouse accommodation for four people and two one bedroom accommodation pods. The existing worm farm and absorption trenches servicing the existing four bedroom dwelling will be decommissioned as a result of the proposed upgrade. It is proposed a new secondary wastewater treatment system using Taylex ABS treatment tanks including a balance / buffer tank with the LAA provided by SSI in two locations as depicted on the site plan.. The field investigation and report have been undertaken and prepared by suitably experienced staff. Eco Vision Australia has appropriate professional indemnity insurance for this type of work. Our professional indemnity insurance certificate is available on request.

The report will accompany an application submitted to the Mornington Peninsula Shire Council for the proposed development. This document provides information about the site and soil conditions. It also provides a detailed LCA and includes a conceptual design for a suitable onsite wastewater management system, including recommendations for monitoring and management requirements.

The proposed site is approximately 15.89ha in size and irregular in shape. Boundary dimensions are variable approximately 440 metres along the northern boundary. The allotment contains gentle to slopes within upper portions of the site with very gentle slopes on lower portions of the site. The proposed LAA locations are virtually flat to gently sloping. Topographical elevations are approximately 80m within upper portions of the site and 70m within lower portions of the site.

Soil Testing and site survey was undertaken by Eco Vision Australia in May 2023.

Rainfall data was obtained from Dromana Sussex Farm – 086223. Evaporation data was obtained from Cranbourne Botanic Gardens Climate Station - 086375 as this is the closest Climate station that provides this data. There are now few climate stations that provide evaporation data.

There is sufficient land available for sustainable onsite effluent management that maintains appropriate buffers to protect sensitive receptors for to residentially develop the site.

We have considered a number of options for both the treatment system and land application area (LAA). Above all, effluent should be treated to secondary level via Taylex ABS treatment system including a buffer/storage tank and Land Application by SSI located within the areas as depicted on the site plan.



3. Description of the Development

Table 1 Site Description

Site Address:	101 Harrisons Road Dromana VIC
Owner/Developer:	M & S Traviati
Postal Address:	99 Waverley Road Malvern East 3145
Contact:	West Valentine Pty Ltd – 03 9571 0400
Council Area:	Mornington Peninsula Shire
Zoning:	Planning Zone – Green Wedge Zone – Schedule 3 – (GWZ3), Planning Overlays – Bushfire Management Overlay (BMO) – part of the site, Environment Significance Overlay – Schedule 3, 17 & 28 (ESO3), (ESO17) & (ESO28), Significant Landscape Overlay Schedule 1 (SLO1) Vegetation Protection Overlay – Schedule 2 (VPO2) small section of the site.
Allotment Size:	15.89ha
Domestic Water Supply:	Reticulated / Water Tank
Anticipated Wastewater Load per allotment:	The design load is sourced from Code of Practice Onsite Wastewater Management 891.4 (Jul 16). (Table 4 – Minimum daily wastewater flow rates and organic loading with full water reduction facilities) Table 2 below provides the hydraulic load calculations.
Availability of Sewer:	The area is unsewered and unlikely to be sewerred in the short to medium term future

Table 2 – Hydraulic & BOD Load

Day	Users	Design Flow Rates	Total Load*	BOD Load	Total BOD load
Dwelling	9	150L/person	1,350L/D	60g/d	540g/d
Multi-Purpose Building	20	10L/person	200L/D	10g/d	200g/d
Lakehouse	4	100L/person	400L/D	80g/d	320g/d
Pod 1	2	100L/person	200L/D	80g/d	160g/d
Pod 2	2	100L/person	200L/D	80g/d	160g/d
Total 1day/wk.			2,350L/D		1,380g/d

- Peak Daily Hydraulic Load 2,350L/D Peak Daily BOD load 1,380g/d



4. Site Key Features

Robert Krainz undertook a desktop review and site inspection on the 11th of May 2023. A range of site features were assessed in terms of the degree of limitation they present for a range of onsite wastewater management systems. Reference is made to the rating scale described in Table 1 of EPA (2003a). As a guide, remedial measures should be considered whenever ratings of 3, 4, or 5 occur and this might involve land improvement works, soil amelioration or simply adoption of higher-level technologies to ensure environmental protection. Table 3 summarises the key features in relation to effluent management at the site. The site experiences negligible stormwater run-on. There is no evidence of a water table in the proposed LAA.

The soil type in the LAA consists of a gravelly clay loam to clay loam fill to a maximum depth of 200mm overlying a moderately structured brown clay loam to a maximum depth of 700mm. Between 700mm to a maximum depth of 1000mm the soil grades into a red brown light clay. Below 1000mm the soil grades into a well-structured red brown medium clay. The very gradual change in soil texture indicates a gradual change in soil permeability throughout the profile. No groundwater was encountered on the site inspection.

The site is within the locality of Dromana, which is part of the Planning Zone – Green Wedge Zone – Schedule 3 – (GWZ3), Planning Overlays – Bushfire Management Overlay (BMO) – part of the site, Environment Significance Overlay – Schedule 3, 17 & 28 (ESO3), (ESO17) & (ESO28), Significant Landscape Overlay Schedule 1 (SLO1) Vegetation Protection Overlay – Schedule 2 (VPO2) small section of the site.

Appendix i provides a site locality plan (Property Report) and indicates the location of the site of the proposed development.

Appendix ii provides a Proposed Development Plan.

Appendix iii provides photographs of the existing site conditions

Appendix iv provides Bureau of Meteorology Climate Report for Cerberus (Temperature Statistic) and Dromana Sussex Farm (Rainfall Statistics)

Appendix v provides a full water balance for SSI

Appendix vi provides Test Site Location Plan

Appendix vii provides Borelog descriptions



Table 3 Site Features

Feature	
Climate	The site has a cool temperate climate with maximum temperatures and minimum rainfall in summer (Cerberus Climate Station – 86361). The site experiences a mean annual rainfall of (868.3mm – Rainfall – Dromana Sussex Farm 86223).
Exposure	The site currently is a mix of building infrastructure (dwelling and sheds) within upper portions of the site with a mix of grassed areas and existing vegetation within the existing building area. The proposed LAA within the two zones will both have high sun and wind exposure.
Vegetation	The site currently has grassed areas, grape vines including a mix of Eucalypts throughout the property.
Landform	The site is contained within the Dromana Alluvial Fan land form element. The site is located on a mix of flat areas and steeper slopes of a rolling low hill.
Slope	The proposed effluent management areas are located on virtually flat to gently sloping land as depicted on the site plan.
Fill	Minor fill was observed on some sections of the allotment. Both LAA areas are located within natural soil profiles.
Rocks and Rock Outcrops	No rock outcrops or low lying large sub surface rocks were encountered.
Erosion Potential	The erosion hazard is low.
Surface Water	Not applicable.
Flood Potential	Areas available for application of treated effluent lie above the 1:100 year flood level.
Stormwater run-on and upslope seepage	The proposed effluent management area is expected to receive minor stormwater run-on which can be diverted via surface spoon drainage or sub surface drainage. There is no evidence of groundwater seepage, soaks or springs.
Groundwater	There are no signs of shallow groundwater tables.
Site Drainage and Subsurface Drainage	The site could experience variable stormwater run-on and run-off. However, there are minor visible signs of surface dampness. Surface dampness due to recent rainfall and seasonal conditions.
Recommended Buffer Distances	All buffer distances recommended in Table 5 of EPA Code of Practice; 891.4 July 2016 will be achievable in the proposed treatment envelopes.
Available Land Application Area	Considering all site constraints and the buffers mentioned above, the site has ample land that is suitable and available for land application of effluent treated to secondary levels. There will be ample protection for surface and groundwater.



5. Soil Assessment and Constraints

The sites' soils have been assessed for their suitability for onsite wastewater management by a combination of soil survey and review of desktop published material.

The site at 205 – 207 Arthurs Seat Road, Red Hill typically contains soils consistent with the Dromana Alluvial Fan landform element. The typical underlying geology are Quaternary Alluvial Sediments. The ASC soil type for this geology are predominately Yellow Grey Sodosols. These are described soils that are alkaline and sodic levels with the onsite soils within both LAA locations having a relatively minor textural changes between the A & B horizon. The site visit and field work confirmed this characteristic within both LAA locations.

The soil type in the LAA consists of a gravelly clay loam to clay loam fill to a maximum depth of 200mm overlying a moderately structured brown clay loam to a maximum depth of 700mm. Between 700mm to a maximum depth of 1000mm the soil grades into a red brown light clay. Below 1000mm the soil grades into a well-structured red brown medium clay. The very gradual change in soil texture indicates a gradual change in soil permeability throughout the profile. No groundwater was encountered on the site inspection.

General soil characteristics of the onsite soils are structure and moderate drainage through the upper soil and slowing through lower soil profile depths. Soil permeability was not undertaken however textural soil analysis indicating that infiltration would be moderate through the A horizon and slowing through the B horizon. This is consistent with soil permeability testing undertaken on similar soil types. The on-site soils exhibit a gradual change in texture throughout the soil profile and thus beneficial for sub-surface drainage. A conservative Ksat for a moderately structured light clay is 0.06 m/d with a corresponding soil percolation rate of 2.5mm per hour.



Onsite Soils



Table 3 Soil Features:

Soil Feature		
Soil Depth	Soil depth up to 1500mm encountered.	
Depth to watertable	Groundwater not encountered.	
Coarse Fragments (%)	No coarse fragments were observed through the soil profile.	
Soil Permeability and Design loading Rates	Soil permeability was not directly measured but can be inferred with reference to Tables L1 to N1 in AS/NZS 1547:2012, that describe conservative design loading rates (DI-R5) and Design Irrigation Rates (DIRs) for various effluent application systems according to soil type. Critical soil properties are texture and structure, but depth, colour and degree of mottling are also used to infer drainage conditions. We note that the indicative loading rates below assume secondary treated effluent is being applied. Reduced loading rates would apply to primary treatment systems (septic tanks), although these are not recommended here.	
	Topsoils	Subsoils
Description	Clay Loam (moderately structured)	Light Clay (moderately structured)
Soil Category (AS/ NZ1547:2012)	4a	5b
Design Irrigation Rate (DIR mm/week)	24.5 (3.5mm/d)	21 (3mm/d)
Design Loading Rate (DLR mm/week) for trenches/beds	Design Loading Rate (DLR mm/day) for Wick Trenches 30 (secondary treated)	Design Loading Rate (DLR mm/day) for Wick Trenches 10 (secondary treated)
pH	The pH of 1:5 soil/water suspensions was measured using a Hanna Instruments combo pH/EC/TDS tester – pH 7.5. The present soil conditions do not appear to be restricting plant growth.	
Electrical Conductivity	Electrical conductivity was measured at <4mS/cm which is in the acceptable range.	



6. Land Capability Assessment Matrix

The Land Capability Assessment has been developed for the whole site, but using the soils in the vicinity of the building envelope.

Table 4 Land Capability Assessment Matrix

LAND FEATURES	Land capability class rating					Site rating
	Very good (1)	Good (2)	Fair (3)	Poor (4)	Very poor (5)	
GENERAL CHARACTERISTICS						
Site drainage	No visible signs of dampness	Moist soil, but no standing water in soil pit		Visible signs of dampness, such as moisture-tolerant plants	Water ponding on surface	2
Runoff	None	Low	Moderate	High – need for diversionary structures	Very high – diversion not practical	2
Flood Levels	Never		<1 in 100	>1 in 100 and <1 in 20	<1 in 20	3
Proximity to Watercourses	>60 metres				<60	1
Slope (%)	0-2	2-8	8-12	12-20	>20	1
Landslip	No actual or potential failure		Low potential for failure	High potential for failure	Present or past failure	1
Groundwater (seasonal watertable depth (m))	>5	5-2.5	2.5-2.0	2.0-1.5	<1.5	3
Rock outcrop (1% of land surface containing rock >200mm)	0	<10%	10-20%	20-50%	>50%	1
Erosion potential	No erosion potential	Minor	Moderate	High	Severe erosion potential	2
Exposure	High sun and wind exposure		Moderate	Low sun and wind exposure		1
Landform	Hill crests, convex side slopes and plains		Concave sideslopes and footslopes		Floodplains & incised channels	1
Vegetation Type	Turf or pasture				Dense forest with little understorey	1
Average Rainfall (mm/yr)	<450	450-650	650-750	750-1000	>1000	4
Pan evaporation (mm/yr)	<1500	1250-1500	1000-1250	---	<1000	3
Fill	No fill		Fill present			3

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SOIL PROFILE CHARACTERISTICS						
Soil permeability category ¹	2 and 3	4		5	1 and 6	4
Profile depth	>2m	1.5-2m	1.5 – 1	1.0-0.5m	>0.5m	3
Presence of mottling	None				Extensive	1
Course fragments (%)	<10	10-20	20-40		>40	1
Permeability * (m/d)	0.3-0.15	0.08-0.15 0.3-0.6	0.06-0.08 0.6-1.5	--- 1.5-2.0	<0.06 >2.0	3
pH	6-8		4.5-6		<4.5, >8	3
Emerson Aggregate	4, 6, 8	5	7	2, 3	1	3
Electrical Conductivity	<0.3	0.3-0.8	0.8-2	2-4	>4	1
Sodicitiy ESP%	<3		6-8	8-14	>14	2
Overall Site Rating			Poor			4

1. Source: AS/NZ1547:2000



7. The Management Program

This LCA has been prepared to accompany a development application to the Mornington Shire Council for a proposed wastewater that includes:

- Two Accommodation Pods containing one bedroom each – Occupancy 2 persons per pod – Total 4 people.
- One two bedroom ‘Lakehouse Accommodation’ – Occupancy 4 people
- One multi-purpose pavilion to be used as communal space for people using accommodation on the property. An educational facility for guests about agricultural activities on the land and associated produce. Display and sell the primary produce grown on the land (no onsite food production). Usage is predominately on weekends with numbers being a maximum of 20 people.
- Renovation of the existing dwelling to contain five bedroom + spare room – potential nine person occupancy.

All existing wastewater will be decommissioned including the existing worm farm and absorption trenches as described in this report. It is recommended that a secondary wastewater treatment system as described in this report be installed on the site which reduces the LAA required for treated wastewater. As such, this report provides recommendations for treatment and land application systems that are appropriate to the land capability. The following sections provide an overview of a suitable system, with sizing and design considerations and justification for its selection. Detailed design for the system is beyond the scope of this study but should be undertaken at the time of building application and submitted to Council.

7.1 Treatment System

To treat domestic wastewater and allow irrigation with the treated effluent, the existing system provides secondary treatment with disinfection to meet Environment Protection Authority requirements for irrigation. Indicative target effluent quality is:

- BOD <20 mg/l;
- SS <30 mg/l;

7.2 Land Application

A range of possible land application systems have been considered, such as absorption trenches, evapotranspiration/absorption (ETA) beds, surface and subsurface irrigation, and sand mounds. The preferred system is pressure compensating **subsurface irrigation**. In combination with the selected secondary treatment system subsurface irrigation will provide even and widespread dispersal of highly treated effluent loads within the root-zone of plants. Subsurface irrigation will provide beneficial reuse of wastewater. It will also ensure that the risk of effluent being transported off this site will be negligible.



7.3 Sizing the Irrigation System

To determine the necessary size of the irrigation area water and nutrient balance modelling has been considered.

The water balance method calculation is used to calculate the area required to balance all inputs and outputs, with the need for wet weather storage. As a result of these considerations:

Zone 1 – Located on upper slopes towards the north east of the dwelling to be renovated and sized at a minimum area of 1107m² (wastewater load of 1950L/D).

Zone 2 - Located on lower slopes towards the south west boundary within the vicinity of the accommodation pods a minimum distance of 30 metres from the designated watercourse and sized at a minimum area of 227m² (wastewater load of 400L/D).

Total Combined Wastewater Load – 2,350L/D

Water Balance

A preliminary model water balance with wet month storage with a total daily wastewater load of 2,350 litres indicates the field sizing is satisfactory.

Nutrient Balance

A nutrient balance has been considered to check that the LAA is of sufficient size to ensure nutrients are assimilated by the soils and vegetation. It is acknowledged that a proportion of nitrogen will be retained in the soil through processes such as mineralisation and volatilisation.

We are of the opinion that the area required for nitrogen assimilation and phosphorus can be met by the above sized LAA.

Summary and Discussion

It is worth noting that modelling includes several significant factors of conservatism:

- Hydraulic load (2,350 L/day). This assumes the site will be used at full capacity all the time. It is highly likely that the site will not be used at full capacity every day of the year with peak usage typically occurring during the warmer months with the wastewater fields having ample capacity to operate effectively;
- From the nutrient balances, in the absence of site specific data very conservative estimates of crop nutrient uptake rates and total nitrogen lost to soil processes are considered.



7.4 Siting and Configuration of the Land Application Area

It is preferable to keep the irrigation area as high on the property as possible based upon the proposed site plan. Eco Vision has delineated on the provided site plan a suitable LAA, but the areas tested are deemed suitable.

As well as providing area for application of effluent, it is important that buffer distances be adhered to. It is important to note that buffers are measured as the overland flow path for run-off water from the effluent irrigation area.

The LAA for Zone 1, 1107m² (Water Balance) - preferable 1200m² can be subdivided into three separate fields (400m² each) that can be watered alternately. An automatic indexing valve generically known as a 'roto-valve' can be used to allow alternation between the areas with each pump cycle.

The LAA for Zone 2, 227m² (Water Balance) - preferable 250m² does not need to be subdivided into two separate fields.

It is recommended that the owner consult an irrigation expert familiar with wastewater irrigation equipment, to help design and install the irrigation system. The irrigation plan must ensure good, even application of effluent.

7.5 Irrigation System Design

A detailed irrigation system design is beyond the scope of this report; however, a general description of subsurface irrigation is provided here for the information of the client and Council.

Subsurface irrigation comprises a network of drip-irrigation lines that is specially designed for use with wastewater. The pipe contains pressure compensating emitters that employ a biocide to prevent build-up of slimes and inhibit root penetration. The laterals are usually 0.5 to 1.0 m apart, roughly parallel and along the contour if possible. -Installation depth is commonly 100-150 mm. It is critical that the irrigation pump be sized properly to ensure adequate pressure and delivery rate to the irrigation network.

A filter is installed in the main line to remove fine particulates that could block the emitters. This must be cleaned regularly following manufacturer's instructions.

Vacuum breakers should be installed at the high points in the system to prevent air and soil being sucked back into the drippers when the pump shuts off. Flushing valves are an important component and allow periodic flushing of the lines, which should be done at least yearly. Flush water can be either returned to the treatment system or should be released where it will be readily absorbed.

All trenching used to install the pipes must be backfilled properly to prevent preferential subsurface flows along trench lines, particularly where trenches are not absolutely parallel to contours. Irrigation areas should not be subject to high traffic movement, especially by vehicles, otherwise compaction around emitters can lead to premature system failure.



7.6 Buffer Distances

Buffer distances from LAAs are required to help prevent human contact, maintain public amenity and protect sensitive environments. Council generally adopts the following nominal buffers secondary sewage and greywater effluent, described in EPA Vic (891.4):

Landscape feature or structure	Primary sewage and greywater systems	Setback distances (m)	
		Secondary sewage and greywater systems	Advanced secondary greywater systems ³
Building			
Wastewater field up-slope of building ⁷	6	3	3
Wastewater field down-slope of building	3	1.5	1.5
Wastewater up-slope of cutting/escarpment ¹²	15	15	15
Allotment boundary			
Wastewater field up-slope of adjacent lot	6	3	1
Wastewater field down-slope of adjacent lot	3	1.5	0.5
Services			
Water supply pipe	3	1.5	1.5
Wastewater up-slope of potable supply channel	300	150	150
Wastewater field down-slope of potable supply channel	20	10	10
Gas supply pipe	3	1.5	1.5
In-ground water tank ¹⁴	15	7.5	3
Stormwater drain	6	3	2
Recreational areas			
Children's grassed playground ¹⁵	6	3 ¹⁶	2 ¹⁶
In-ground swimming pool	6	3 ¹⁶	2 ¹⁶
Surface waters (up-slope of:)			
Dam, lake or reservoir (potable water supply) ^{8,13}	300	300 ⁴	150
Waterways (potable water supply) ^{9,13}	100	100 ^{4, 5, 17}	50
Waterways, wetlands (continuous or ephemeral, non-potable); estuaries, ocean beach at high-tide mark; dams, reservoirs or lakes (stock and domestic, non-potable) ^{8, 9}	60	30	30
Groundwater bores			
Category 1 and 2a soils	NA ¹¹	50 ¹⁰	20
Category 2b to 6 soils	20	20	20
Watertable			
Vertical depth from base of trench to the highest seasonal water table ¹⁸	1.5	1.5	1.5
Vertical depth from irrigation pipes to the highest seasonal water table ¹⁸	NA	1.5	1.5

All nominal buffers are achievable for a suitably sized LAA.

8. Monitoring, Operation and Maintenance

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Maintenance is to be carried out in accordance with the certificate of approval and Council's permit conditions. The system proposed above will only function adequately if appropriately maintained. Residents will be required to carry out maintenance as discussed below.

To ensure the treatment system functions adequately, the owners must:

- Have a suitably qualified maintenance contractor service the AWTS as required by Council under the approval to operate.
- Any pump will need regular maintenance and seals checked regularly.
- Use household cleaning products sparingly and check that they are suitable for septic tanks;
- Keep as much fat and oil out of the system as possible; and
- Conserve water

To ensure the land application system functions adequately, residents must:

- Regularly harvest (mow) vegetation within the LAA and remove this to maximise uptake of water and nutrients;
- Monitor and maintain the subsurface irrigation system following the manufacturer's recommendations, including flushing of irrigation lines;
- Regularly clean in-line filters;
- Not erect any structures over the LAA;
- Minimise vehicle access to the LAA, to prevent compaction; and
- Ensure that the LAA is kept level by filling any depressions with good quality topsoil (not clay).
- Good water conservation is an important aspect in the overall management of onsite systems. It will be important for the ongoing performance of both the treatment and application system that they are not overloaded hydraulically. AAA rated plumbing is recommended for all future water fixtures.

9. Stormwater Management

As mentioned above, stormwater runoff is not expected to be a major concern in this case. However, the construction and maintenance of diversion drains would provide an additional precaution. Roof stormwater must not be disposed in the LAA.



10. Conclusions

As a result of our investigations, we recommend that a sustainable onsite wastewater management system can be built to meet the needs of a new residence on the allotment. Specifically, we recommend the following:

- Decommission the existing wastewater infrastructure – worm farm and existing absorption trenches;
- Installation of a secondary waste water treatment train consisting of the following;
 - Zone 1 – 1 1000L pumpwell for the proposed 2 bedroom accommodation lakehouse accommodation building and 1 1000L pumpwell for the multipurpose building to be pumped to the wastewater treatment system described below located to the south of the existing sheds as depicted on the site plan.
 - Zone 1 - Installation of a 10,000L balance/buffer tank (44% reduction in BOD) to hold and store wastewater with a Taylex 2,000L ABS treatment tank that meets BOD <20 mg/l and SS <30 mg/l;
 - Zone 2 - Installation of a Taylex 2,000L ABS treatment tank that meets BOD <20 mg/l and SS <30 mg/l;
- System requires supervision by the designer and test on completion;
- Zone 1 - Subsurface irrigation is used in conjunction with the wastewater treatment system the LAA area sized at an area of 1,200m² which should be subdivided into three fields sized at (400m² each) as depicted on the site plan;
- Zone 2 - Subsurface irrigation (minimum 30m from the watercourse to the east) is used in conjunction with the wastewater treatment system the LAA area sized at an area of 250m² as depicted on the site plan;
- Do not allow any vehicle access and utilise surface plants that tolerate wet conditions (including roots) and have a high evapo-transpiration capacity. Where possible use plants well exposed to the sun. Plant high transpiration species to minimise waterlogging.
- Use of low phosphorus and low sodium (liquid) detergents to improve effluent quality and maintain soil properties;
- Operation and management of the treatment and disposal system in accordance with manufacturer's recommendations and the recommendations made in this report; and
- Construction of diversion drains on sides of the LAA to divert stormwater and surface water run- on.

Robert Krainz

Land Management Consultant

Grad Cert. Environmental Management (CSU), Ad. Dip. Land Management (Syd), Cert Hort. Landscape & Nursery (Qld)

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11. APPENDICES

- i. Site Locality Plan – Property Reports
- ii. Proposed Development Plan
- iii. Existing conditions
- iv. Bureau of Meteorology Rainfall Report for Dromana Sussex Farm and Climate Report for Cerberus
- v. Full Water Balance
- vi. Test Site Location Plan
- vii. Borelogs Descriptions



APPENDIX i

SITE LOCALITY PLAN - PROPERTY PLANNING REPORTS





PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 30 June 2023 12:07 PM

PROPERTY DETAILS

Address: **101 HARRISONS ROAD DROMANA 3936**
Lot and Plan Number: **Lot 3 PS621389**
Standard Parcel Identifier (SPI): **3\PS621389**
Local Government Area (Council): **MORNINGTON PENINSULA**
Council Property Number: **131399**
Directory Reference: **Melway 160 J9**

www.mornpen.vic.gov.au

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 158943 sq. m (15.89 ha)

Perimeter: 2710 m

For this property:

Site boundaries

Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

6 overlapping dimension labels are not being displayed

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

UTILITIES

Rural Water Corporation: **No information available**
Melbourne Water Retailer: **South East Water**
Melbourne Water: **Inside drainage boundary**
Power Distributor: **UNITED ENERGY**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **NEPEAN**

PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to address duplication with the Planning Property Reports which are DELWP's authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#).

Planning Property Reports can be found via these two links

Vicplan <https://mapshare.vic.gov.au/vicplan/>

Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

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PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3936

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PLANNING PROPERTY REPORT



From www.planning.vic.gov.au at 20 June 2023 12:08 PM

PROPERTY DETAILS

Address: **101 HARRISONS ROAD DROMANA 3936**
 Lot and Plan Number: **Lot 3 PS621389**
 Standard Parcel Identifier (SPI): **3\PS621389**
 Local Government Area (Council): **MORNINGTON PENINSULA** www.mornpen.vic.gov.au
 Council Property Number: **131399**
 Planning Scheme: **Mornington Peninsula** [Planning Scheme - Mornington Peninsula](#)
 Directory Reference: **Melway 160 J9**

UTILITIES

Rural Water Corporation: **No information available**
 Melbourne Water Retailer: **South East Water**
 Melbourne Water: **Inside drainage boundary**
 Power Distributor: **UNITED ENERGY**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
 Legislative Assembly: **NEPEAN**

OTHER

Registered Aboriginal Party: **Bunurong Land Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[GREEN WEDGE ZONE \(GWZ\)](#)

[GREEN WEDGE ZONE - SCHEDULE 3 \(GWZ3\)](#)



GWZ - Green Wedge
 PUZ1 - Public Use-Service and Utility
 PUZ2 - Public Use-Education
 PCRZ - Public Conservation and Resource
 TRZ2 - Principal Road Network
 Water area
 Water course

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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PLANNING PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3936

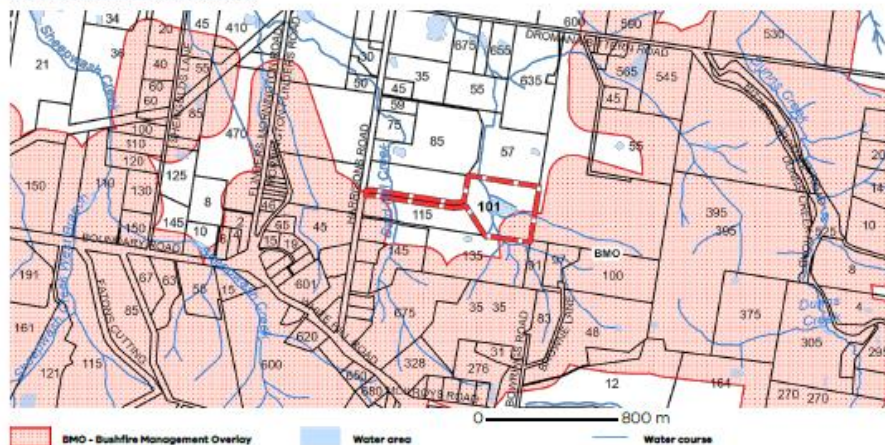
Page 1 of 8

PLANNING PROPERTY REPORT



Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



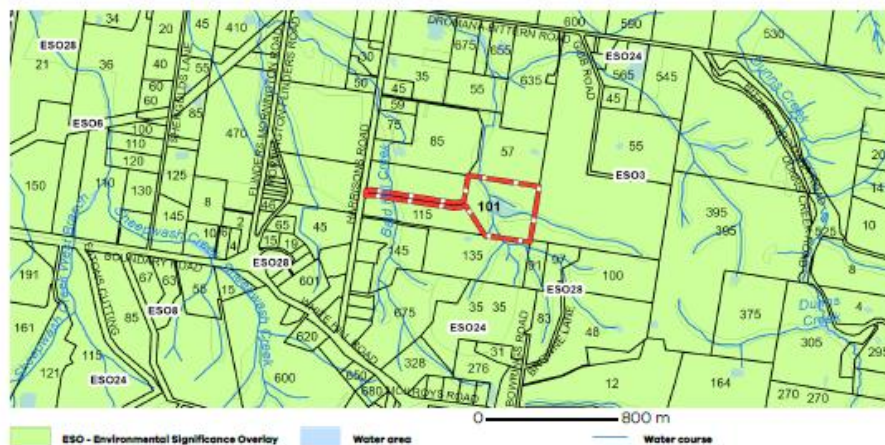
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 3 (ESO3)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 17 (ESO17)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 28 (ESO28)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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PLANNING PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3926

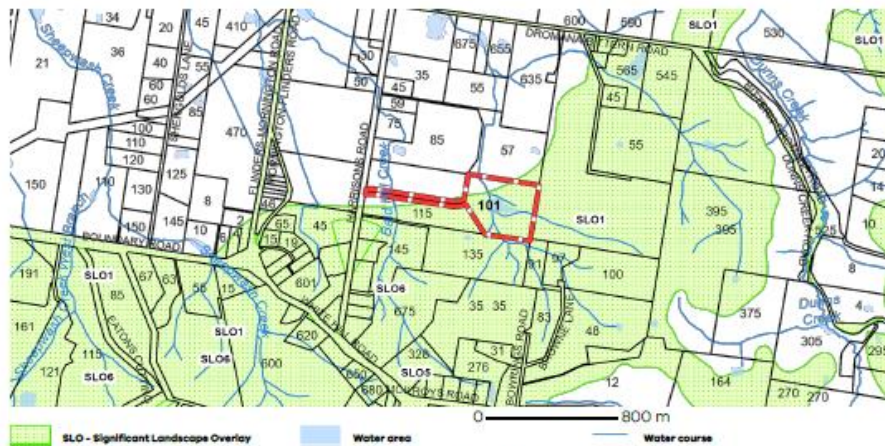
Page 2 of 8

PLANNING PROPERTY REPORT

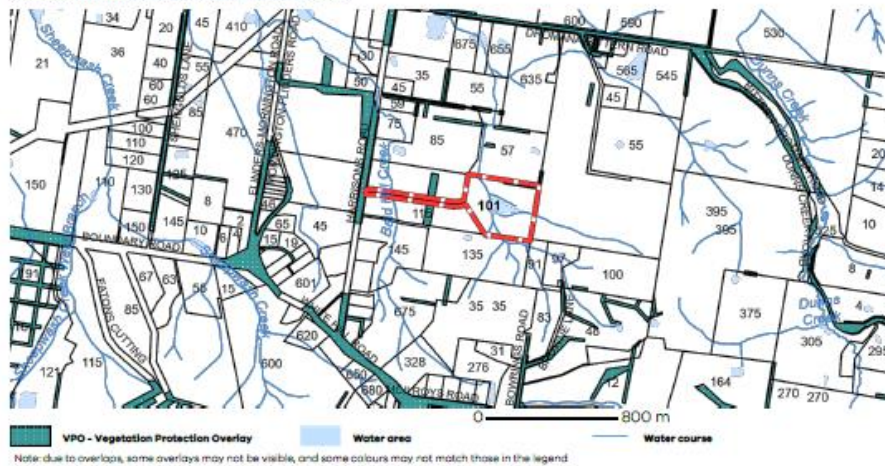


Planning Overlays

SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)



VEGETATION PROTECTION OVERLAY (VPO)
VEGETATION PROTECTION OVERLAY - SCHEDULE 2 (VPO2)



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PLANNING PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3206
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PLANNING PROPERTY REPORT



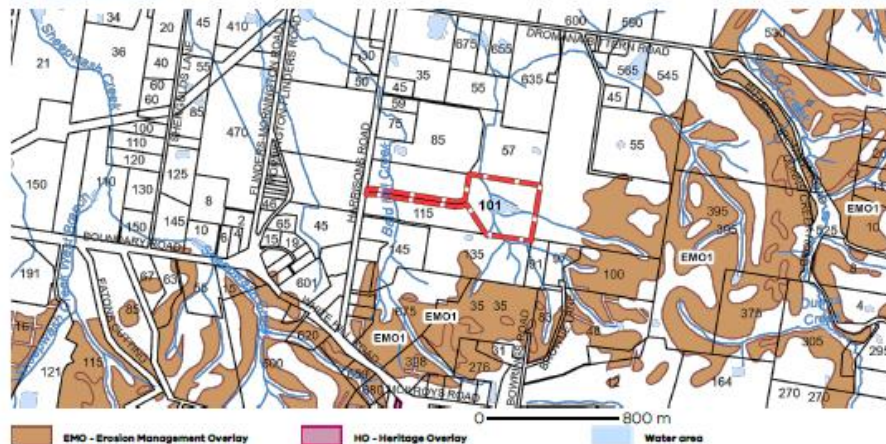
Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

EROSION MANAGEMENT OVERLAY (EMO)

HERITAGE OVERLAY (HO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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PLANNING PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3206

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PLANNING PROPERTY REPORT



Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

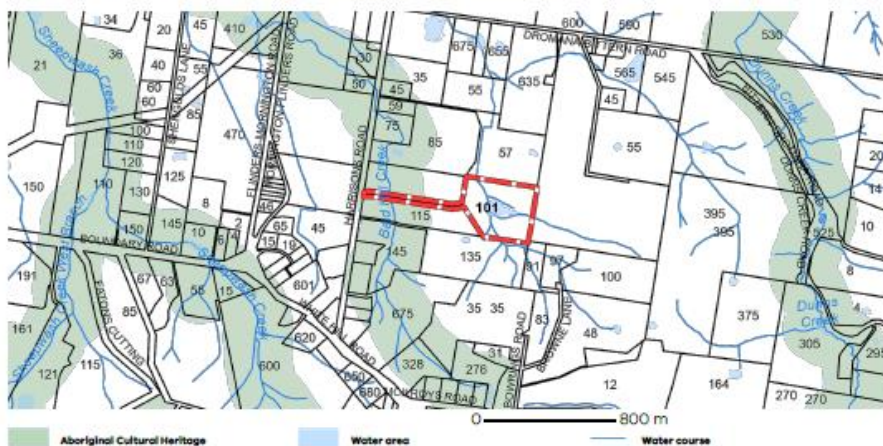
Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to

<http://www.gov.vic.gov.au/govQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018,

can also be found here - <https://www.aboriginal.vic.gov.au/aboriginal-heritage-legislation>



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PLANNING PROPERTY REPORT



Further Planning Information

Planning scheme data last updated on 14 June 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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PLANNING PROPERTY REPORT

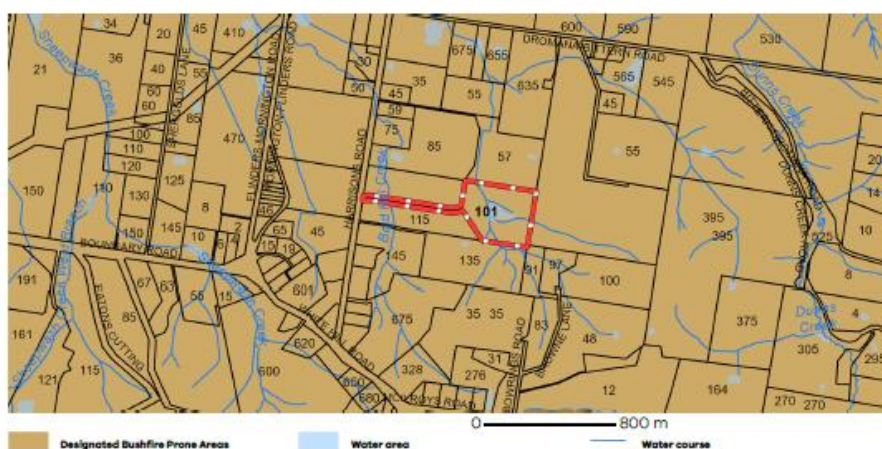


Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/Vicplan/> or at the relevant local council.

Create a BPA definition plan in VicPlan to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://naturekit.environment.vic.gov.au/)

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PLANNING PROPERTY REPORT



Extractive Industry Work Authorities (WA)

All or parts of this property are within 500 metres of Extractive Industry Work Authorities (application).

On 22 March 2022, Amendment VC219 introduced changes to all planning schemes in Victoria to support the ongoing operation of extractive industry across Victoria and increase amenity protection for nearby accommodation in rural zones.

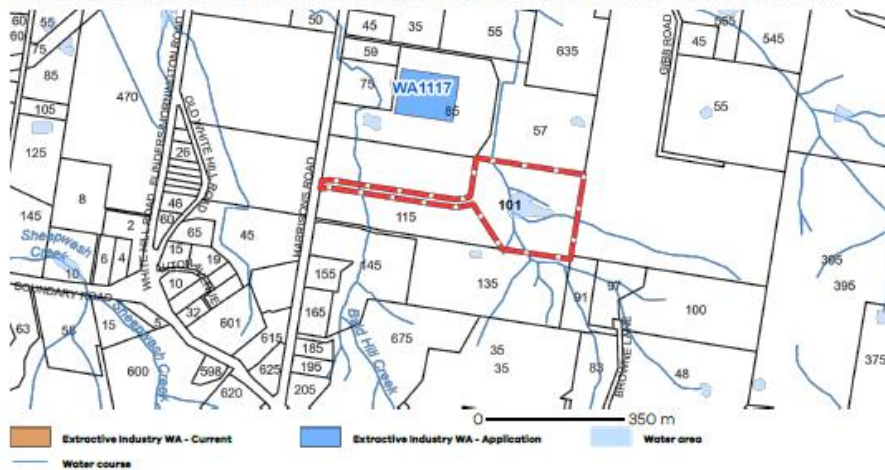
The amendment made changes to the Rural Living Zone, Green Wedge Zone, Green Wedge Zone A, Rural Activity Zone, Farming Zone and Rural Conservation Zone, introducing a permit requirement for accommodation and building and works associated with accommodation that is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990 (MRSD Act).

The Amendment also introduced new referral and notice requirements, and decision guidelines.

VicPlan mapping shows property information, including whether a work authority application has been made or approved under the MRSD Act.

Guidance on accessing work authority maps is detailed at the DELWP [Extractive Resources \(planning.vic.gov.au\)](https://planning.vic.gov.au/) webpage.

Further information on extractive and mining activities in Victoria can be found on the [GeoVic - Earth Resources](https://www.geovic.vic.gov.au/) website which is maintained by the Resources Branch within the Department of Jobs, Precincts and Regions. Limited information is available for unregistered users (anonymous user).



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PLANNING PROPERTY REPORT: 101 HARRISONS ROAD DROMANA 3206

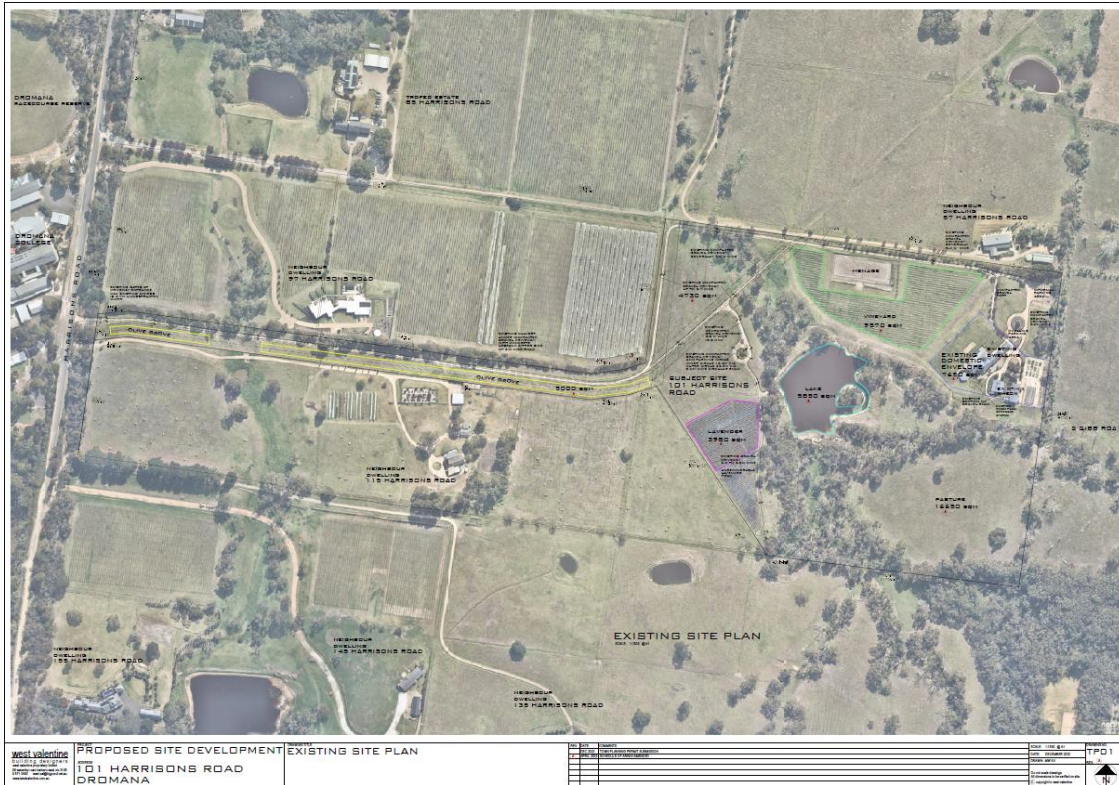
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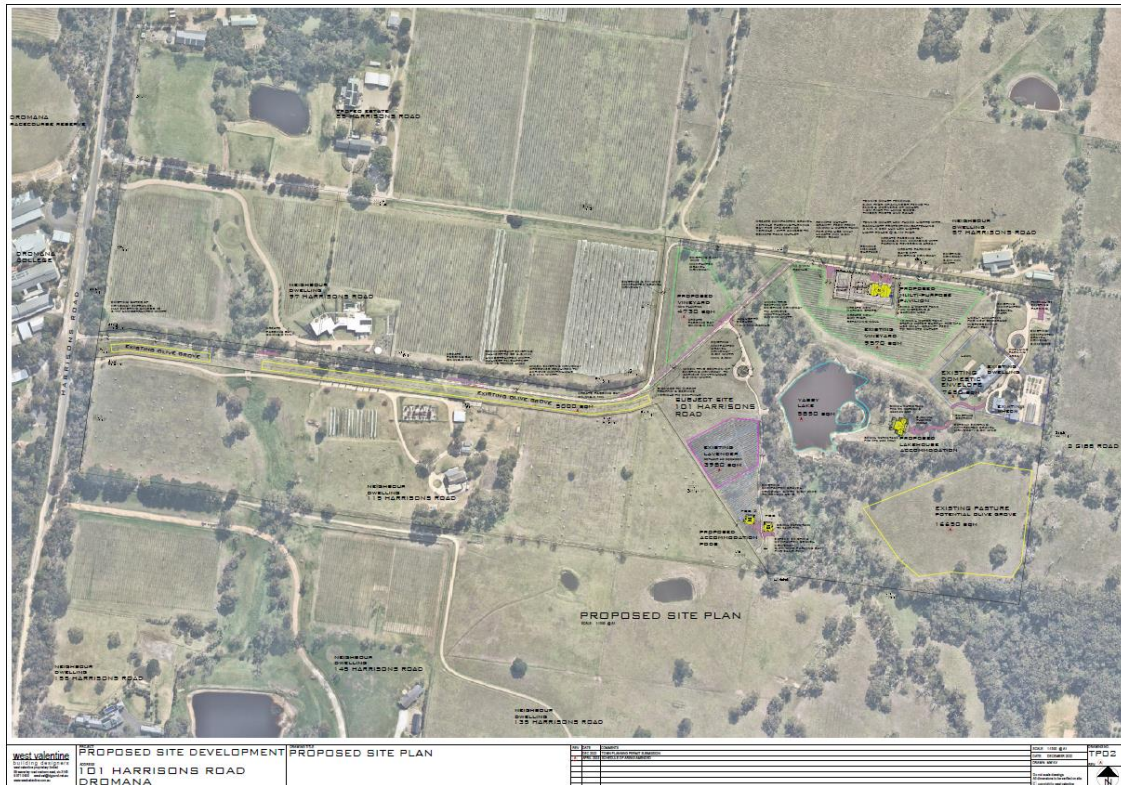


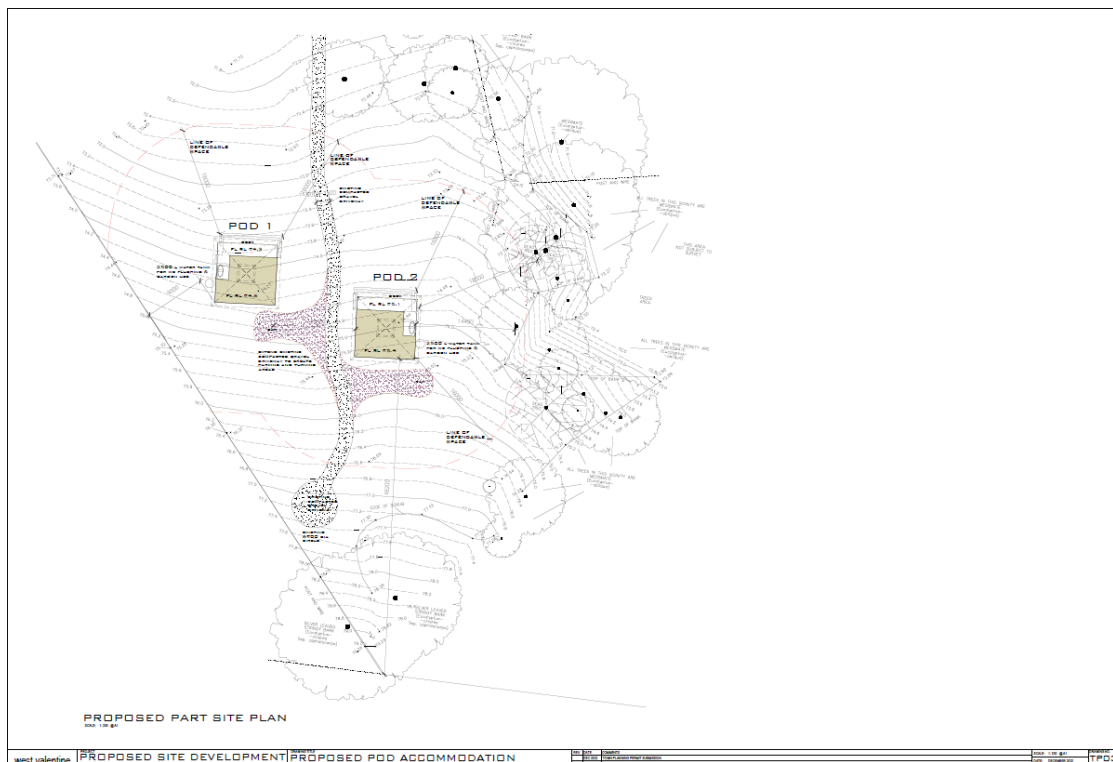


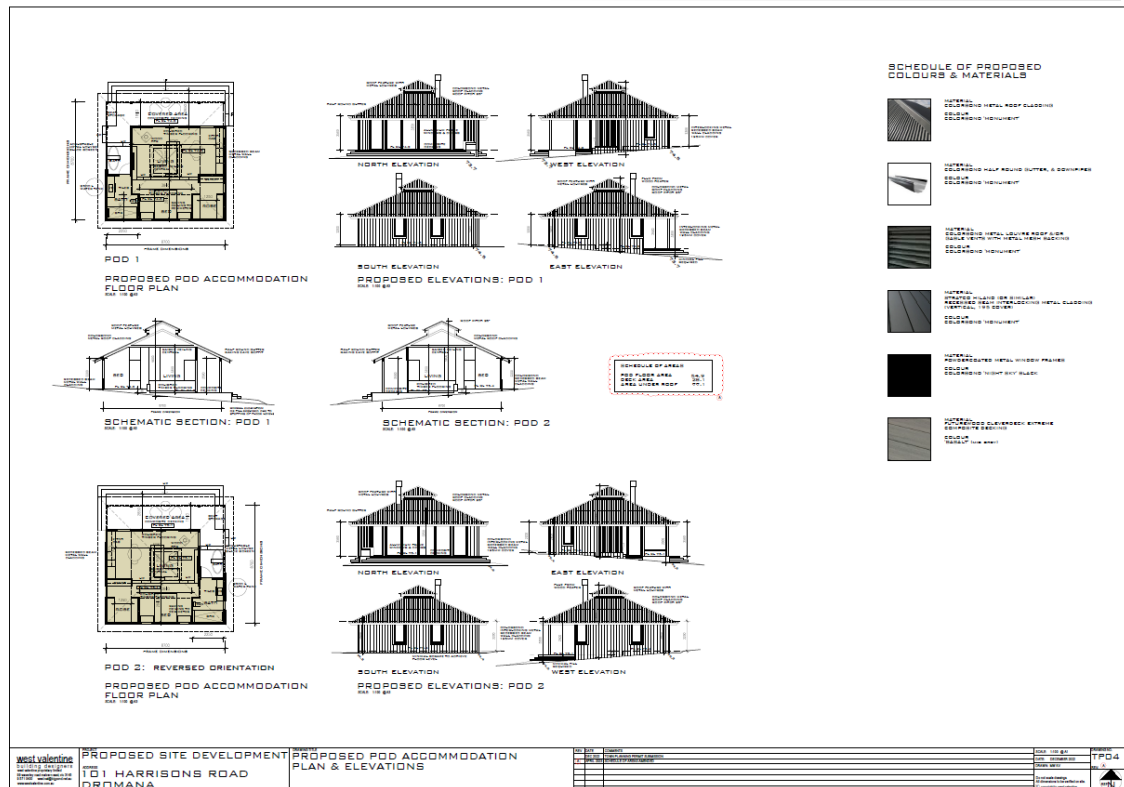
APPENDIX ii

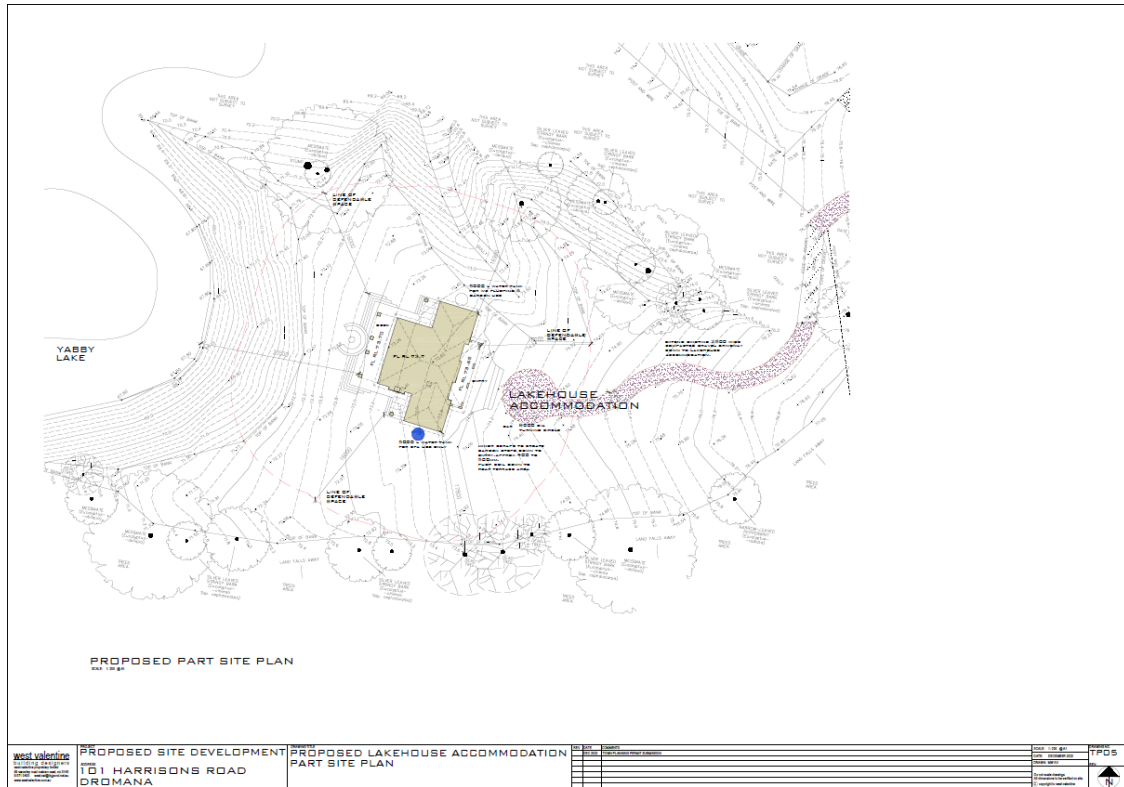
**PROPOSED DEVELOPMENT PLAN,
MAPSHARE & GEOVIC**



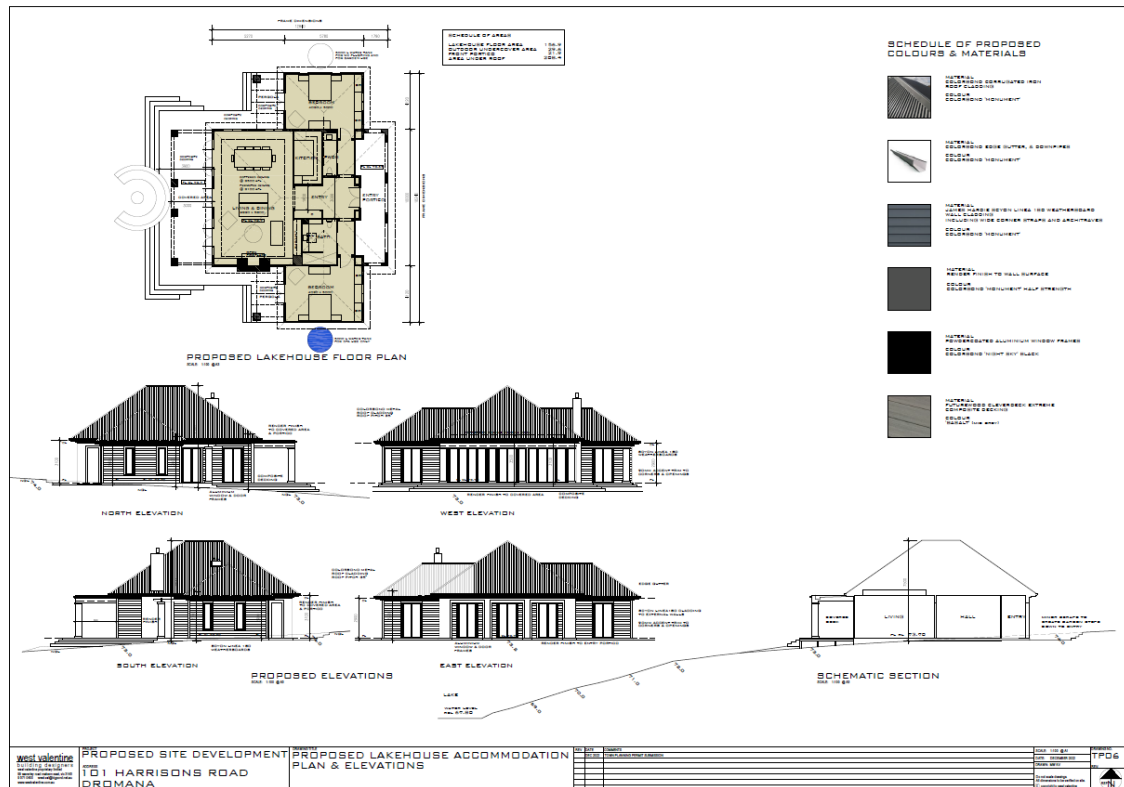


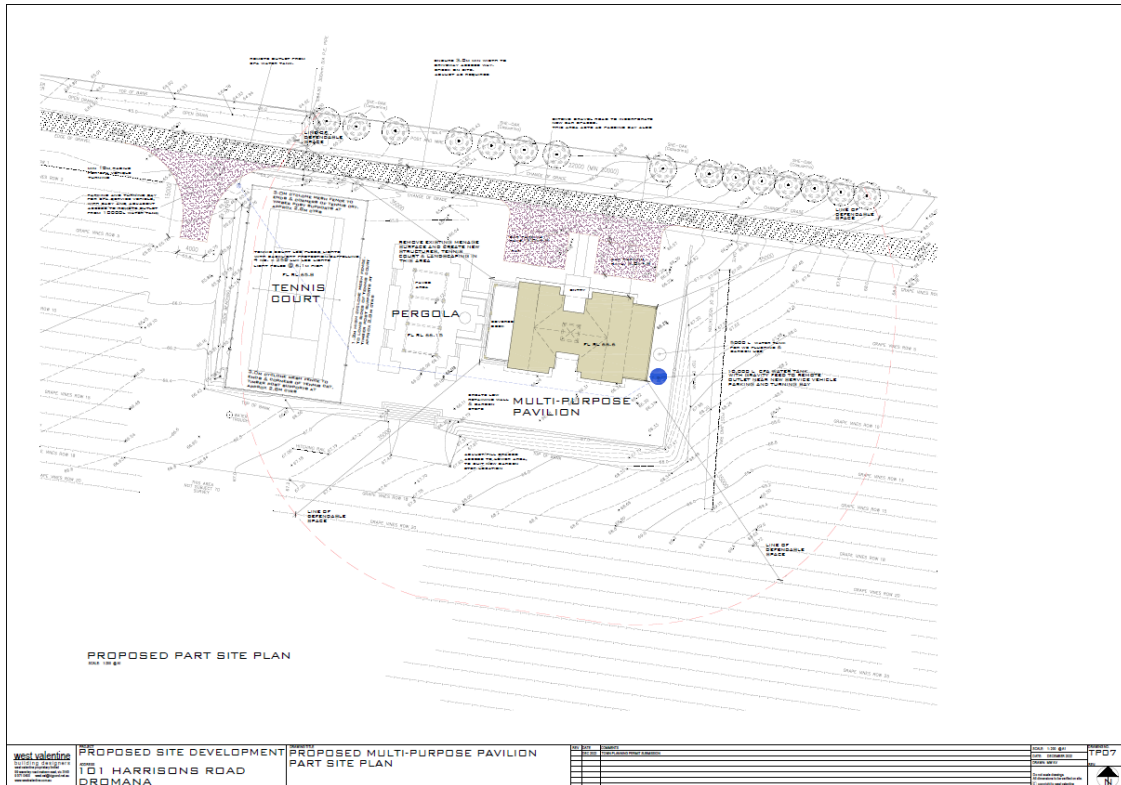




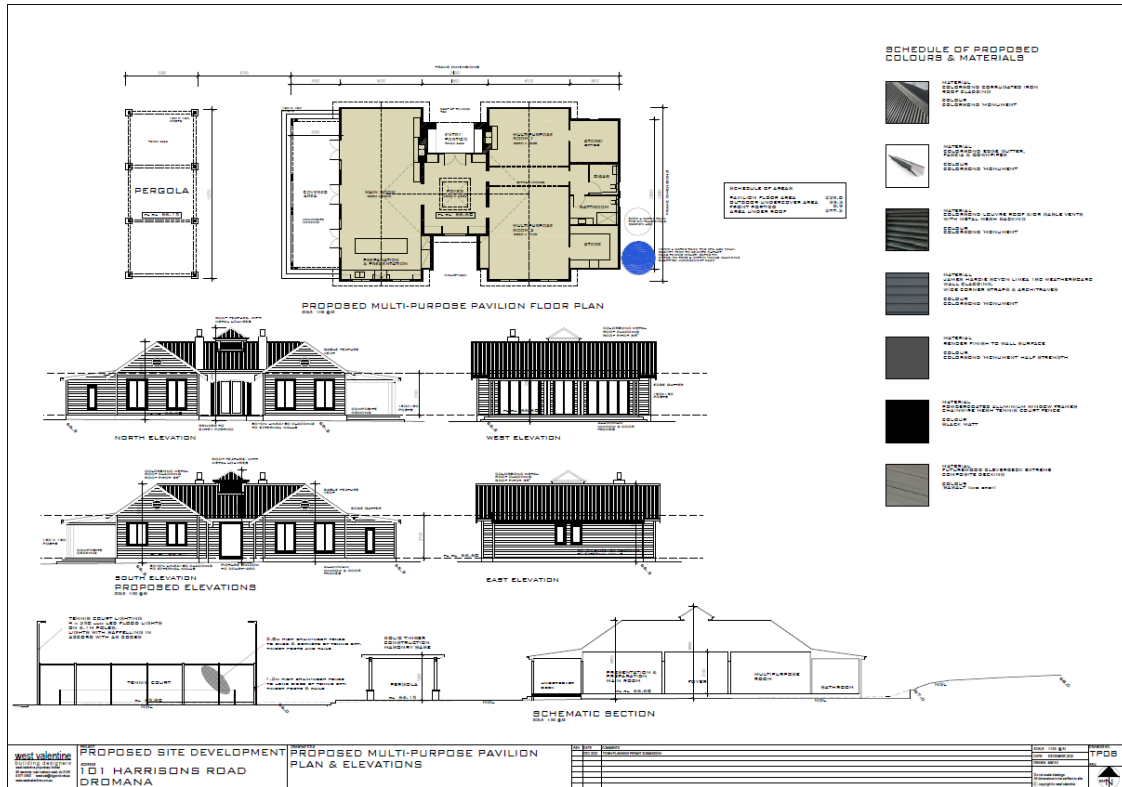


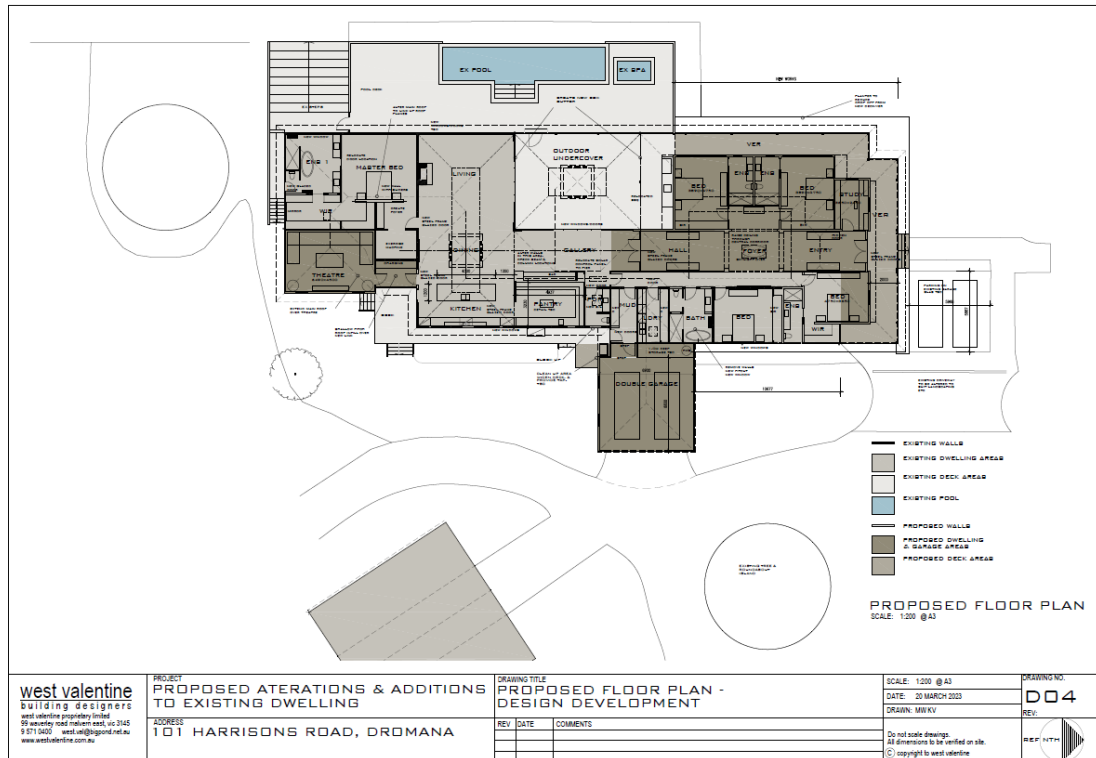
744

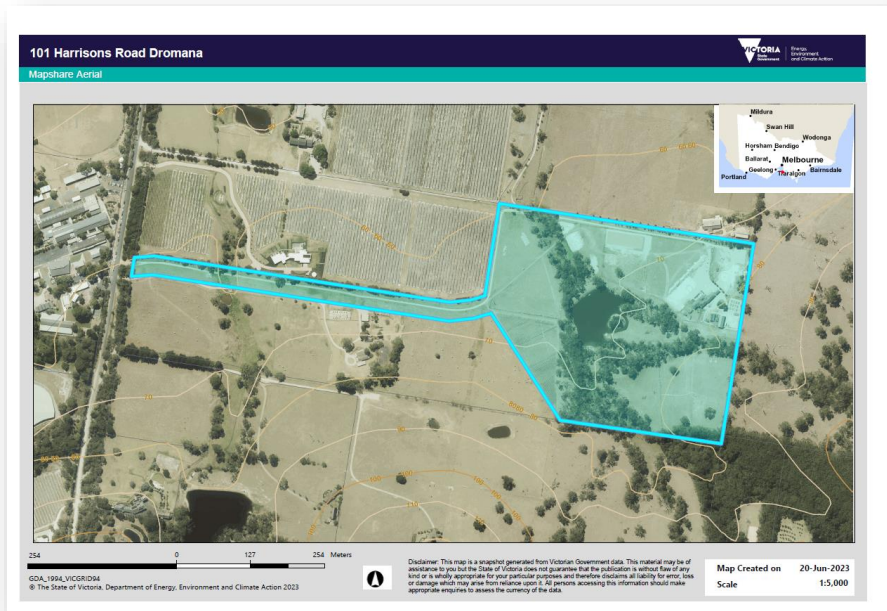
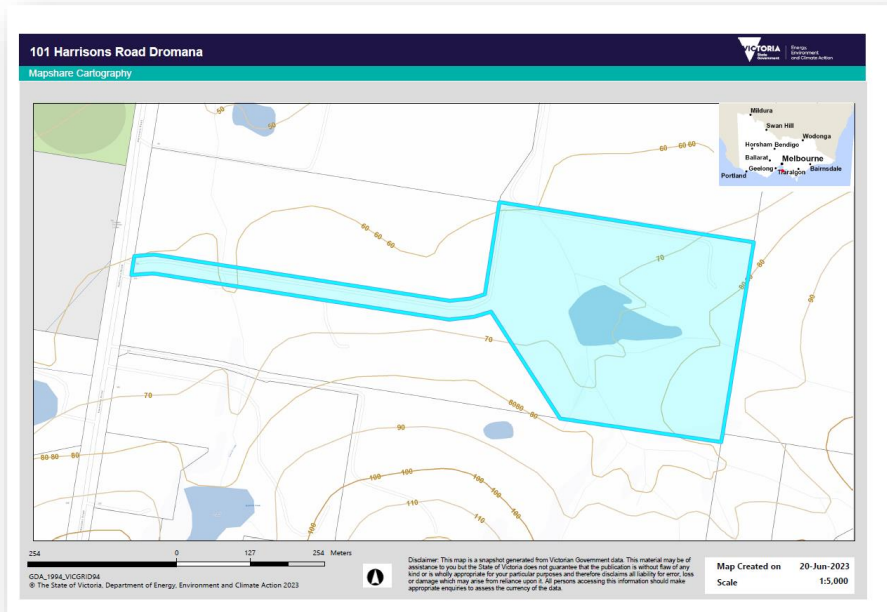


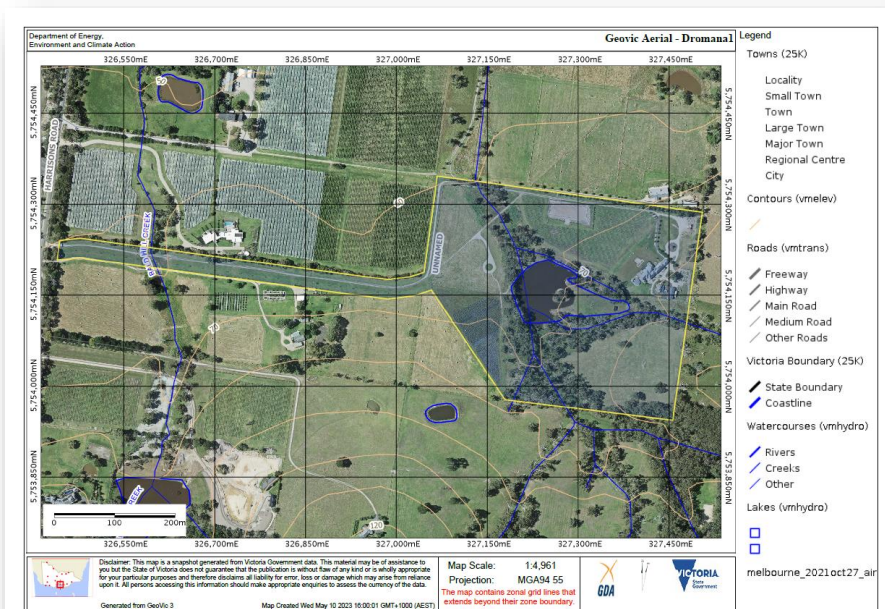
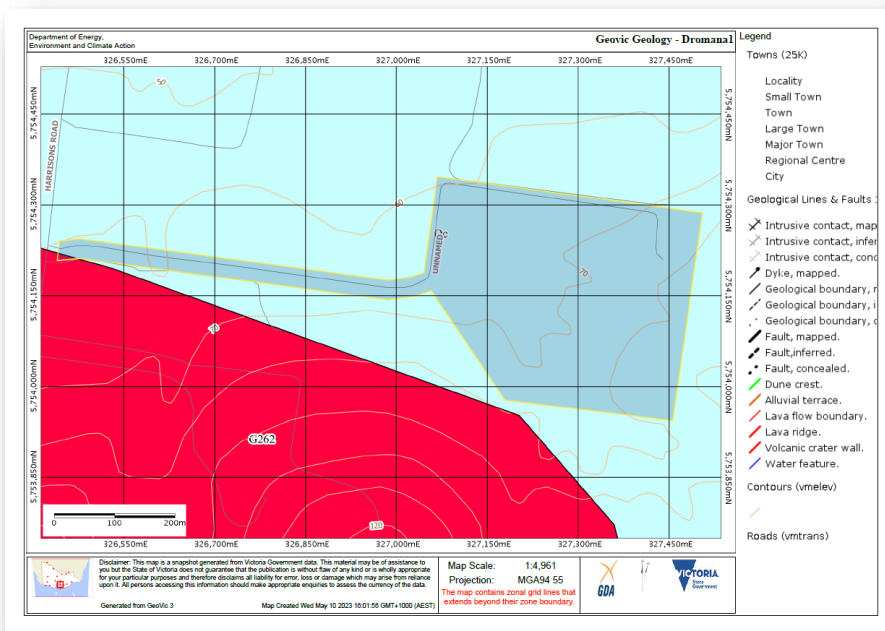


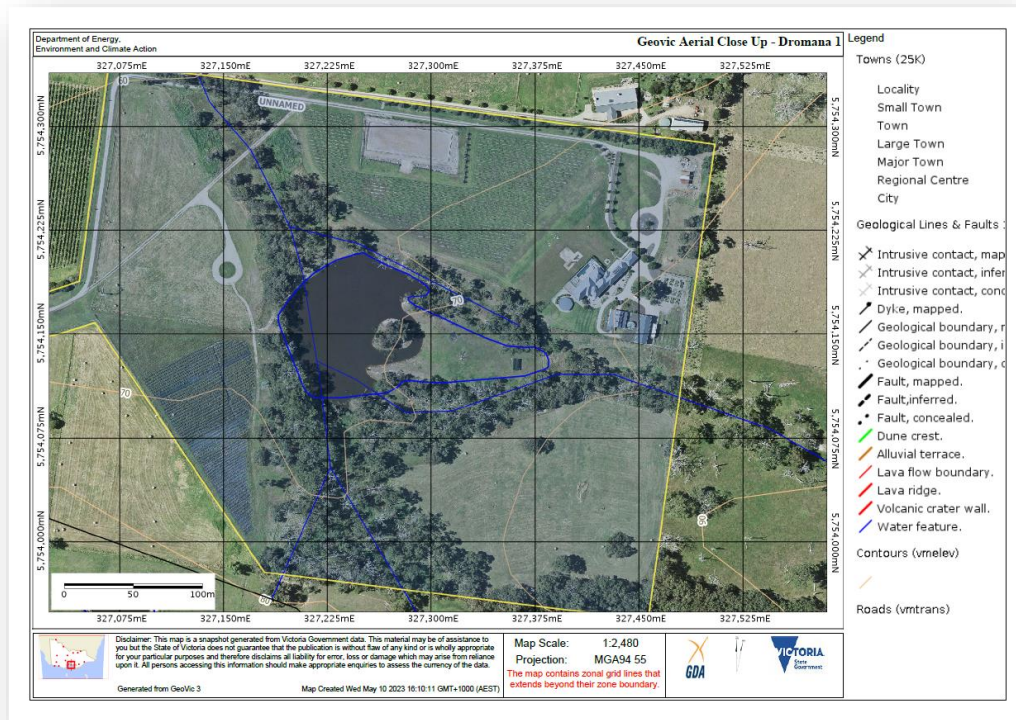
Ref: 51F023 LCA COM – 101 Harrison's Road, Dromana
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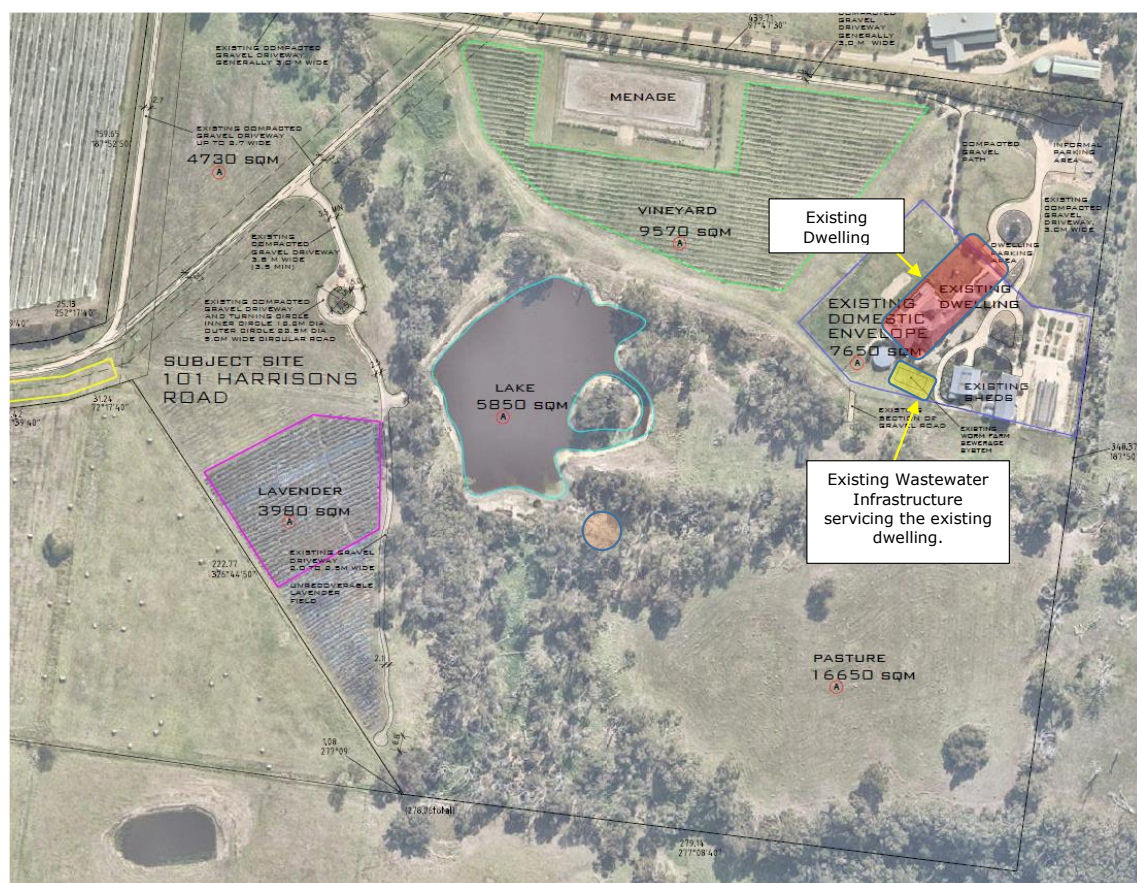


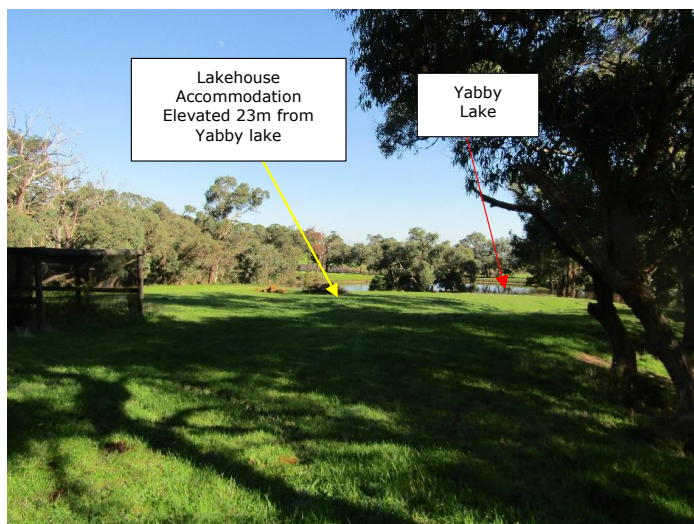
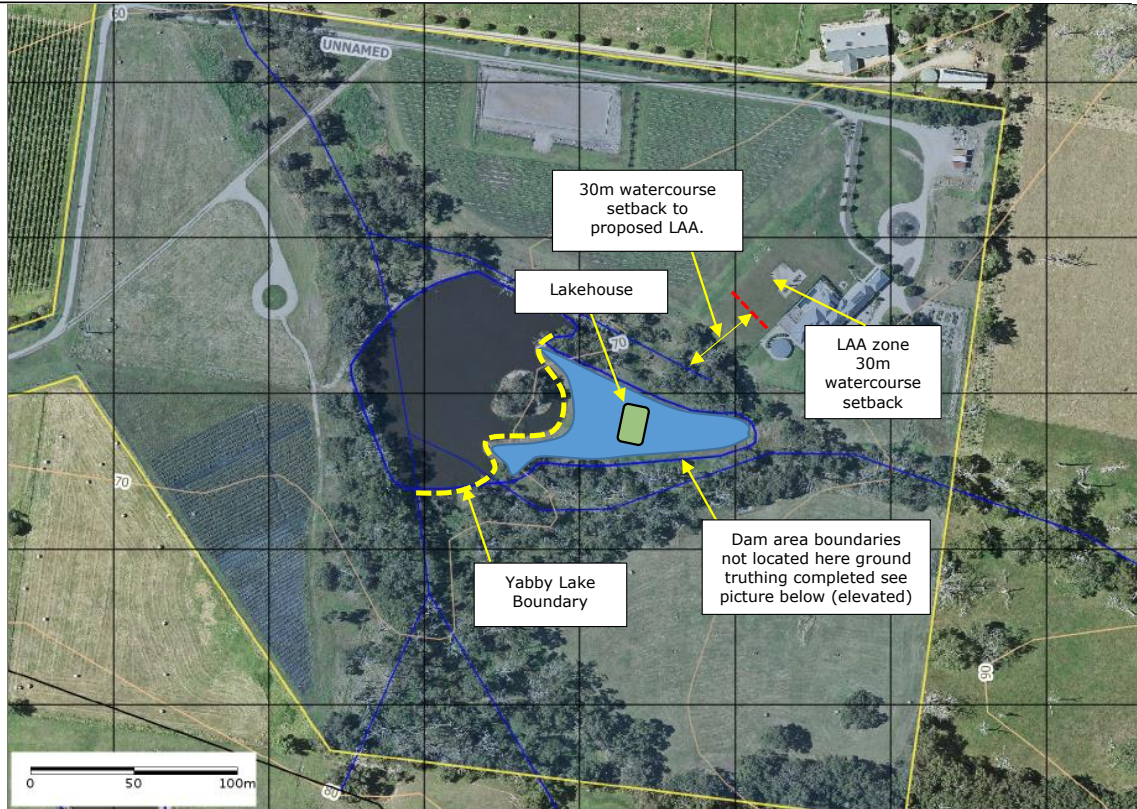










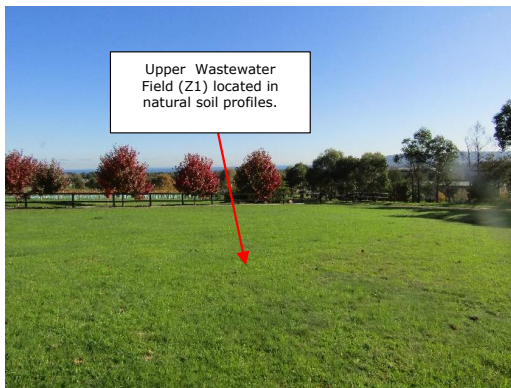
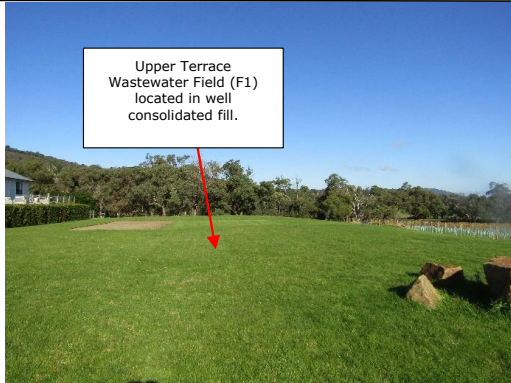


Ref: 51FO23 LCA COM – 101 Harrisons Road, Dromana
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APPENDIX iii

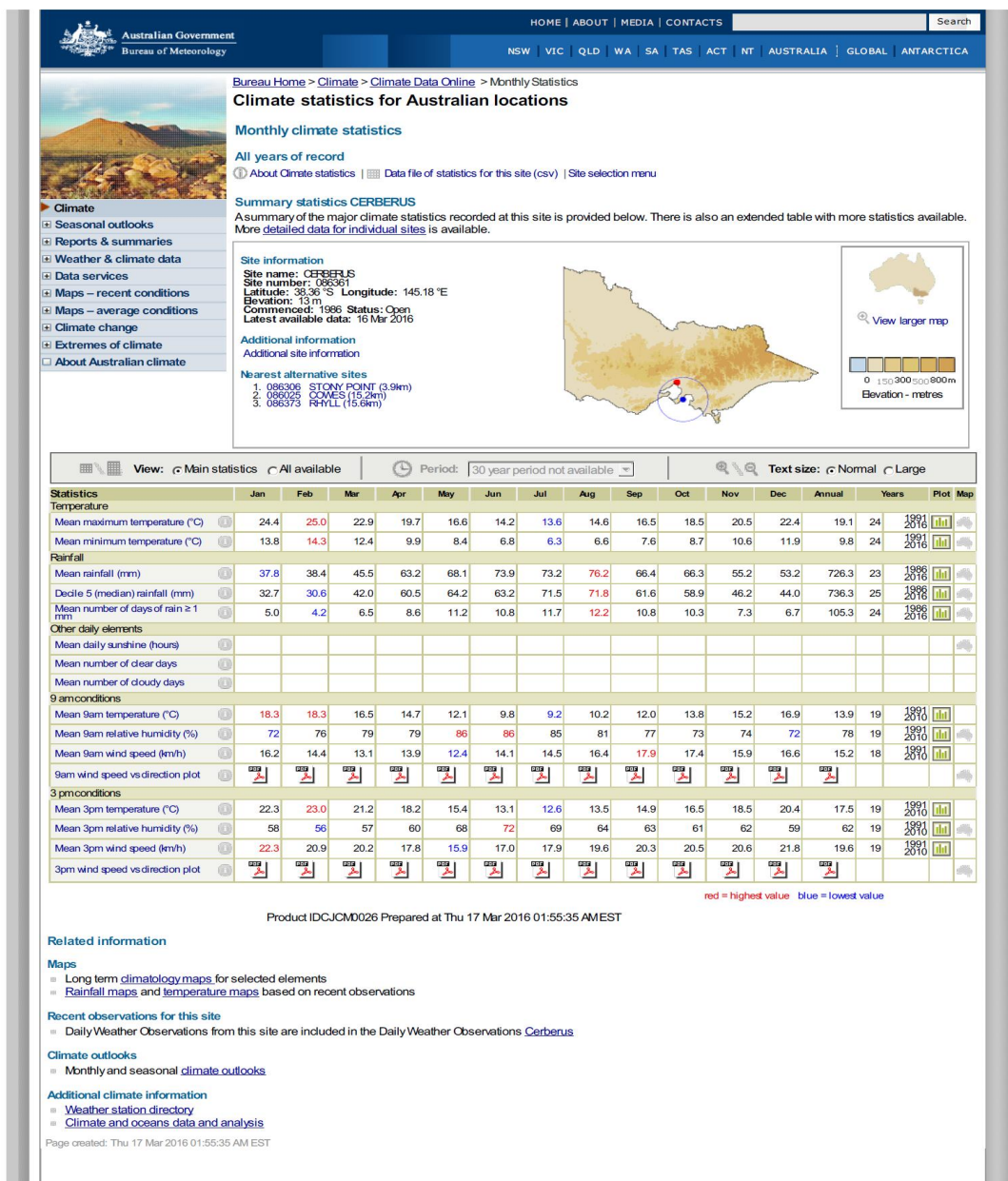
EXISTING CONDITIONS





APPENDIX iv

**CLIMATE STATISTICS TEMPERATURE CERBERUS & RAINFALL SUSSEX
FARM DROMANA**





Monthly Rainfall (millimetres)

DROMANA SUSSEX FARM

Station Number: 086223 · State: VIC · Opened: 1961 · Status: Open · Latitude: 38.34°S · Longitude: 145.03°E · Elevation: 76 m

Statistics for this station calculated over all years of data

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	46.4	43.6	56.2	71.6	88.5	87.1	93.3	89.7	83.9	75.8	65.6	63.1	868.3
Lowest	2.6	1.3	12.5	18.0	26.2	23.0	28.2	28.8	18.8	12.5	17.3	7.8	526.7
5th percentile	6.0	4.3	15.9	22.1	34.5	35.8	40.6	41.8	34.1	19.3	21.9	20.4	557.4
10th percentile	16.1	9.8	20.0	24.8	37.8	44.8	42.7	45.9	47.9	32.0	28.2	26.1	674.4
Median	41.2	31.4	51.6	70.6	92.8	84.2	89.0	90.6	75.0	72.7	62.0	52.0	887.5
90th percentile	85.1	91.3	89.4	110.0	139.6	135.3	148.7	130.1	123.2	119.2	102.6	116.9	1062.1
95th percentile	101.6	113.1	102.1	141.5	153.2	143.1	157.6	139.3	151.4	133.6	115.3	124.4	1113.9
Highest	122.2	243.9	174.4	241.8	198.0	189.4	180.2	151.8	174.0	154.4	141.8	148.2	1177.2



APPENDIX v

WATER BALANCE FOR SSI

**Water Balance & Storage Calculations - Sub Surface Irrigation**

Site Address: 101 Harrisons Road, Dromana

INPUT DATA

Design Wastewater Flow	Q	2350	L/day
Design DIR	DI R	21	mm/week
Daily DIR		3.0	mm/day
Nominated Land Application Area	L	350	m sq
Crop Factor	C	0.7-0.8	unitless
Retained Rainfall	RF	0.5	unitless
Rainfall Data	Dromana Sussex Farm (086223)		
Evaporation Data	Cranbourne Botanic - (086375)		

☐ Ave hydraulic load

Parameter	Symbol	Formula	Units	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Days in month	D		days	31	28	31	30	31	30	31	31	30	31	30	31	365
Rainfall	R		mm/month	46.4	43.6	56.2	71.6	88.5	87.1	93.3	89.7	83.9	75.8	65.6	63.1	864.8
Evaporation	E		mm/month	115	152.9	127.6	68.8	58.1	44.6	48.3	59.9	76.6	145.1	129.5	107.4	1229.8
Crop Factor	C			0.80	0.80	0.80	0.75	0.75	0.75	0.75	0.75	0.75	0.80	0.80	0.80	
OUTPUTS																
Evapotranspiration	ET	ExC	mm/month	92.0	122.3	102.1	51.6	43.6	33.5	36.2	44.9	57.5	116.1	103.6	157.9	961.225
Perculation	B	(DIR/7)*D	mm/month	93.0	84	93.0	90.0	93.0	90.0	93.0	93.0	90.0	93.0	90.0	93.0	1095.0
Outputs		ET+B	mm/month	185.0	206.32	195.1	141.6	136.6	123.5	129.2	137.9	147.5	209.1	193.6	250.9	2056.2
INPUTS																
Retained Rainfall	RR	R*RF	mm/month	37.12	34.88	44.96	57.28	70.8	69.68	74.64	71.76	67.12	60.64	52.48	50.48	691.84
Effluent Irrigation	W	(Q/D)/L	mm/month	208.1	188.0	208.1	201.4	208.1	201.4	208.1	208.1	201.4	208.1	201.4	208.1	2450.7
Inputs		RR+W	mm/month	245.3	222.9	253.1	258.7	278.9	271.1	282.8	279.9	268.5	269.8	253.9	258.6	3142.6
STORAGE CALCULATION																
Storage remaining from previous month	S	(RR+W)-(ET+B)	mm/month	0.0	60.3	76.8	134.8	252.0	394.3	542.0	695.5	837.5	958.6	1018.3	1078.6	
Storage for the month	S		mm	60.3	16.6	58.0	117.1	142.4	147.7	153.6	142.0	121.1	59.7	60.3	7.7	777.3
Cumulative Storage	M		mm	60.3	76.8	134.8	252.0	394.3	542.0	695.5	837.5	958.6	1018.3	1078.6	1086.3	7135.1
Maximum Storage for Nominated Area	N		mm	1086.33												
V	NxL		L	380215												
LAND AREA REQUIRED FOR ZERO STORAGE			m ²	493	384	485	836	1108	1311	1335	1101	878	491	500	383	
MINIMUM AREA REQUIRED FOR ZERO STORAGE:			m ²	1334.6												

Water Balance & Storage Calculations - Sub Surface Irrigation

Site Address: 101 Harrisons Road, Dromana Zone 2

INPUT DATA

Design Wastewater Flow	Q	400	L/day
Design DIR	DI R	21	mm/week
Daily DIR		3.0	mm/day
Nominated Land Application Area	L	350	m sq
Crop Factor	C	0.7-0.8	unitless
Retained Rainfall	RF	0.8	unitless
Rainfall Data	Dromana Sussex Farm (086223)		
Evaporation Data	Cranbourne Botanic - (086375)		

☐ Ave hydraulic load

Parameter	Symbol	Formula	Units	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Days in month	D		days	31	28	31	30	31	30	31	31	30	31	30	31	365
Rainfall	R		mm/month	46.4	43.6	56.2	71.6	88.5	87.1	93.3	89.7	83.9	75.8	65.6	63.1	864.8
Evaporation	E		mm/month	115	152.9	127.6	68.8	58.1	44.6	48.3	59.9	76.6	145.1	129.5	107.4	1229.8
Crop Factor	C			0.80	0.80	0.80	0.75	0.75	0.75	0.75	0.75	0.75	0.80	0.80	0.80	
OUTPUTS																
Evapotranspiration	ET	ExC	mm/month	92.0	122.3	102.1	51.6	43.6	33.5	36.2	44.9	57.5	116.1	103.6	157.9	961.225
Perculation	B	(DIR/7)*D	mm/month	93.0	84	93.0	90.0	93.0	90.0	93.0	93.0	90.0	93.0	90.0	93.0	1095.0
Outputs		ET+B	mm/month	185.0	206.32	195.1	141.6	136.6	123.5	129.2	137.9	147.5	209.1	193.6	250.9	2056.2
INPUTS																
Retained Rainfall	RR	R*RF	mm/month	37.12	34.88	44.96	57.28	70.8	69.68	74.64	71.76	67.12	60.64	52.48	50.48	691.84
Effluent Irrigation	W	(Q/D)/L	mm/month	72.5	66.9	80.4	91.6	106.2	104.0	110.1	107.2	101.4	96.1	86.8	85.9	1189.8
Inputs		RR+W	mm/month	109.6	101.8	125.4	148.8	176.8	173.7	184.7	178.9	168.5	156.7	139.3	136.4	1881.6
STORAGE CALCULATION																
Storage remaining from previous month	S	(RR+W)-(ET+B)	mm/month	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Storage for the month	S		mm	-112.5	-139.4	-114.7	-80.0	-30.3	-19.5	-19.2	-30.7	-46.0	-113.0	-106.8	-165.0	-483.9
Cumulative Storage	M		mm	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Maximum Storage for Nominated Area	N		mm	0.00												
V	NxL		L	0												
LAND AREA REQUIRED FOR ZERO STORAGE			m ²	84	65	83	142	189	223	227	187	140	84	85	62	
MINIMUM AREA REQUIRED FOR ZERO STORAGE:			m ²	227.2												

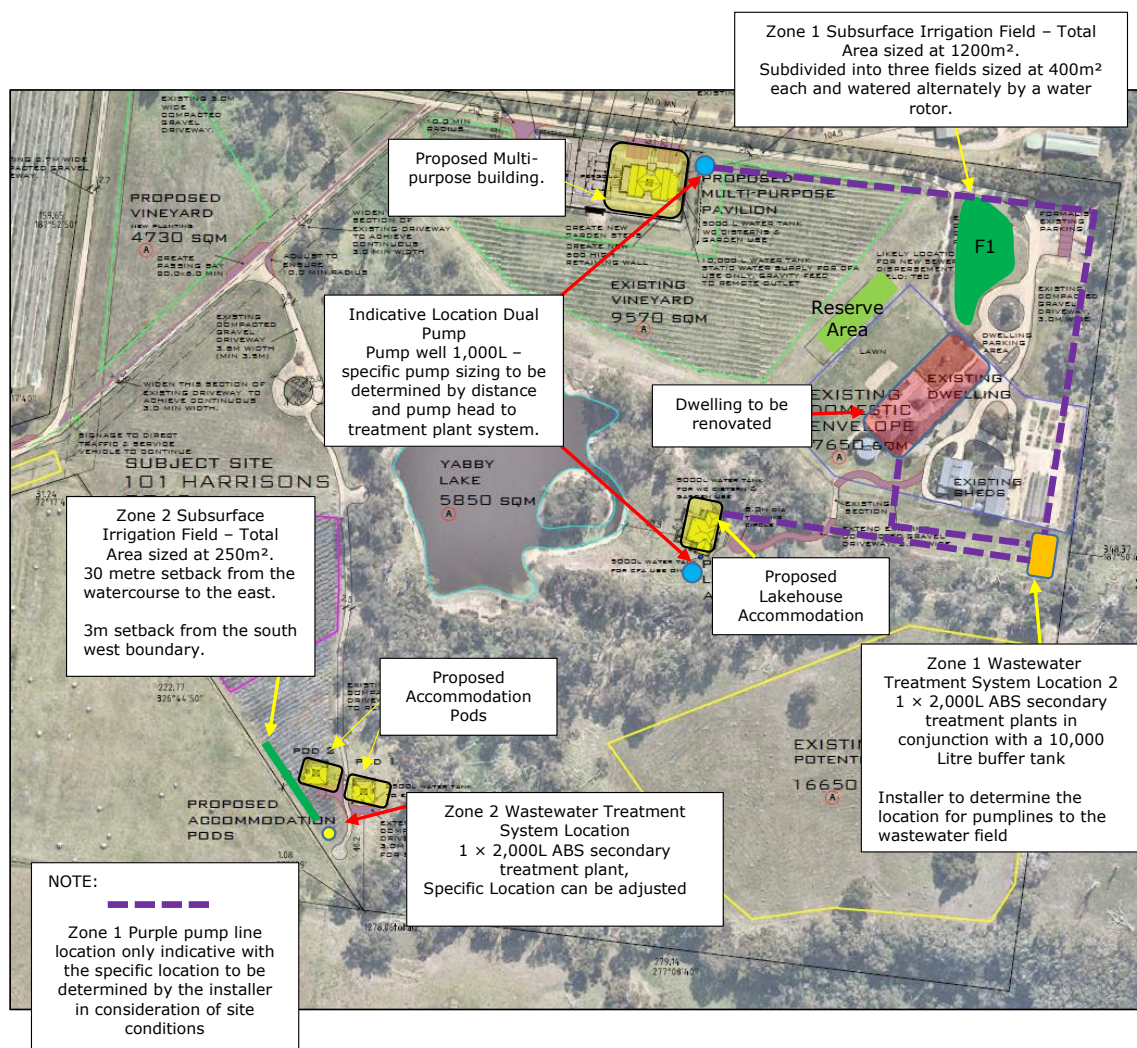
APPENDIX vi

TEST SITE LOCATION PLAN

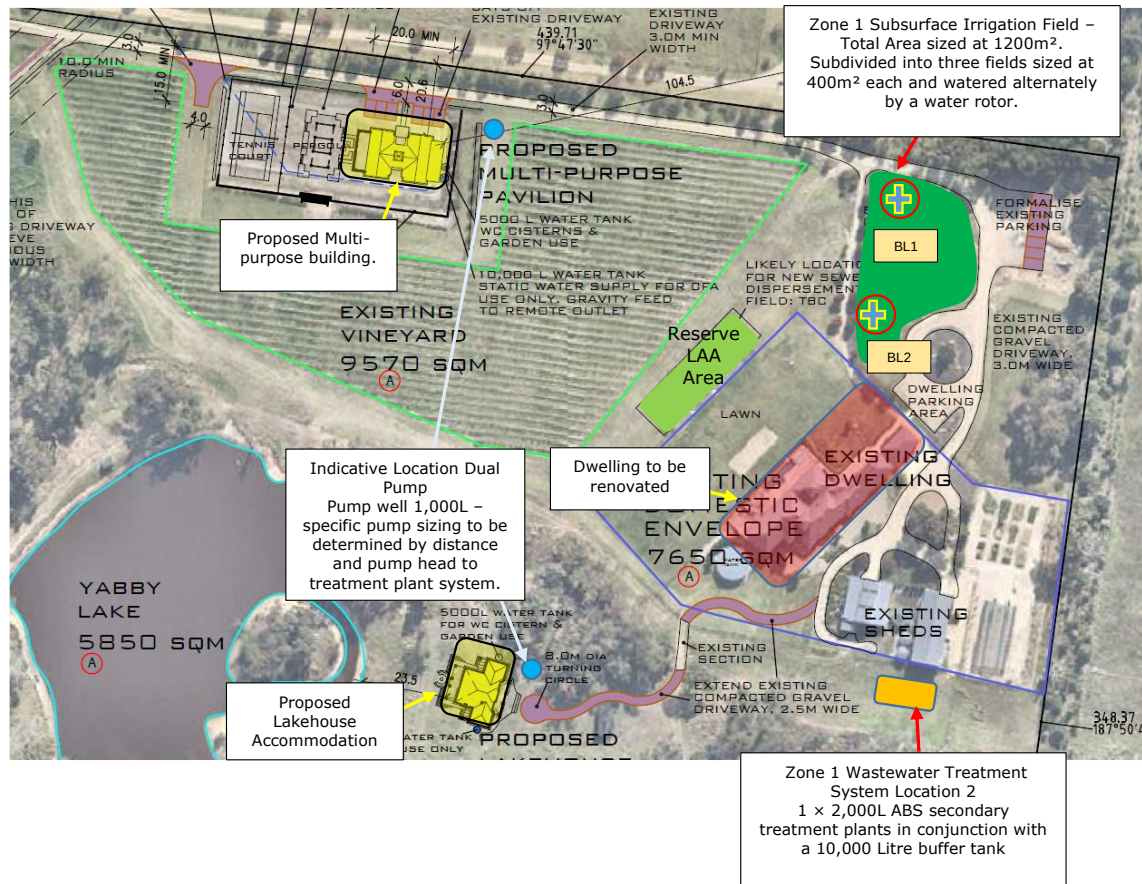
BORE LOG LOCATION PLAN & PROPOSED LAAs
(NOT TO SCALE)

Date: 21/06/23

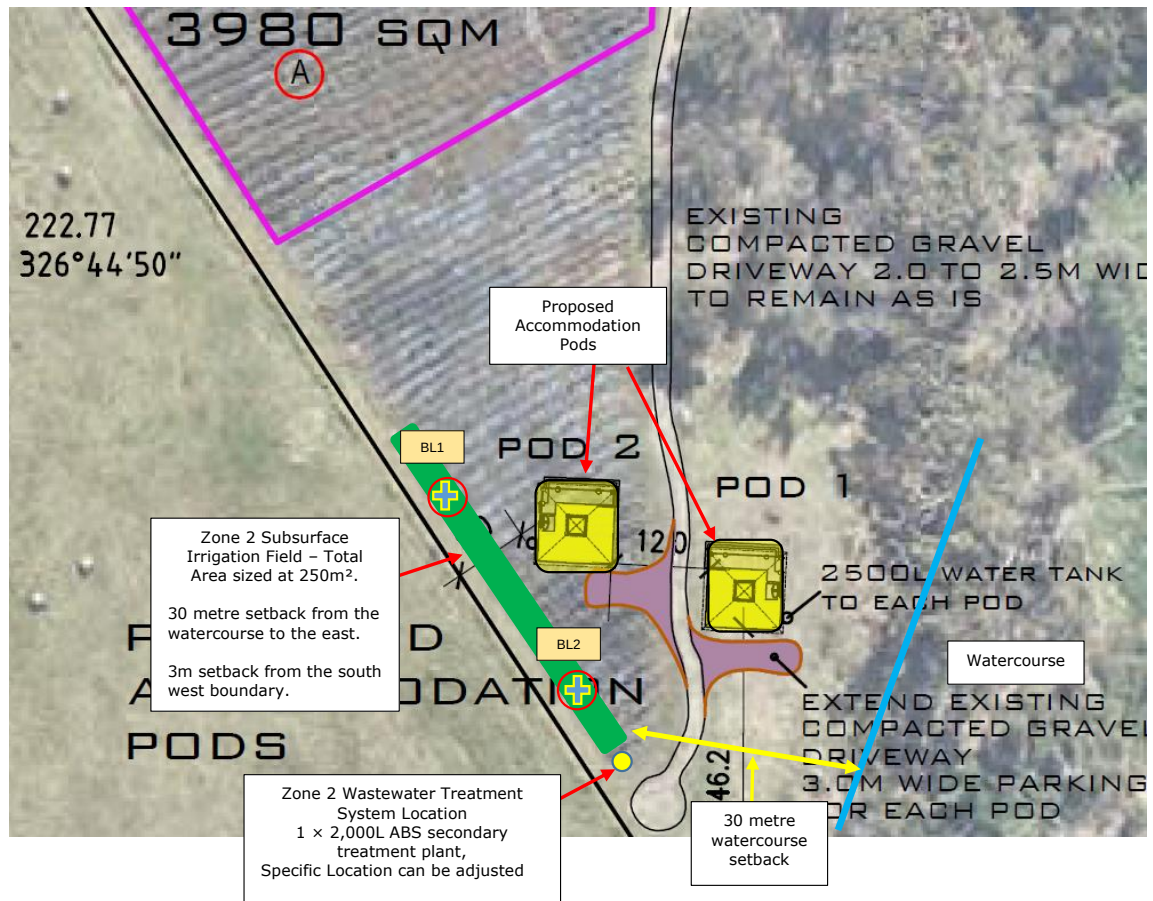
Wastewater Overall Plan



Wastewater Zone 1 Plan



Wastewater Zone 2 Plan





APPENDIX vii

BORELOGS



BORELOG SHEET

CLIENT: West Valantine Building Designers C/O M & S Traviati
PROJECT ADDRESS: 205 – 207 Arthurs Seat Road Red Hill
JOB NO: 51FO23 – LCA COM
FIELD WORK DATE: 11/05/23
LOGGED BY: Rob Krainz
DRILLING METHOD: 90mm Mechanical Auger 100mm Earth Auger, Shovel and Crowbar

BORELOG 1				BORELOG 2			
DEPTH	Soil Profile	Clr	Fill	DEPTH	SOIL PROFILE	Clr	Fill
100mm	Loam (Br)			100mm	Loam (Br)		
200mm				200mm			
300mm	Clay Loam (Br Yl)			300mm			
400mm	Moist			400mm	Clay Loam (Br Yl)		
500mm				500mm	Moist		
600mm	Light Clay (Yl Br)			600mm			
700mm	Moist			700mm	Light Clay (Yl Br)		
800mm	Slightly Mottled			800mm	Moist		
900mm				900mm	Slightly Mottled		
1000mm				1000mm			
1100mm	Med Clay (Yl Br)			1100mm			
1200mm	Moist			1200mm	Med Clay (Yl Br)		
1300mm	Slightly Mottled			1300mm	Moist		
1400mm				1400mm	Slightly Mottled		
1500mm				1500mm			
1600mm	End Log			1600mm	End Log		
1700mm				1700mm			
1800mm				1800mm			
1900mm				1900mm			
2000mm				2000mm			
2100mm				2100mm			

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BORELOG 3				BORELOG 4			
DEPTH	Soil Profile	Clr	Fill	DEPTH	SOIL PROFILE	Clr	Fill
100mm	Loam (Br)			100mm	Loam (Br)		
200mm				200mm			
300mm	Clay Loam (Br Yl)			300mm	Clay Loam (Br Yl)		
400mm	Moist			400mm	Moist		
500mm	Light Clay (Yl Br)			500mm			
600mm	Moist			600mm	Light Clay (Yl Br)		
700mm	Slightly Mottled			700mm	Moist		
800mm				800mm	Slightly Mottled		
900mm				900mm			
1000mm	Med Clay (Yl Br)			1000mm			
1100mm	Moist			1100mm	Med Clay (Yl Br)		
1200mm	Slightly Mottled			1200mm	Moist		
1300mm				1300mm	Slightly Mottled		
1400mm				1400mm			
1500mm				1500mm			
1600mm	End Log			1600mm	End Log		
1700mm				1700mm			
1800mm				1800mm			
1900mm				1900mm			
2000mm				2000mm			
2100mm				2100mm			

Ref: 51FO23 LCA COM – 101 Harrisons Road, Dromana
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Sustainable
Tree Management

1/33 Colemans Road Carrum Downs Vic 3201

13/10/2023

Luke Dowdle
Director / Planning Consultant
Nepean Planning and Bushfire Consultants

Memorandum - Tree Assessment 101 Harrisons Road, Dromana.

Dear Luke,

Sustainable Tree Management was engaged by Nepean Planning and Bushfire Consultants to review current design plans, undertake a visual site assessment to investigate the suitability for retention/preservation of all existing trees and other vegetation growing within proximity to proposed construction/building envelopes, and if applicable, outline guidelines for protection and successful incorporation.

Sustainable Tree Management takes a conservative approach when assessing vegetation nominated for retention and all assessment are undertaken in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites (AS4970-2009) and Australian Standard 4373-2007 Pruning of Amenity Trees.

In accordance with AS4970-2009 any proposed calculated tree protection zone encroachment of greater than 10% of the TPZ, or inside the SRZ of tree(s), the Project Arborist must demonstrate the tree(s) will remain viable. These measurements and distances are derived from the Australian Standard AS4970 - 2009 - Protection of Trees on Development sites.

The proposed retention of vegetation growing on site was a major consideration during the preliminary design phase of the project.

No inductive design plans were shared with Sustainable Tree Management prior to reviewing the current package, however, based on previous site inspections undertaken by STM in 2019 and recent conversations with relevant stakeholders has ensured that all proposed construction footprints were selected in locations well away from existing vegetation. The outcome of the design approach provides adequate tree and vegetation separation for successful incorporation, while demonstrating the project objectives to conserve the existing landscape character and setting.

For the purposes of protecting all existing vegetation growing on site at 101 Harrisons Road, Dromana, this memorandum is confirmation that no amendments are required to the current Proposed Site Plans REV A dated April 2023 TP01- TP08 inc. For further protection of existing vegetation, I recommend that 'No Go Zones' be installed at the recommended locations and notated on all endorsed development plans. This only applies to existing patches of vegetation growing adjacent to Pod 2 and The Lakehouse. (See page 6)

In my opinion, the incorporation of all vegetation on site, which includes mature and semi mature native trees, allows for the ongoing contribution of green assets and site character, while achieving the objectives within the planning scheme and all relevant Australian Standards

Should you have any questions please do not hesitate to contact me.

Yours sincerely,



Luke Sturgess
Director and Principal Arborist
E: luke@sustainabletm.com.au



Sustainable
Tree Management

SPECIFIC CONSTRUCTION LOCATIONS

Figure 1 Below: Snapshot of Proposed Site Plan TP02 showing the four locations of proposed works.

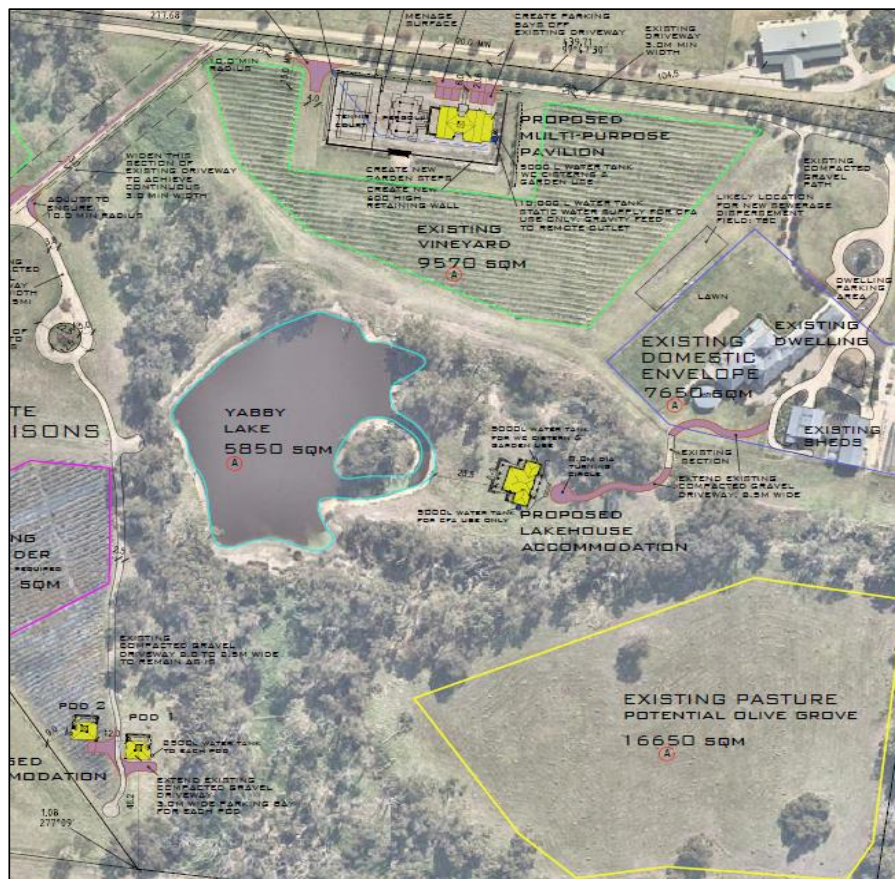


Figure 2 Below: Snapshot TP03 Location of Pods 1 and 2

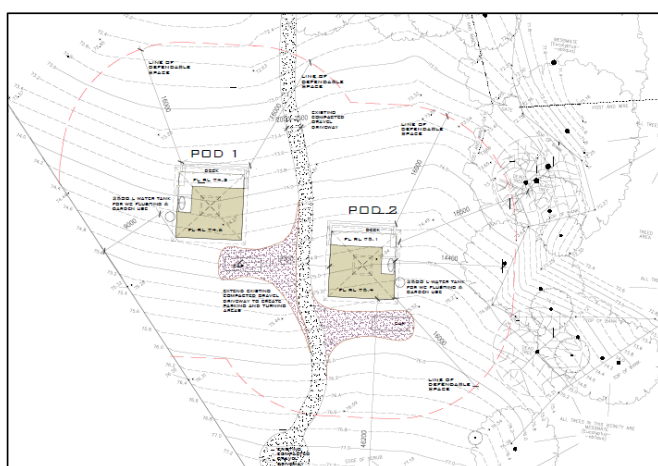


Image 1. Location of Pod 1.
View East to West



Image 2. Location of Pod 1.
View North to South



Image 3. Location of Pod 2. View East to West



Image 4. Location of Pod 2. View South to North

Figure 3 Below: Snapshot TP07 Proposed Pavilion location.

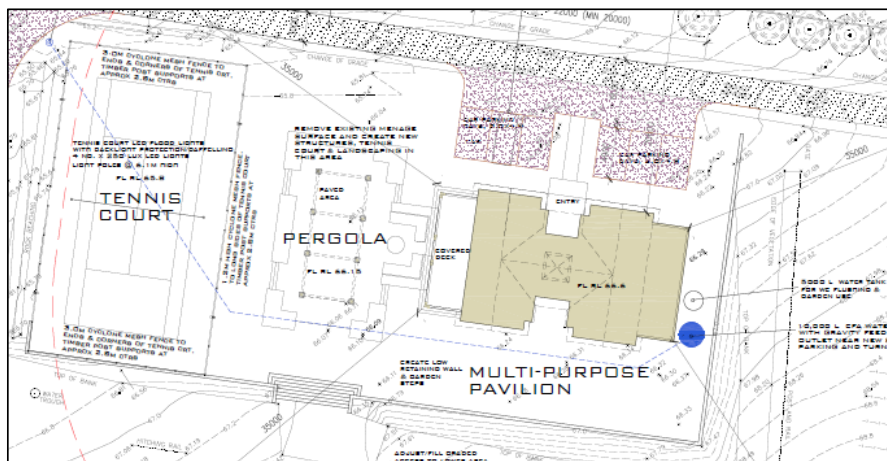


Image 5. Location of Pavilion. View North to South



Image 6. Location of Pavilion. View East to West

Figure 4 Below. Snapshot TP05 Proposed Lake House location.

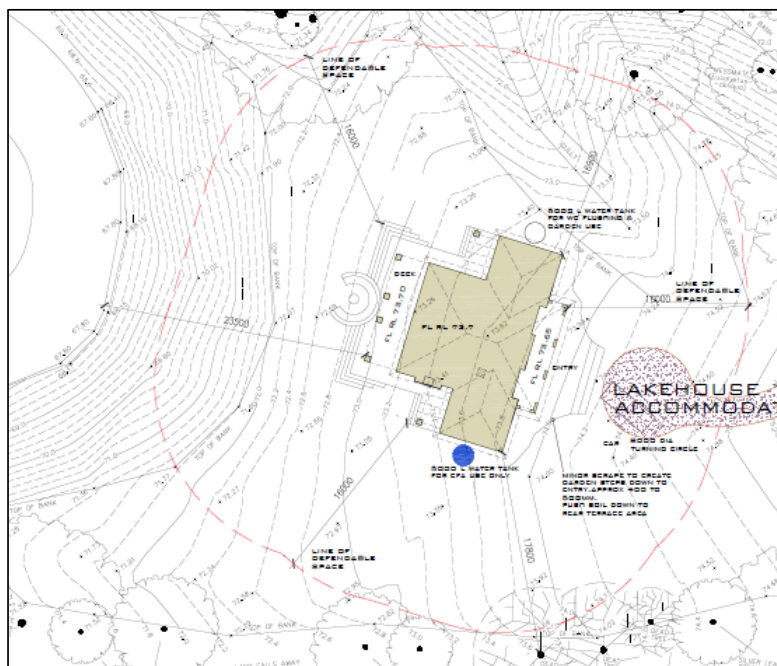


Image 7. Location of Lakehouse. View West to East



Image 8. Location of Pavilion. View West to East



Image 9. Location of Lakehouse. View East to West

VEGETATION PROTECTION RECOMMENDATIONS – No Go Zones

- Vegetation protective fencing defining **No Go Zones** (NGZ) should be installed at locations indicated on the development plans. This applies to existing patches of vegetation growing adjacent to Pod 2 and The Lakehouse. Star pickets (4 metre spacing) and barrier tape may be used to define the NGZ.
- No soil levels should be altered within the fenced NGZ area, no heavy machinery should be allowed to pass within this area and no spoil, chemicals, building materials or refuse should be stored within this area.
- NGZ should be installed prior to any works commencing on site and should remain in place until all site development work is completed. NGZ should be located at the prescribed distances and clearly signed **No Go Zone**. Signage should be similar to the following (*as recommended by the Australian Standard AS4970*) and should be of a size no smaller than 600mm x 400mm.



Section 72 Amendment – P17/1892.02

Planning Services – Mornington Peninsula



APPLICATION SUMMARY	
Date	10/07/2024
Application Number	P17/1892.02
Proposal	Amending the plans and associated documents (Land management Plan) to be endorsed for a host farm and rural industry use.
Address	101 Harrisons Road DROMANA VIC 3936 Lot 3 PS 621389 Vol 11176 Fol 972
Applicant	Nepean Planning Consultants
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	- Green Wedge Zone schedule 3 (GWZ3); - Environmental Significance Overlays (ESO) Schedules 3, 8, 17 and 28; - Significant Landscape Overlay (SLO) Schedules 1 and 6; - Vegetation Protection Overlay schedule 2 (VPO2); - Bushfire Management Overlay (BMO).
Permit Triggers	Yes – Clause 35.04-1 (GWZ3) – Rural Industry and host farm Yes - Clause 35.04-5 (GWZ3) – Buildings and works associated with a Section 2 use and 100 metres from a waterway, Yes – Clause 42.01-2 (ESO3) - Buildings and works Yes – Clause 42.01-2 (ESO17) - Buildings and works Yes – Clause 42.01-2 (ESO28) - Buildings and works Yes – Clause 42.03-2 (SLO1) – Buildings and works Yes – Clause 52.21 – Tennis Court No – The proposed works are located outside of the following overlays - SLO6, ESO8, BMO & VPO2.
Key issues	- Does the amendment align with approved uses of Host Farm and Rural Industry? - Design and siting of buildings. - Consideration of submissions.
Restrictions on title	Yes
Advertising	Yes
Objections	Yes
Referrals	Internal - Health Internal - Engineering

	Internal - Vegetation
Acid soils	No
Flood prone	Yes
Climate change hazards	No
Contaminated land	No
High land slip	No
BACKGROUND/PERMIT HISTORY	
Original Permit Issued	17/12/2018
Permit Issued for	P17/1892 issued for the use and development of the land for a host farm, rural industry and associated buildings and works in accordance with the endorsed plans
Original Permit Triggers	Clause 35.04 GWZ2 - land use, and buildings and works. Clause 42.01 ESO 3, 17 and 28 – buildings and works. Clause 42.04 SLO1
Condition 1 plans	Condition 1 plans have not been previously endorsed under the permit and therefore require assessment as part of this amendment application
Current Permit Expiry	The latest date for commencement of the use is 17/12/2026 The latest date for completion of the development is 17/12/2026

OFFICER DIRECT OR INDIRECT INTEREST

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

BACKGROUND

Previous permits

- The lot was created by a boundary realignment approved at the Development Assessment Committee meeting held on 16 February 2009 (**P08/3105** being issued on 18 February 2009).
- P09/2621** was subsequently issued on 16 August 2010 for the 'Use and Development of the land for a single storey dwelling, associated outbuildings and vegetation removal on the land'. The permit required the registration of section 173 Agreement AH688280T (the Agreement). Clause 4 of the Agreement addresses the land owner's obligations for ongoing land management including:
 - ☐ Ensuring that the land is used for productive agriculture;
 - ☐ The protection of significant native vegetation and fauna;
 - ☐ The maintenance of the rural character and view lines; and
 - ☐ Provision of a land management plan *'demonstrating one or more of the following elements'*:
 - Biodiversity protection and enhancement;*
 - Use of the Subject Land for productive agricultural purposes; and*

- o *Provision of opportunities for recreation linked to the experience of the natural environment, agriculture or cultural heritage having regard to the existing conditions and capabilities of the site.'*

The dwelling permit approved the use of the land for cattle grazing in accordance with the outcomes sought by clause 4 of the Agreement. It is noted that the current proposal does not offend any of the land management obligations of the current Agreement on title and is arguably more in alignment with the outcomes sought.

The life of this permit has been extended ON 25/7/2014 (**P09/2621.01**).

- **P10/1307** was issued on 20/8/2010 for the removal of 37 Pine Trees.
- **P13/1586** was issued on 13/11/2013 for the development of a hay shed.
- **P17/1892** was subsequently issued on 17 December 2018 which authorised the use and development of the land for a host farm, rural industry and associated buildings and works in accordance with the endorsed plans.

The life of this permit has been extended twice, once in 2022 (**P17/1892.01**) and once in 2024 (**P17/1892.03**). The latest date for completion of the development is 17 December 2026 and the latest date for commencement of the use is 17 December 2026.

- **P23/1825** was issued 19/12/2023 for the development of dwelling additions. This permit was amended on 14/3/2024 (**P23/1825.01**).

PROPOSAL

The applicant seeks to amend plans and associated documents (Land management Plan) to be endorsed for a host farm and rural industry use. Specifically, this entails;

- Re-site and reduce the number of accommodation buildings from six (6) to three (3) resulting in two (2) accommodation 'pods' located in the south-west portion of the site (between the dam and the lavender gardens) and proposed larger accommodation building in a cleared area on the eastern side of the lake / dam.
- Construction of a new pavilion building and tennis court located on the existing horse menage area near the northern boundary of the subject site.
- Deletion of carparking and re siting of internal accessways.
- Amending the agricultural activities on the land including amending the Land Management Plan (to be endorsed) together with the deletion of the production shed and machinery shed (not yet constructed).

SUBJECT SITE

Restrictions on title

AGREEMENT Section 173 Planning and Environment Act 1987
AH688280T 22/12/2010

AGREEMENT Section 173 Planning and Environment Act 1987
AS289028J 25/06/2019

Section 173 AH688280T 22/12/2010 relates to the land owners obligations that the use carried out under the permit (P09/261) must meet the objectives of the Green Wedge , that is a productive agricultural use. Native vegetation and fauna together with view lines are also to be protected. This agreement also extends to the prohibition of fencing and freestanding walls that do not have a rural character, the removal of derelict buildings and the submission of a land management plan.

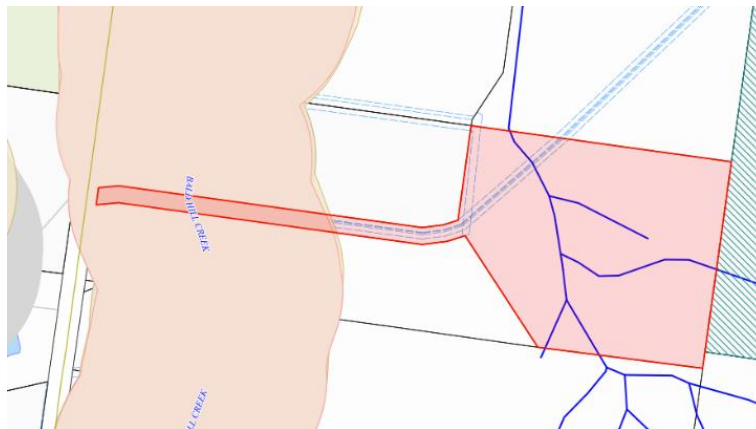
Section 173 AS289028J 25/6/2019 relates to ending of the agreement above but with similar obligations under this new agreement relating to planning permit P17/1892 being;

- Meeting the objectives of the Green Wedge (productive agricultural use).
- Requirements of a land management plan and, if not complied with, and the land ceases to be used for agricultural purposes or a farm experience to guests of the host farm the use of the land provide accommodation away from their normal place of residence must cease
- Vegetation protection, fencing and hedging, farming practices and removal of buildings.

The proposed amendment does not breach these agreements. The land is still to be used as a host farm with the stipulations of the land management plan to be applied.

Cultural Heritage Management Plan (CHMP)

A CHMP is not required as the subject works are not located within an area of cultural heritage sensitivity.



Subject Site

The subject lot is located on the eastern side of Harrisons Road and comprises a battle axe style layout of 15.8 hectares. The land rises from the front of the site towards the rear (eastern) boundary and falls across the north-western side of the lot towards the north-western property boundary.

The site is currently developed with a dwelling and typical rural outbuildings. The land currently supports three separate primary production outcomes, including growing of grapes (vines), olives and a small plantation of lavender.

The expansive single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximize views and vistas across the site, elevated to taking in the sloping topography to the west.

A dam is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the dam extending north-south and further east into neighbouring lots.

A horse ménage has been constructed amongst the vines toward the northern boundary.

The lot is accessed via Harrisons Road, with the battle-axe driveway being approximately 600 metres length, and running adjacent to the boundaries of 97 and 115 Harrisons Road either side of the driveway.

Aerial Photo showing subject site and surrounding properties - GIS 28/4/2024



Existing dwelling



SURROUNDING PROPERTIES

The general locality reveals a mix of lot sizes and land uses in the area. It is evident that surrounding land includes uses such as vineyards with some lots being used for rural lifestyle living. All land to the north, east and south is located within the Green Wedge Zone.

The land to the western side of Harrisons Road is located within Public Use Zone 2 and Public Conservation and Resource Zone and operates as Dromana Secondary College.

Further to the south is Bald Hill Flora Reserve, a heavily vegetated site owned by the Department of Sustainability and Environment.

The properties immediately adjacent to the site include:

- North-west: 85 Harrisons Road, Dromana – agricultural land (vineyard) and dwelling;
- North: 57 Harrisons Road – agricultural land and dwelling;
- East: 2 Gibb Road, Red Hill - agricultural land (with remnant bushland) and dwelling;
- South-east: 91 Browne Lane, Red Hill - bushland and dwelling;
- South – 135 Harrisons Road, Red Hill – agricultural land and dwelling; and
- West: 97 Harrisons Road – agricultural land (vineyard) and dwelling; 115 Harrisons Road – agricultural land and dwelling.

PUBLIC NOTIFICATION

Advertising

The application was advertised by sending direct notice to adjoining properties and erecting a sign on site for 14 days.

Objections

To date, nine (9) objections have been received. Their concerns can be summarised as follows:

Buildings and works (Pods, Lakehouse and Pavillion)

- Visual impact on landscape
- Privacy
- Too close to boundary
- Buildings not proportionate to use
- No information provided on waste / effluent disposal
- Overflow and lack of carparking for proposed patron capacity (i.e. pavilion)
- Out of character
- Dust and air pollution from proposed works
- Proposed helicopter pod
 - Suffer amenity loss and privacy

Tennis court

- Lighting is inconsistent with rural location and will affect fauna
- Unrelated to agricultural production – should be located near dwelling

Use & Green Wedge

- Amendment has no solid agricultural basis
 - Incommensurate with Planning Policy
 - Validity of amendment questioned based on 'host farm' premise
 - Lavender farm / production facilities have been removed
 - Young olive trees
 - Commercialization of rural landscape and Green Wedge
 - Activities more akin to tourism, bed and breakfast and not agriculture
- Potential for illegal dwelling uses
- Duration of guest stays is problematic
- Fragment Green Wedge
- Limit Agricultural opportunities
- Hinder character of the area.
- Impacts on property and amenities
- Overdevelopment
 - Urban spread
 - Increase noise
 - Will affect Dunns Creek Biolink
- Location of driveway adjacent to northern boundary and associated vehicle noise

These concerns will be addressed in the body of this report.

It is noted that the application was amended on 31/1/2024 via the reduction in size of the proposed pavilion building, additional planting, deletion of the proposed tennis court lighting and a slight increase in the size of the proposed 'Lake House' building. This amendment was not formally 're advertised' as it was deemed that these changes would result in less detriment than what has already been advertised. These amended plans were however circulated to objectors. It is these plans that will form the basis of the Officer recommendation.

Public Consultation

A Planning Application Conference (PAC) was held on 22/11/2023 at the Mornington Office. No formal resolutions were substantiated as a result of this meeting.

REFERRALS

Referral	Internal/External?	Response	Additional Comments? (where required)
Environmental Health	Internal	No objection subject to conditions	Conditions will be on approval
Engineering	Internal	No objection subject to conditions	Conditions will be on approval
Vegetation	Internal	No objection subject to conditions	Conditions will be on approval

ASSESSMENT

It is considered that the amended use and development is consistent with the objectives of GWZ3, ESO3, ESO17, ESO28, SLO1 and the above policies and provisions.

See Appendix 1 – Planning Scheme Provisions

COUNCIL & WELLBEING PLAN

This aligns with the Council and Wellbeing Plan, in particular:

Theme 1: A healthy natural environment and well-planned townships.

- Strategic Objective 1.3: A sustainable built environment that respects the natural environment and protects the community from the impacts of the climate emergency.

Theme 2: A robust, innovative and diverse economy.

- Strategic Objective 2.3: A thriving entrepreneurial economy, with a vibrant tourism sector, that provides accessible employment to our diverse community

GOVERNANCE PRINCIPLES

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This report aligns with principles (B) and (I) which are:

- B. Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- I. The transparency of Council decisions, actions and information is to be ensured.

RELEVANT COUNCIL DECISIONS AND POLICIES

Not Applicable.

DISCUSSION

Purpose

The purpose of this report is to provide a summary of:

- The relevant background of the site
- The proposal
- The key issues
- Submissions and Shire officer response
- The assessment against the relevant provisions of the *Planning and Environment Act 1987* and the Planning Scheme.

For a detailed assessment of the all the relevant matters please see Attachment 6 – Officer Report.

The key planning considerations are summarised in the below table:

Proposal	Amending the plans and associated documents (Land management Plan) to be endorsed for a host farm and removal of rural industry.
Zoning and Overlays	Zone: Green Wedge Zone Schedule 3 (GWZ3) Overlays: • Environmental Significance Overlays (ESO) Schedules 3, 8, 17 and 28; • Significant Landscape Overlay (SLO) Schedules 1 and 6; • Vegetation Protection Overlay schedule 2 (VPO2); • Bushfire Management Overlay (BMO). The proposed works are located outside of the following overlays - SLO6, ESO8, BMO & VPO2.
Permit Triggers	Clause 35.04-5 (GWZ3) – Buildings and works associated with a Section 2 use and 100 metres from a waterway, Clause 42.01-2 (ESO3) - Buildings and works Clause 42.01-2 (ESO17) - Buildings and works Clause 42.01-2 (ESO28) - Buildings and works Clause 42.03-2 (SLO1) – Buildings and works Clause 52.21 – Private Tennis Court
Advertising	The application was advertised on 17 August 2023 by sending direct notice to all properties and erecting a sign on site for 14 days.

Submissions	9 objections have been received to date.
Consultation	A Planning Application Conference (PAC) was held on 22/11/2023 at the Mornington Office. No formal resolutions were substantiated as a result of this meeting.
Key Issues	1. Does the amendment align with approved uses of Host Farm and Rural Industry? 2. Design and siting of buildings. 3. Consideration of submissions.
Recommendation	A Notice of Decision to Amend a Permit

Background

Subject Site and Surrounds

The subject lot is located on the eastern side of Harrisons Road and comprises a battle axe style layout of 15.8 hectares. The land rises from the front of the site towards the rear (eastern) boundary and falls across the north-western side of the lot towards the north-western property boundary.

The site is currently developed with a dwelling and typical rural outbuildings. The land currently supports three separate primary production outcomes, including growing of grapes (vines) and olives.

The expansive single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximize views and vistas across the site, elevated to taking in the sloping topography to the west.

A dam is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the dam extending north-south and further east into neighbouring lots.

A horse ménage has been constructed amongst the vines toward the northern boundary.

The lot is accessed via Harrisons Road, with the battle-axe driveway being approximately 600 metres length, and running adjacent to the boundaries of 97 and 115 Harrisons Road either side of the driveway.



Figure 1: Aerial Photo showing subject site and surrounding properties (source: Nearmap 2024)

Subject site 

The general locality reveals a mix of lot sizes and land uses in the area. It is evident that surrounding land includes uses such as vineyards with some lots being used for rural lifestyle living. All land to the north, east and south is located within the Green Wedge Zone.

The land to the western side of Harrisons Road is located within Public Use Zone 2 and Public Conservation and Resource Zone and operates as Dromana Secondary College.

Further to the south is Bald Hill Flora Reserve, a heavily vegetated site owned by the Department of Sustainability and Environment.

The properties immediately adjacent to the site include:

- North-west: 85 Harrisons Road, Dromana – agricultural land (vineyard) and dwelling;
- North: 57 Harrisons Road – agricultural land and dwelling;
- East: 2 Gibb Road, Red Hill - agricultural land (with remnant bushland) and dwelling;
- South-east: 91 Browne Lane, Red Hill - bushland and dwelling;
- South – 135 Harrisons Road, Red Hill – agricultural land and dwelling; and
- West: 97 Harrisons Road – agricultural land (vineyard) and dwelling; 115 Harrisons Road – agricultural land and dwelling.

Proposal (Attachment 1, 2, 3, 4 and 5)

The applicant seeks to amend plans and associated documents (Land management Plan) to be endorsed for a host farm and rural industry use. Specifically, this entails;

- Construction of three (3) new accommodation buildings being two (2) pods and a 'Lake House'.

- The proposed two (2) pods will have a maximum height of 5.6m from natural ground level (NGL), 76sqm (approx) in total floor area (each) with an open plan area consisting of a kitchen, living room and bedroom, separate bathroom and robe with exterior decks area facing north, east and west. Each will have one car space. They will be clad in muted tones consisting of Colorbond 'Monument' and metal cladding with 'Basalt' coloured composite decking.
- Pod 1 will be setback 9m from the south western boundary whilst Pod 2 will be setback 46.2m from the south western corner of the subject site. Both Pods will be located well away from any existing vegetation. No vegetation removal and, minimal excavation will be required to facilitate their construction.
- The 'Lake House' will be located in a cleared area on the eastern side of the lake / dam. It will have a maximum height of 7.4m from NGL and will consist of an entryway, two bedrooms with walk in robes each, two bathrooms and an open plan multi purpose room with kitchen. It will be 218.2sqm in total floor area and clad in muted tones consisting of Colorbond 'Monument' and weatherboard wall cladding with exterior decks. A 2.5m driveway culminating in six (6) car spaces will lead from the existing 'house paddock' providing for vehicular access.
- Construction of a pavilion building and tennis court within existing horse menage.
 - The Pavilion will consist of a large open plan area with a separate toilet and fireplace. It will be set back 20m from the northern title boundary, 5m from the western most edge of the existing horse menage, 19.6m to the west from the proposed tennis court and 105m to the south west from the nearest neighbour (57 Harrisons Road Dromana). It will be approximately 4.8m high from NGL with a 'Mansard' style roof and clad in muted tones consisting of weatherboards and Colorbond corrugated iron roof and rendered chimney. It will be 79sqm in total floor area a pergola located on its eastern side. New retaining walls and steps are located to the south adjacent to the proposed lavender planting.
 - The proposed tennis court will be located between the proposed pavilion building (19.6m the west) and further proposed vines on its eastern side. It will be fenced on its north and south sides with 3m high cyclone mesh and timber posts and fenced on its east and west sides with 1.5 high mesh. No lighting is proposed, and no vegetation removal is required for these works.
- Deletion of carparking and re siting of internal accessways.
- Amending the agricultural activities (and associated buildings and works) on the land including;
 - Amending the Land Management Plan (to be endorsed).
 - Deletion of the production shed (rural industry).
 - Deletion of machinery shed.
 - Deletion and re siting of areas for lavender growing.

- Deletion of car parking for users of the host farm and the primary produce sales area.

NOTIFICATION AND CONSULTATION

Notification / Advertising

The application was on public notice in accordance with Section 52 of the *Planning and Environment Act 1987* (the Act) from 17 August 2023.

Objections (Attachment 7)

Council received 9 objections to the proposed amendment with the following concerns being raised in their submissions:

- Visual impact
- Amenity loss
- Construction effects
- Infrastructure capacity
- Effect on flora and fauna
- Out of character
- Incommensurate with Green Wedge Zone and existing approved land use
- Loss of agricultural land
- Overdevelopment
- Potential for illegal dwelling uses
- Duration of guest stays is problematic
- Dust
- Proposed helicopter pad
- Location of driveway adjacent to northern boundary and associated vehicle noise

Consultation

A Planning Application Conference (PAC) was held on 22/11/2023 at the Mornington Office. No formal resolutions were substantiated as a result of this meeting.

REFERRALS

Environmental Health

A referral was undertaken to the Shire's Environmental Health Officers who were satisfied that the property had adequate room to treat and contain wastewater on site subject to the following conditions:

1. *All sewage and sullage wastewater from the proposed development must be discharged into an on-site septic tank system which is approved by the Environment Protection Authority, retains all waste within the boundaries of the land, and is installed in accordance with Council's Wastewater Management Policy. This system must be maintained to the satisfaction of the Responsible Authority.*

2. *Any existing wastewater disposal system located on the subject site must be desludged, cracked and backfilled prior to use of the development.*
3. *Works on the proposed dwelling or dwelling alterations must not commence until a permit to install the septic tank system is issued by Council's Environmental Health section.*
4. *Land application area must be located no closer than 30m from the uphill of any surface waters (Dams, creeks and the like)*

Engineering

A referral was undertaken to the Shire's Engineers who did not object to the application subject to the following conditions:

1. *No stormwater (from any roofs, tennis court and other hand stand areas) is to enter the Land Capability Assessment areas. Provision of diversion drains are to ensure this objective.*
2. *Dedicated rain water tanks must be provided for toilet flushing activities.*
3. *Extensions to driveways, including near Pod 1 & 2, must be appropriately sized for the provision of turning circles and parking with the same profile of compacted gravel medium.*
4. *All stormwater run-off generated must be retained on site.*

Vegetation

A referral was undertaken to the Shire's Senior Vegetation Officer who recommended that a new condition on permit be included requiring the recommendations of the Arborist report (via existing condition 1(e)) be implemented given there was no such existing condition.

Tree protection

1. *Prior to the commencement of any demolition, excavation or works; and during all stages of development, the recommendations and tree protection requirements identified in the approved arborist report must be implemented and complied with to the satisfaction of the Responsible Authority.*

The Shire's Senior Vegetation Officer stated;

Whilst it does not appear that vegetation removal is proposed or required; and to a large extent the proposed development is clear of the existing vegetation on the site, it does appear that there will be some construction of buildings and access tracks in proximity to the existing vegetation on the site...The Arborist's report when submitted should identify any potential impacts. This will need to be submitted prior to the endorsement of any plans.

CONSIDERATION

The following key issues are discussed below:

- Does the amendment align with approved uses of Host Farm and Rural Industry?
- Design and siting of buildings.
- Consideration of submissions.

Does the amendment align with approved use of a Host Farm and Rural Industry?

Agriculture

The proposed land management plan and work program outlines the various agricultural pursuits that will be carried out on the property, which has some variations to the operations put forward in the original application. Agricultural activities still include the cultivation and harvesting of olives and lavender, but now also include a vineyard for the purpose of wine making. Apiculture and Yabby production are also intended to be pursued into the future.

Concerns have been raised from several submitting parties that the proposed amendment does not have a 'solid agricultural basis' or is the 'commercialisation of green wedge land'. It is important to stress that although production elements may have altered, the land still continues to be utilised for agricultural pursuits which underpins its definition of that of an agricultural property. Section 73 (Land use terms) of the Mornington Peninsula Planning Scheme defines 'Agriculture' as *'Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables'*. There is no issue with the scope of the changes to the productive agricultural use of the land. In fact, the proposal will allow for more of the land to be utilised for agriculture than previously approved.

Host farm

The proposed land management plan and work program further outlines the various 'host farm' activities that the landowners propose. This includes olive and wine tastings, olive grove / vineyard / lavender and wetland tours whilst educating patrons on the health benefits of olive oil, grapes and lavender products together with wetland conservation.

Coupled with the continued use of the property for agricultural purposes (outlined above) and the proposed construction of the accommodation buildings (discussed further in this report) the use of the property will still legitimately meet the Planning Scheme definition of 'host farm'. Section 73 (Land use terms) of the Mornington Peninsula Planning Scheme defines 'Host Farm' as *'an agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes'*.

It is important to note that the definition of host farm does not specify that farming operations need to be of a certain scale or intensity to be considered an agricultural property. The farming pursuits are articulated in Attachment 3 and are considered to be genuine. Furthermore, existing conditions of the permit shall ensure that the farming operations are satisfactorily implemented, e.g. condition 5 and 4.

Rural Industry

Section 73 (Land use terms) of the Mornington Peninsula Planning Scheme defines Rural industry as '*land used to handle, treat, process, or pack agricultural produce*'.

It is noted that all the processing of lavender oil, olive oil and wine production is now proposed to be carried out off-site. The revised LMP outlines that rural industry processing on-site is now limited to drying and bud processing of lavender. This is considered to be a much less intensive form of rural industry with fewer by products and processing being required on-site. This shall greatly reduce potential adverse amenity from the rural industry component of operations.

Primary Produce sales

The sale of agricultural products made from the primary product of the subject land is proposed to take place within the new pavilion building. The applicant has outlined that the display area will occupy less than 50 square metres of the building and is sited more than 100 metres from neighbouring dwellings, as to satisfy the Section 1 (no permit required) requirements under the Green Wedge Zone.

It is important to note that the owners have not applied for the sale and consumption of liquor under this application. Separate planning permission will be required under Clause 52.27 of the Mornington Peninsula Planning Scheme before they offer wine for sale and/or consumption.



Figure 2: Proposed Agricultural pursuits (source: Development Plans 2024)

Design and siting of buildings

Accommodation Units

Planning permit P17/1892 issued on 17/12/2018 allowed for six (6) detached accommodation units located in the south-west portion of the site (between the dam and the lavender gardens) including a DDA accommodation unit. The southern-most unit was to be setback seven metres from the south-west boundary.

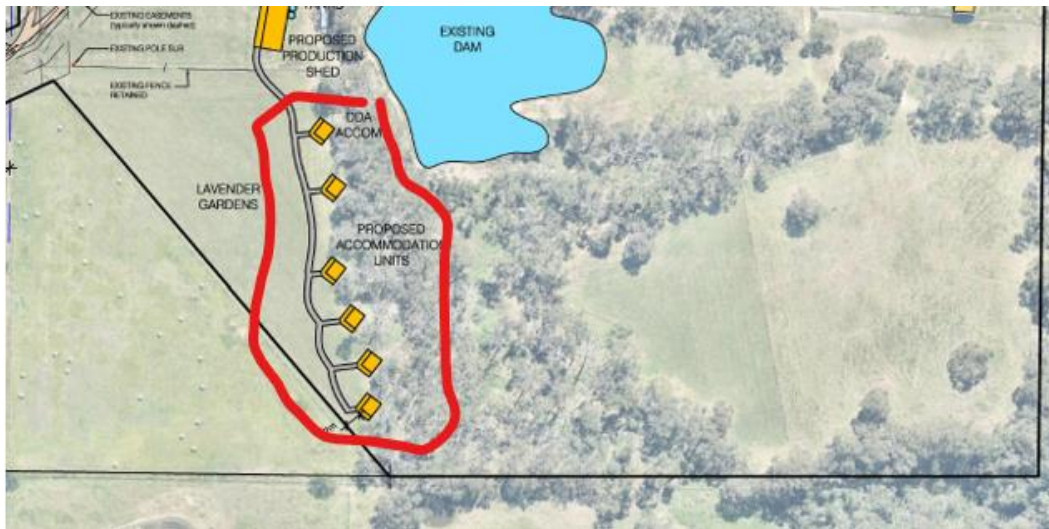


Figure 3: Location of approved accommodation buildings under P17/1892 (source: Advertised plans under P17/1892 16 February 2018)

The proposed amendment seeks to reduce this number of accommodation units from six (6) to three (3) via the construction of the three (3) new accommodation buildings.

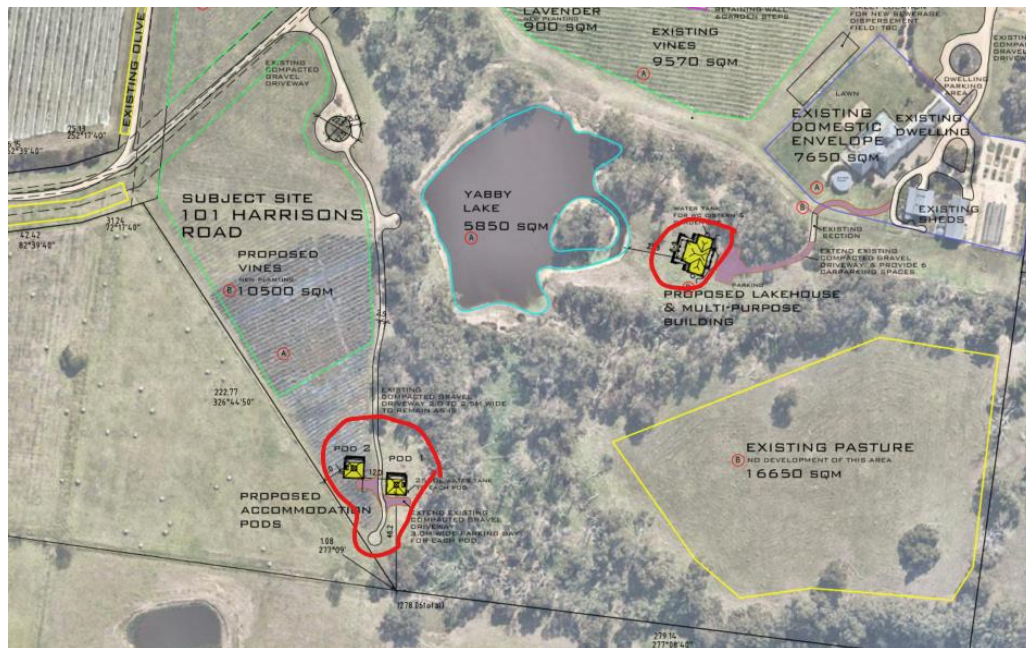


Figure 4: Location of proposed new accommodation buildings (2 pods & 'Lake House') (source: Nearmap 2024)

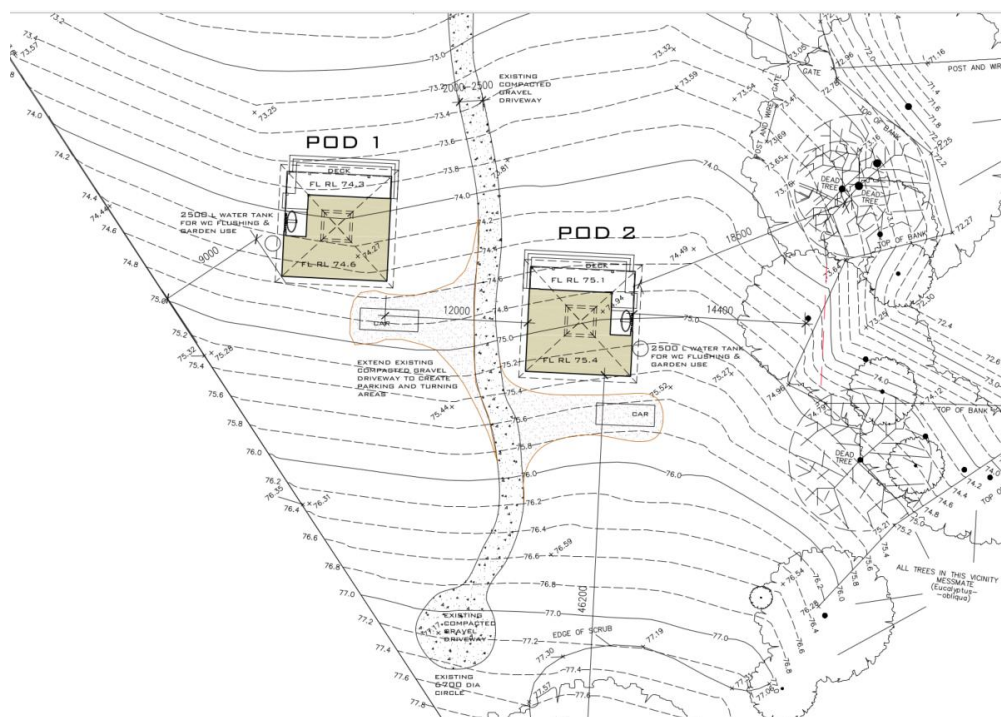


Figure 5: Location of proposed accommodation pods (source: Development Plans 2024)



Figure 6: Looking north east towards approximate location of proposed pod 1 (source: Officer photos 2024)



Figure 7: Looking north towards approximate location of proposed pod 1 (source: Officer photos 2024)



Figure 8: Looking north west towards approximate location of proposed pod 2 (source: Officer photos 2024)

Council deems this a better outcome in terms of the impact to the rural character of the site and the impact on views from adjoining properties namely those located to the west (115 Harrisons Road, Red Hill) and south (135 Harrisons Road, Red Hill). Given the existing topography and undulation of the land they will not be visible from the existing dwelling at 115 Harrison Road Red Hill nor overtly visible from the existing dwelling at 135 Harrisons Road, Red Hill. They will be located some 300m from these adjoining dwellings.



Figure 9: Distance from pods to adjoining dwellings (source: Nearmap 2024)

The proposed accommodation units (pods 1 and 2) will be located in areas void of vegetation and sited well away from existing vegetation (including mature trees). The submitted Land Capability Assessment (Attachment 4) identifies that the structures must be located at least 30 metres from the watercourse. The plans currently specify that Pod 2 is to be located 14.4 metres from the waterway, thereby the pod(s) will need to be re-configured to comply with this requirement. There is ample space for this to occur without interrupting the proposed farming operations and without causing any noticeable change to the visual impact from adjoining properties,

The units are slightly larger in footprint to that of the previous accommodation units, but they will be of a similar height from natural ground level and are still relatively modest and low in scale. They will also be clad in muted, non-reflective tones which will respect the rural context of their surroundings. Lastly it is recommended that planting is to occur the western setback of the buildings to further integrate them into the rural landscape.

The proposed accommodation units do not interrupt the agricultural operations or potential of the property. Although visible within the landscape from the property boundaries of various properties this is not unusual occurrence with the Green Wedge where it is not a prerequisite for approval that such buildings be 'invisible' per se.

As such Council deems that the proposed accommodation units respond favourably to the objectives of the ESO3, ESO17, ESO28 and SLO1. The reduction in the number of these

accommodation pods and, their sensitive re-siting also allows for more of the land to be utilised for agricultural purposes.

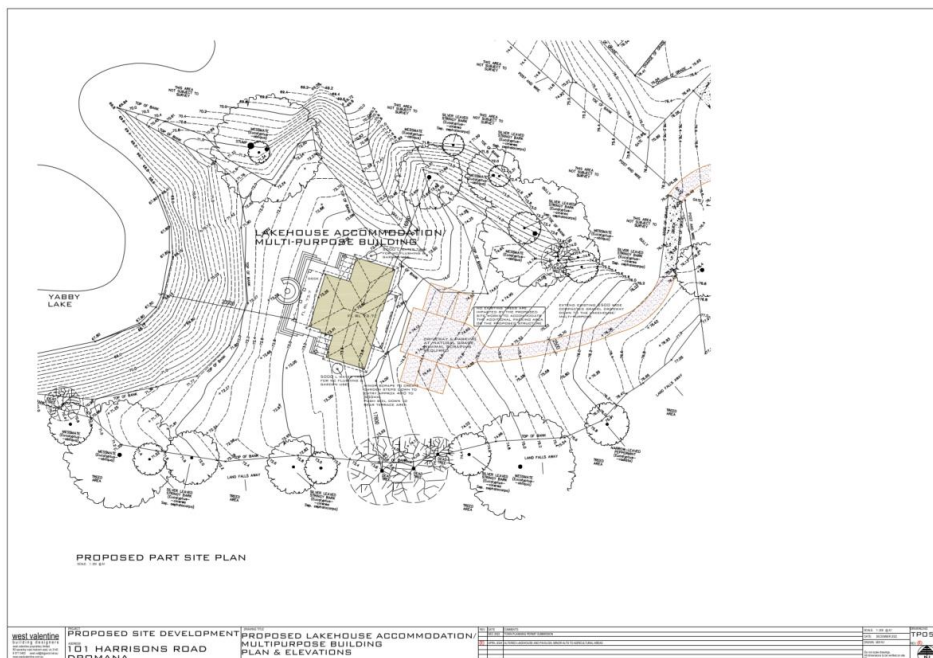


Figure 10: Location of proposed 'Lakehouse' (source: Development Plans 2024)



Figure 11: Looking west towards 'Lake House' site with dam / lake in background (source: Officer photos 2024)

The proposed 'Lakehouse' will also be located well away from any existing vegetation and will not require any vegetation removal. Minimal excavation will also be required to facilitate the building and driveway construction. It will be accessible via an upgrade to the existing, informal track that currently provides access to the clearing it will reside in.

Although larger than the previous approval of the pods located on the western side of the property (discussed above) this building will still form an 'accommodation unit' commensurate with the use of the land for a host farm. Screened via existing vegetation on all sides and clad in muted, non-reflective tones it will generally not be visible to adjoining properties or the wider landscape. Council deems that the proposed 'Lakehouse' also responds favourably to the objectives of the ESO3, ESO17, ESO28 and SLO1.

It should be noted that the host farm land use definition does not prescribe the form that the accommodation must take place. In this regard it may be offered as part of an existing dwelling, separate buildings (e.g. pods) or in the form of a self-contained building such as the lakehouse. The key is to ensure that there is a nexus between farming operations and the hosting, which has been demonstrated through the submitted land management plans.

Pavilion and tennis court

This amendment also seeks permission for a new 'pavilion building' and tennis court to be located on the existing horse menage area near the northern boundary of the subject site.

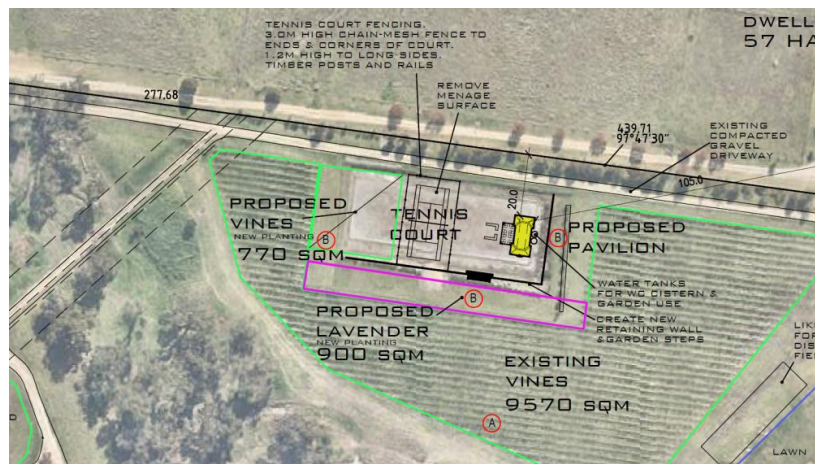


Figure 12: Layout of proposed tennis court and pavilion (source: Development Plans 2024)

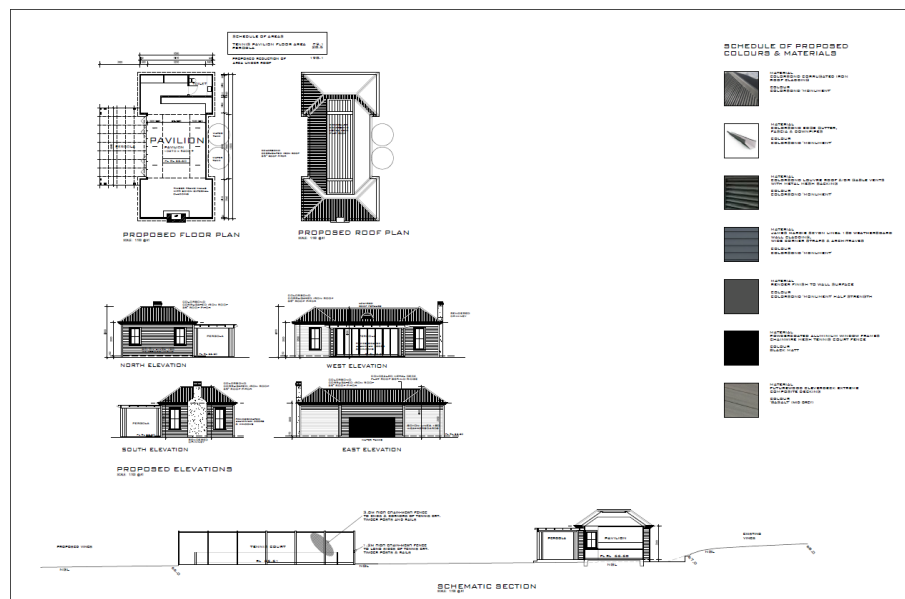


Figure 13: Layout / elevations of proposed pavilion (source: Development Plans 2024)



Figure 14: Looking south east at existing horse menage (location of proposed tennis court & proposed pavilion) with existing dwelling on subject site in background (source: Officer photos 2024)

Council questions the 'need' and nexus of the tennis court with regard to the use of the land for a host farm. Furthermore, the tennis court is over 120 metres from the main residence of the subject site, which is well beyond the domestic envelope or home paddock. The

proposed tennis court should be located within proximity of the existing dwelling and within the 'house paddock' so as not to further fragment the land for agricultural pursuits. This is commensurate with Council's Green Wedge Management Plan which was adopted by Council on 17 December 2018 and updated in April 2019. This document provides for a strategic direction for the development and use of the Green Wedge and sets out directions including:

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.*

As such a condition on any approval will require the deletion of the proposed tennis court from the plans.

The multi-purpose pavilion is proposed to be used in a number of ways including;

- As a communal space area for people being accommodated on the land;
- To display and sell the primary produce grown on the land;
- To educate guests about the agricultural activities that occur on the land and the associated produce.

The open-plan floor area will allow for a display area, as well as presentation areas and the purchase of primary produce. The intention is that primary produce will primarily be available for purchase for guests of the host farm and will be consistent with the definition of primary Produce Sales pursuant to Clause 73.03-3 which does not require a planning permit under the zone. It will also allow for a communal area for guests away from their accommodation pods with an adjoining outdoor pergola area available for their enjoyment.

It is noted that the pavilion is modest in size, located more than 100m away from the nearest dwelling (57 Harrisons Road Dromana) with muted tones and clad in a weatherboard profile which will assist it to blend in with the rural location. Additionally, the pavilion is to be sited approximately 20 metres from the northern boundary, where established She-oak trees are present. In this regard the building is not deemed to be visually dominant and further landscaping is not considered necessary in this instance.

Response to Submissions

The issues below are those that have not been previously addressed in this report.

Infrastructure capacity

Existing conditions on permit already require that all wastewater from the proposed development is discharged into an on-site secondary wastewater treatment and irrigation system which is approved by the Environment Protection Authority and retains all waste within the boundaries of the land and is installed in accordance with Council's Wastewater Management Policy.

Dust

Dust suppression is already a requirement to be addressed in the land management plan.

Proposed helicopter pad

There is no proposed helicopter pad on the plans submitted with this application. Separate planning submission would be required for this activity.

Potential for illegal dwelling uses & Duration of guest stays

Existing conditions on permit already address the illegal use of the accommodation units and the stay of guests.

Car parking requirements are unsatisfactory

Under Clause 52.06 – Car Parking of the Mornington Peninsula Planning Scheme the required number of car parking spaces is required to be provided prior to a new land use commencing.

As host farm does not have a prescribed parking rate in Table 1 of Clause 52.06 – the permit applicant has provided parking equivalent to a bed and breakfast operation, which one space for every two occupants. A space has been provided for each pod building and six spaces have been provided in association lakehouse building, which is deemed to be satisfactory.

The rural industry operations are now in shed adjacent to the dwelling, which has an estimated floor area in the order of 144 square metres. Table 1 of Clause 52.06 requires 2.9 spaces for spaces for every 100 square metres of floor space and thereby four space would be required for the rural industry. There is ample room in the surrounds of the dwelling to accommodate this parking and given the operation is largely run by the landowners it is not deemed necessary for car parking to be formalised in this regard.

Whilst the primary produce sales land use does not require planning permission – the car parking must be still be provided in accordance with the clause. The permit applicant has stated that the display area of the primary produce sales would not exceed 50 square metres, so no more than 2 spaces is required for this land use. There is ample space in proximity of the pavilion building where this could be provided for and it is not deemed necessary that a carparking area is formalised in this regard.

Location of driveway adjacent to northern boundary and associated vehicle noise

The location of the driveway adjacent to the northern boundary provides for access to the existing dwelling and proposed Lake House without further fragmenting the land for agriculture. The behaviour of motorists on an otherwise private driveway is not a concern that can be addressed via this planning assessment.

Other matters

Given the land is regarded as being flood prone report and consent from Council's Building Department will be required with regard to floor levels. This will be part of the Building permit process.

Condition 1 (e) of the permit requires an Arborist report to be submitted to demonstrate that all building and works associated with the rural industry and host farm will not impact on any vegetation and provide recommendations as to any tree protection requirements necessary to be established to ensure this during construction. It is noted that there does not appear to be any conditions requiring the permit holder to implement the recommendations of the Arborist report or any mechanism to address any impact which may occur. As such Council's Senior Vegetation Officer has requested that a condition be placed on any approval requiring the recommendations and tree protection requirements identified in the approved arborist report to be implemented and complied with to the satisfaction of the Responsible Authority. As such a new condition will be placed on permit requiring this.

Further conditions required by Council's Engineers regarding stormwater and new driveways will be part of the amended permit.

CONCLUSION

That the proposed amendment is appropriate and responds favourably to the objectives of the ESO3, ESO17, ESO28 and SLO1. The impact of the proposed amended buildings and works on the landscape, land use and existing vegetation will be negligible subject to conditions on any approval.

The proposed amendment of the agricultural activities on the land via the amendment of plans and Land Management Plan (to be endorsed) together with the deletion of several agricultural buildings (not yet constructed) are still commensurate with the approved use of the land being that of a host farm and rural industry.

The amendment should be supported by Council subject to new conditions on any approval.

DECISION

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to grant an amended planning permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as 101 Harrisons Road DROMANA VIC 3936101 Harrisons Road DROMANA VIC 3936 in accordance with the submitted plans and subject to the following change to conditions:

Amendment to conditions:

- 1)A)iv) . Detail proposed dust suppression method(s) in instances whereby a dust nuisance may be caused by vehicles utilising the unsealed driveway access to the property between Harrisons Road and the car parking areas;
- 1B)v) Screening vegetation to occur in the western setback of the permitted pod buildings without causing disturbance to approved wastewater fields;

6 Unless with the further written consent of the Responsible Authority, the use of the land for rural industry are limited to the following hours:

- A. Between 9.00am to 6.00pm on any day;
- B. Not at all on Good Friday and Christmas Day

New conditions:

- 1F) Deletion of the proposed tennis court.
- 1G) Both POD buildings and associated wastewater systems to be setback at least 30 metres from the nearby waterway without any corresponding reduction of the setback to the western boundary.
- 1H) Vehicle Turning circles near Pods 1 & 2, appropriately sized and parking with the same profile of compacted gravel medium.
- 1I) Pod numbering to be consistent across all plans
- 27. Prior to the commencement of any demolition, excavation or works; and during all stages of development, the recommendations and tree protection requirements identified in the approved arborist report must be implemented and complied with to the satisfaction of the Responsible Authority.
- 28. No stormwater (from any roofs and other hand stand areas) is to enter the wastewater envelopes. Diversion drains are required to ensure this objective.
- 29. Dedicated rain water tanks must be provided for toilet flushing activities and must be installed prior to occupation of the permitted buildings.
- 30. All stormwater run-off generated must be retained on site.
- 31. No wine may be offered for sale and/or consumption until separate planning permission has been granted by the Responsible Authority.
- 32. The landowner and/or property manager must be present on the subject site whilst the accommodation buildings are being occupied.

FULL SET OF CONDITIONS:

Conditions Nos. 1 to 32 inclusive

- 1. 1. **Prior to the commencement of any use and development approved by this permit, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plans will be endorsed and will then form part**

of the permit. The Plans must be drawn to scale with dimensions and three copies must be provided. The Plans must include:

- A. An amended Land Management Plan that must:
 - i. Provide additional details relevant to weed eradication within the bush regeneration area, indigenous/ riparian species recruitment and planting methods and timeframes. The bush regeneration component of the land management plan must provide for a minimum 10-year timeframe to achieve goals, with ongoing maintenance in perpetuity.
 - ii. Outline details of the proposed booking system (as referenced in the planning submission) confirming the suite of farm experience activities on offer for patrons of the accommodation units.
 - iii. Provide for a reporting regime requiring the landowner to report back to Council on a regular basis (after the first 12 months and then every two years thereafter for as long as the land use continues to operate) detailing ongoing implementation of the Land Management Plan.
 - iv. Detail proposed dust suppression method(s) in instances whereby a dust nuisance may be caused by vehicles utilising the unsealed driveway access to the property between Harrisons Road and the car parking areas;
 - v. Make reference the requirements of Planning Permit P09/2621, and clarify that this Land Management Plan has been prepared to respond to the requirements of both the current permit and P09/2621, and supersedes any previous Land Management Plan endorsed under P09/2621.
- B. An updated Landscaping Plan prepared by a suitably qualified landscape professional, that must show:
 - i. The layout updated to be consistent with the planning drawings in terms of location of built form, accessways and car parking area;
 - ii. A survey (including botanical names) of all existing vegetation to be retained and / or removed in the vicinity of all buildings and works proposed under this permit;
 - iii. Details of surface finishes of pathways and driveways;
 - iv. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - v. Screening vegetation to occur in the western setback of the permitted pod buildings without causing disturbance to approved wastewater fields;

vi. All selected species to be indigenous.

vii. Vegetation marked for retention to be marked with protection barriers in accordance with the recommendations of an arborist in accordance with condition 1d of this permit.

All species selection must be to the satisfaction of the Responsible Authority.

C. Dimensioned setbacks of all buildings and works from relevant lot boundaries, and details of any excavation/fill required to accommodate the works.

D. A lighting plan for any external lighting to the accommodation units, the car park, and the pathway to the accommodation units. Such lighting must be designed to have limited intrusion on the rural landscape and include details of cut-off times for externally illuminated areas associated with the approved land-use to preserve the rural amenity during evening hours.

E. An arborist report prepared by a suitably qualified professional demonstrating that the all building and works associated with the rural industry and host farm will not impact on any vegetation, and provide recommendations as to any tree protection requirements necessary to be established to ensure this during construction.

F. Deletion of the proposed tennis court.

G. Both POD buildings and associated wastewater systems to be setback at least 30 metres from the nearby waterway without any corresponding reduction of the setback to the western boundary.

H. Vehicle Turning circles near Pods 1 & 2, appropriately sized and parking with the same profile of compacted gravel medium.

I. Pod numbering to be consistent across all plans.

2. The approved development, including the materials of construction and colours of the exterior finish of the buildings, as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.

3. The approved land uses as detailed on the endorsed plans must not be altered without the consent of the Responsible Authority.

4. Once the development has commenced under this Permit, it must be continued and completed to the satisfaction of the Responsible Authority.

5. The use of the site for host farm accommodation must cease if the accommodation is not operated in conjunction with the approved agricultural and land management outcomes as detailed in the endorsed Land Management Plan to the satisfaction of the Responsible Authority.
6. Unless with the further written consent of the Responsible Authority, the use of the land for rural industry are limited to the following hours:
 - B. Between 9.00am to 6.00pm on any day;
 - B. Not at all on Good Friday and Christmas Day.
7. All disturbed surfaces on the land resulting from the development must be revegetated, battered and stabilised to the satisfaction of the Responsible Authority.
8. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - A. Transport of materials, goods or commodities to or from the land.
 - B. Appearance of any buildings, works or materials.
 - C. Emission of noise, artificial light, vibration, smell, fumes, dust, waste water or other waste products.
9. Nuisance dust must not be discharged beyond the boundaries of the premises.
10. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
11. Outdoor or external lighting including that of the buildings and car park areas must be suitably baffled to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
12. No external or internal amplified music, public address or speaker systems shall be installed or operated on the land.
13. Prior to the commencement of any of the land uses approved by this permit, the land owner/occupier must demonstrate commencement of the endorsed Land Management Plan to the satisfaction of the Responsible Authority. Once commenced, the endorsed Land Management Plan must be implemented and maintained to the satisfaction of the Responsible Authority.
14. Prior to the commencement of any works associated with the approved use and development (or other such time as approved in writing by the Responsible Authority), the owner must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The Agreement must be prepared and registered on the title to the land to the satisfaction of the Responsible Authority. The Agreement must require the owner or occupier to undertake the following to the satisfaction of the Responsible Authority:

- A. Implement and maintain in perpetuity, the endorsed Land Management Plan (or other approved plan as may be endorsed under this permit) to the satisfaction of the Responsible Authority, and specify that should the landowner/occupier fail to operate in accordance with an approved LMP which offers a genuine 'farm experience' to guests, then the host farm accommodation land-use must cease.
 - B. Continuously protect and enhance the indigenous native vegetation and fauna habitat on the land.
 - C. Construct fencing or freestanding walls that have a rural character and allow for the free passage of native indigenous animals.
 - D. Not plant any new hedges (with existing hedges to be managed) to ensure scenic views across the site are not obscured.
 - E. Not construct any bund wall or similar earthworks or artificial barriers that obstruct view lines.
 - F. The permit holder must responsibly manage farming practices including spray drift so as not to impact on neighbouring properties farming practices.
 - G. Livestock must not be permitted in remnant vegetation conservation areas at any time.
 - H. All costs associated with the drafting and registration of this Agreement on title, are to be borne by the permit holder.
 - I. This Agreement must be registered by the Applicant on title, prior to the commencement of works approved under this permit (or other such time as approved in writing by the Responsible Authority), pursuant to section 181 of the Planning and Environment Act 1987.
15. Within six months of the commencement of the use hereby approved (or other such time as approved in writing by the Responsible Authority), landscape works as shown on the endorsed plans must be completed and then maintained in a healthy condition, to the satisfaction of the Responsible Authority. Any dead or diseased trees or shrubs must be replaced as soon as possible.
16. Prior to commencement of the use, the applicant must submit a Waste Management Plan to the satisfaction of the Responsible Authority which

addresses: the storage and disposal of waste generated through all activities carried out on the property; the control of any odour emanating from the site when undertaking any manufacturing process associated with the Rural Industry. When approved, the management plan will be endorsed and will then form part of the permit.

17. All wastewater from the proposed development must be discharged into an on-site secondary wastewater treatment and irrigation system which is approved by the Environment Protection Authority, retains all waste within the boundaries of the land, and is installed in accordance with Council's Wastewater Management Policy.
18. The wastewater system must be maintained to the satisfaction of the Responsible Authority.
19. The wastewater disposal field must be fenced or landscaped to prevent vehicle access, and be kept as a grassed or vegetated area.
20. Buildings, outdoor areas and pathways to provide for all abilities access in accordance with Australian Standard 1428, including AS 1428.2-1992, AS/NZS 1428.4.1:2009 and AS 1428.5:2010 all to the satisfaction of the Responsible Authority.
21. After the endorsement of condition 1 plans and before any works associated with the development starts, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and two copies must be provided. Alternatively, plans in pdf format may be emailed to devengadmin@mornpen.vic.gov.au. The plans must show:
 - A. All areas of the development being drained to the satisfaction of the Responsible Authority.
 - B. Details, including levels of all internal access aisles and parking areas.
22. Before any works associated with the development starts, drainage computations are required for the drainage system, including consideration of any drainage catchment external to the development that may drain to the drainage system.
23. Before the initial occupation of any part of the approved development or commencement of the land use, the development drainage works within the development must be constructed in accordance with approved construction plans, and to the satisfaction of the Responsible Authority.
24. Before the initial occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed in accordance with approved construction plans, surfaced and drained to the satisfaction of the Responsible Authority.
25. Car spaces, access lanes and loading zone must be kept available for these purposes at all times.

26. This permit will expire if either one of the following applies:

- A. The development is not completed within four years of the date of this permit.
- B. The use is not commenced within four years of the date of this permit.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

- 27. Prior to the commencement of the development, including any excavation or works; and during all stages of development, the recommendations and tree protection requirements identified in the approved arborist report must be implemented and complied with to the satisfaction of the Responsible Authority.
- 28. No stormwater (from any roofs and other hand stand areas) is to enter the wastewater envelopes. Diversion drains are required to ensure this objective.
- 29. Dedicated rain water tanks must be provided for toilet flushing activities and must be installed prior to occupation of the permitted buildings.
- 30. All stormwater run-off generated must be retained on site.
- 31. No wine may be offered for sale and/or consumption until separate planning permission has been granted by the Responsible Authority.
- 32. The landowner and/or property manager must be present on the subject site whilst the accommodation buildings are being occupied.

THE PERMIT INCORPORATES THE FOLLOWING AMENDMENTS:

Date of amendment	Brief description of amendment
Xxxx/2024	Amend the conditions of the planning permit generally as follows: • Amend conditions 1a)iv), 1b)v) and 6 • New conditions 1f)-1i) and 27-32. Amending the assessed plans as follows: - Change to accommodation offerings; - Alteration of farming and rural industry operations; - New pavilion building

Appendix 1 – Planning Scheme Provisions

Municipal Planning Strategy
Clause 02.01 Context
Clause 02.02 Vision
Clause 02.03-1 Settlement
Clause 02.03-2 Environmental and landscape values
Clause 02.03-4 Natural resource management
Clause 02.3-6 Economic development
Planning Policy Framework (PPF)
Clause 11 - Settlement
Clause 11.01-1R Green Wedges – Metropolitan Melbourne
Clause 11.03-5S Distinctive areas and landscapes <i>Mornington Peninsula Localised Planning Statement (Victorian Government, 2014)</i>
Clause 12 – Environmental and landscape values
Clause 12.01-1S Protection of biodiversity
Clause 12.01-1L Protection of biodiversity – Mornington Peninsula
Clause 13.03-1S Floodplain management
Clause 14.01-1S Protection of Agricultural land
Clause 14.01-1L Protection of Agricultural land – Mornington Peninsula
Clause 14.01-2S Sustainable Agricultural land use
Clause 15.01-6L Design for rural areas – Mornington Peninsula
Clause 17.04-1S Facilitating tourism
Zone
Green Wedge Zone 3 (GWZ3)
Overlay/s
Environmental Significance Overlay, Schedule 3 (ESO3)
Environmental Significance Overlay, Schedule 8 (ESO8)
Environmental Significance Overlay, Schedule 17 (ESO17)
Environmental Significance Overlay, Schedule 28 (ESO28)
Significant Landscape Overlay, Schedule 1 (SLO1)
Significant Landscape Overlay, Schedule 6 (SLO6)
Vegetation Protection Overlay, Schedule 2 (VPO2)
Bushfire Management Overlay (BMO)
Particular Provisions
Clause 51.02 Metropolitan Green Wedge land: Core provisions
General Provisions
Clause 65 Decision Guidelines
Operational Provisions
Clause 71.02 Operation of the Planning Policy Framework

NOTICE OF AN APPLICATION FOR A PLANNING PERMIT

The land affected by the
application is located at:

101 HARRISONS ROAD DROMANA
LOT 3 PS 621389 VOL 11176 FOL 972

The application is for a
permit to:

USE AND DEVELOP THE LAND FOR THE PURPOSE OF A
HOST FARM, RURAL INDUSTRY AND ASSOCIATED
BUILDINGS AND WORKS GENERALLY IN ACCORDANCE
WITH THE SUBMITTED PLANS

The applicant is:

NEPEAN PLANNING CONSULTANTS

Planning application
number and officer is:

P17/1892
KRYSTAL BLIZZARD

You may view the plans and documents that support the application free of charge at the office/s of
the Responsible Authority below or online at:
www.mornpen.vic.gov.au > Building & Planning > Planning > Advertised Planning Applications

Mornington Office – Queen Street, Mornington
Rosebud Office – Besgrove Street, Rosebud
Hastings Office – Marine Parade, Hastings
Somerville Library – 1085 Frankston-Flinders Road, Somerville
Office hours 8.30am to 5pm

Any person who may be affected by the granting of the permit may object in writing to the
responsible authority. If you object, the Responsible Authority will notify you of its decision.

Your objection must:

- Include the objector's full name, relevant postal address, phone number & email address
- Specify the planning application number
- Include the reasons for the objection and state how the objector would be affected

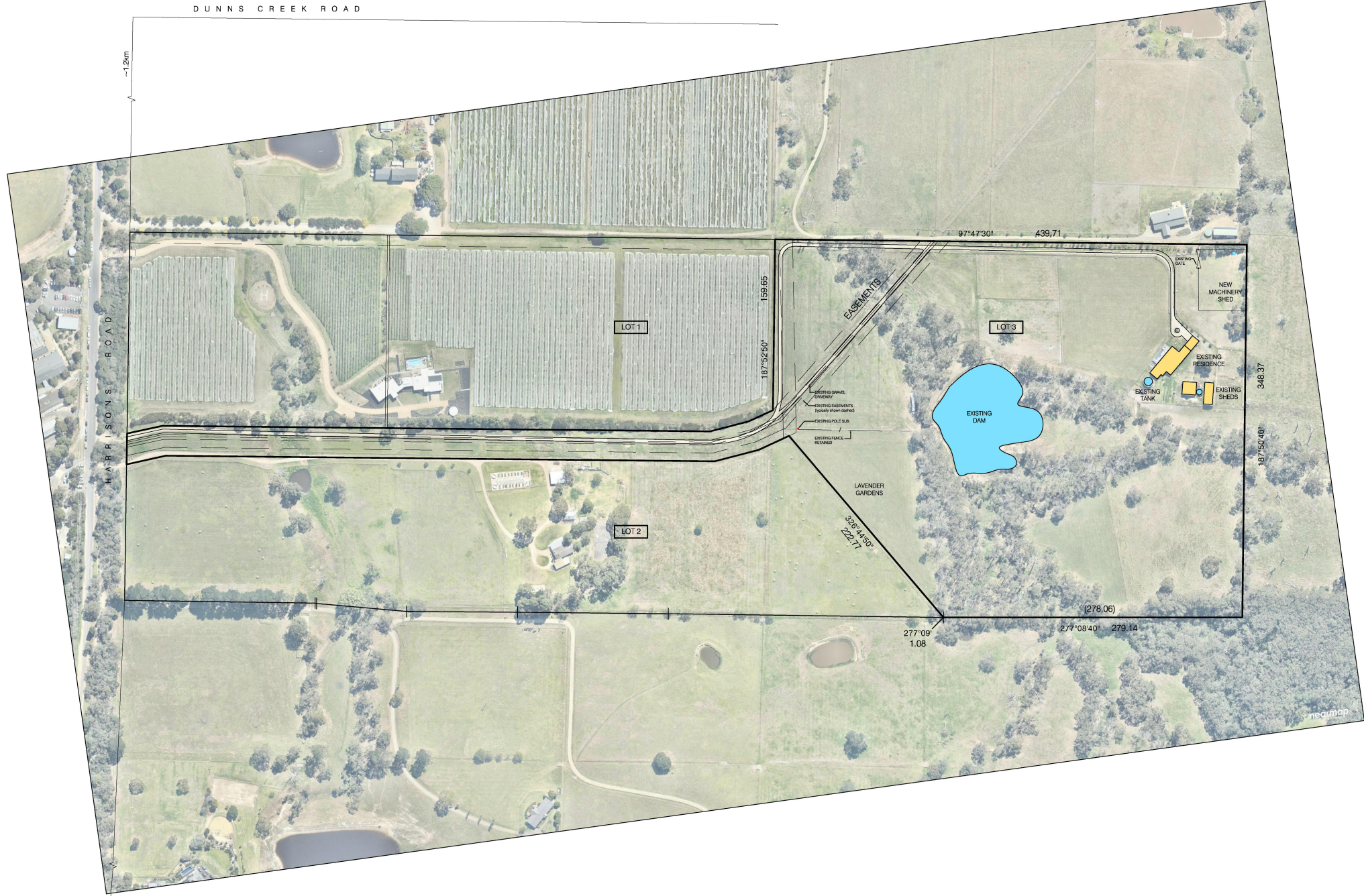
Lodge online at www.mornpen.vic.gov.au;

Or mail to: Planning Services Team, Mornington Peninsula Shire, Private Bag 1000, Rosebud 3939

The Responsible Authority will not decide on
the application before:

16 FEBRUARY 2018

Privacy Notification: The personal information provided in an objection is collected for planning purposes in
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SITE ANALYSIS PLAN - SCALE 1:2000

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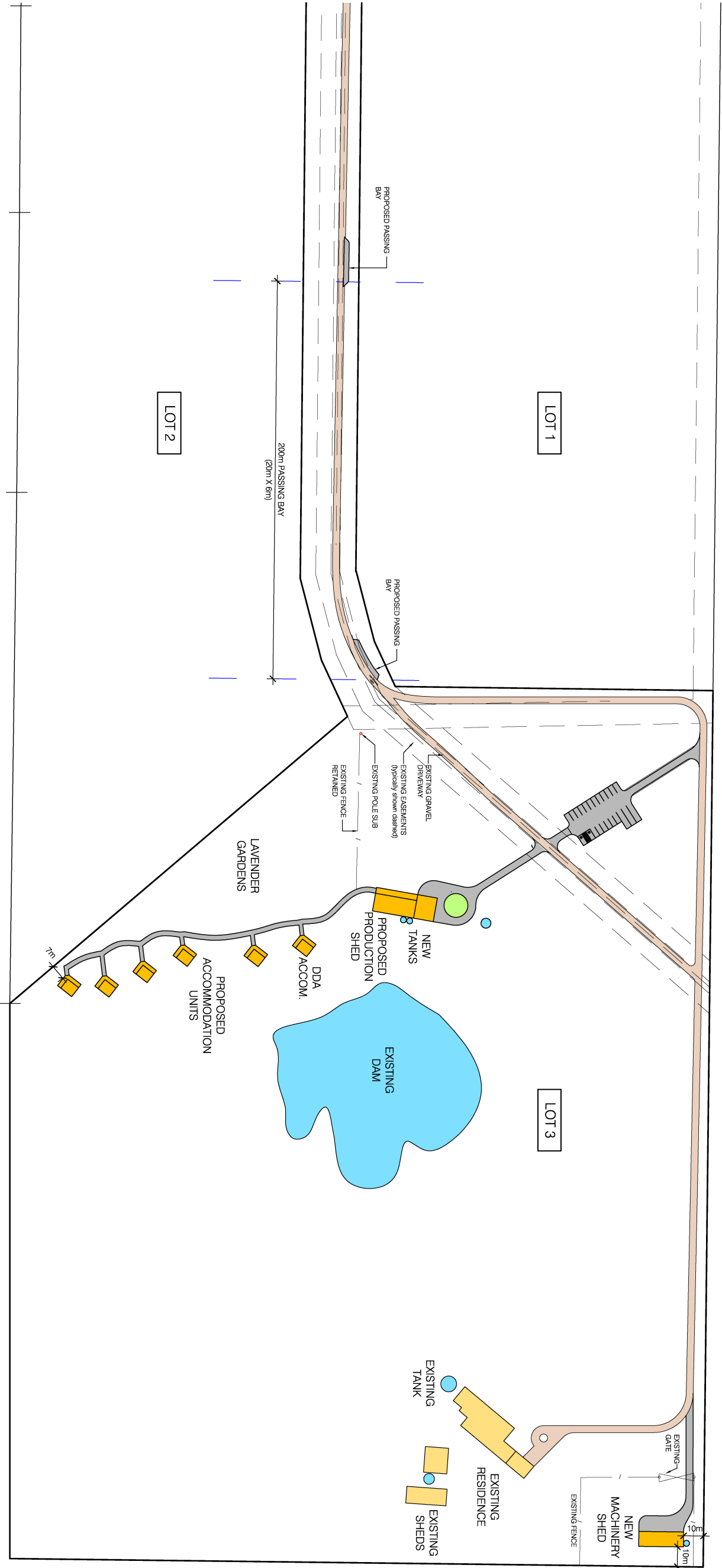


SITE DEVELOPMENT PLAN - SCALE 1 : 1 5 0 0

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WITHIN THIS APPLICATION

LEGEND:	
	EXISTING BUILDINGS / STRUCTURES
	PROPOSED BUILDING WORKS
	WATER SERVICES (NEW & EXISTING)
	PROPOSED LANDSCAPING
	NEW ROADS / PATHS
	EXISTING ROADS / PATHS



PART SITE PLAN - SCALE 1 : 1 000

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- WATER SERVICES NEW & EXISTING
- PROPOSED LANDSCAPING
- NEW ROADS / PATHS
- EXISTING ROADS / PATHS

ISSUE	DRAWN	AMENDMENT	DATE
1	S. PY		

CLIENT: S. PY

PROPOSED: FARM STAY ACCOMMODATION & PRODUCTION SHED

LOT 3 - 101 HARRISON ROAD, DROMANA

DRAWN BY: ISS

DATE: 09.06.2017

SHEET SIZE: A1

SCALE: 1:1000

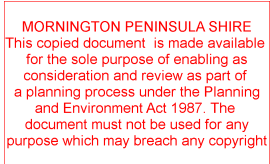
SHEET No.: 5 OF 6

Hobart-Hynes Pty Ltd

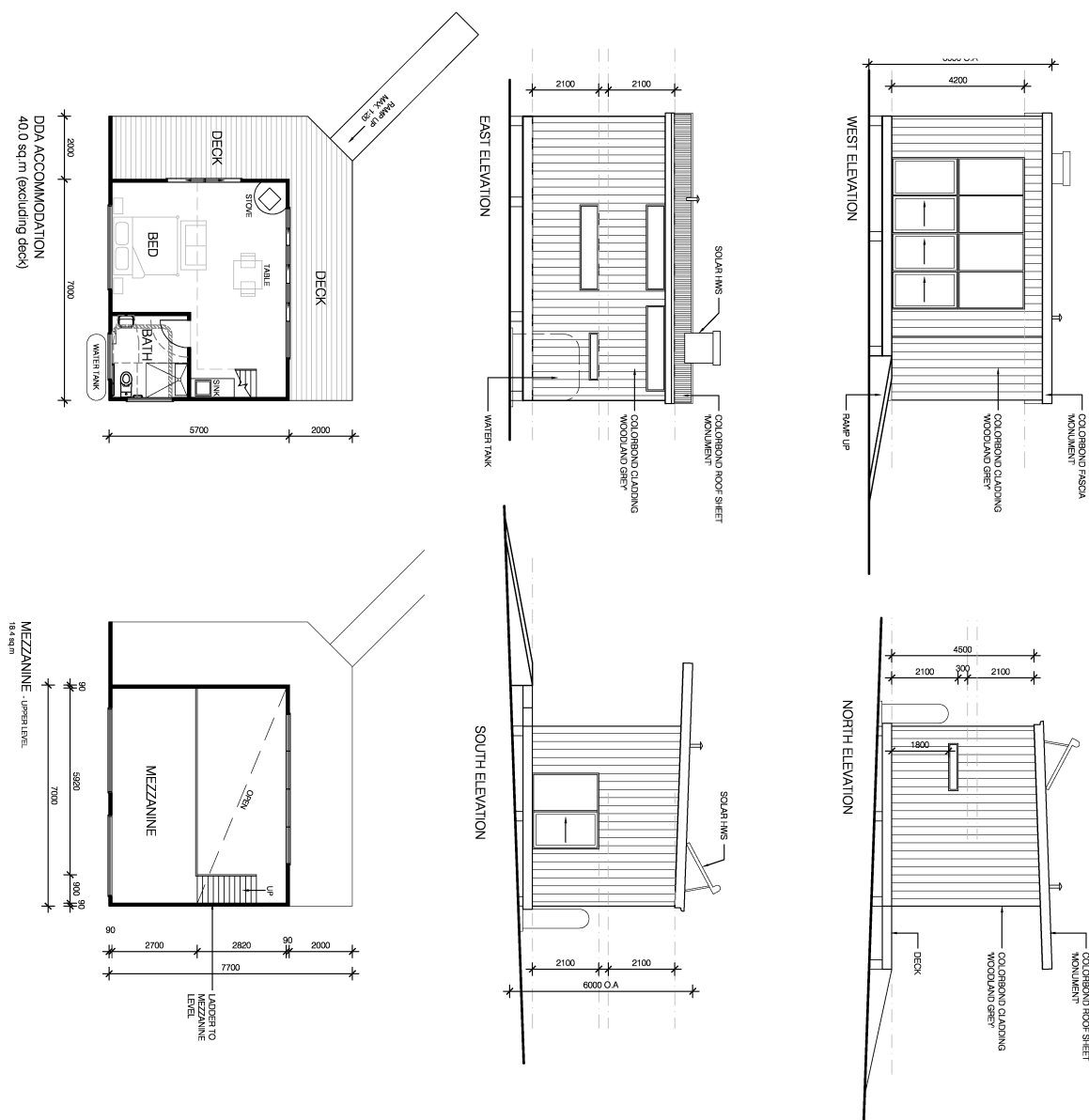
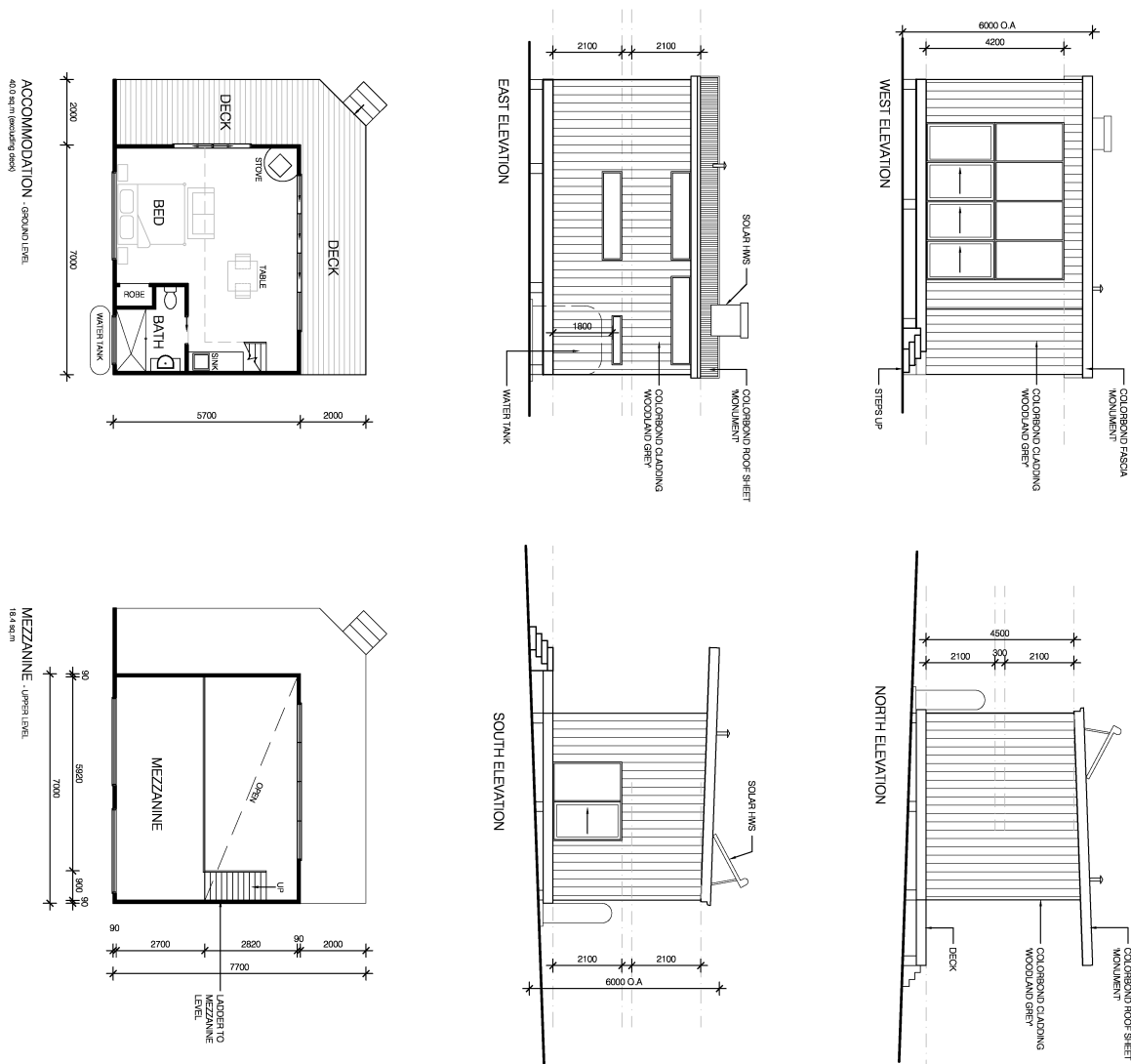
4000
P.O. Box 100
Dromana, VIC 3932
Tel: 03 9975 4528
Email: info@hobart-hynes.com.au

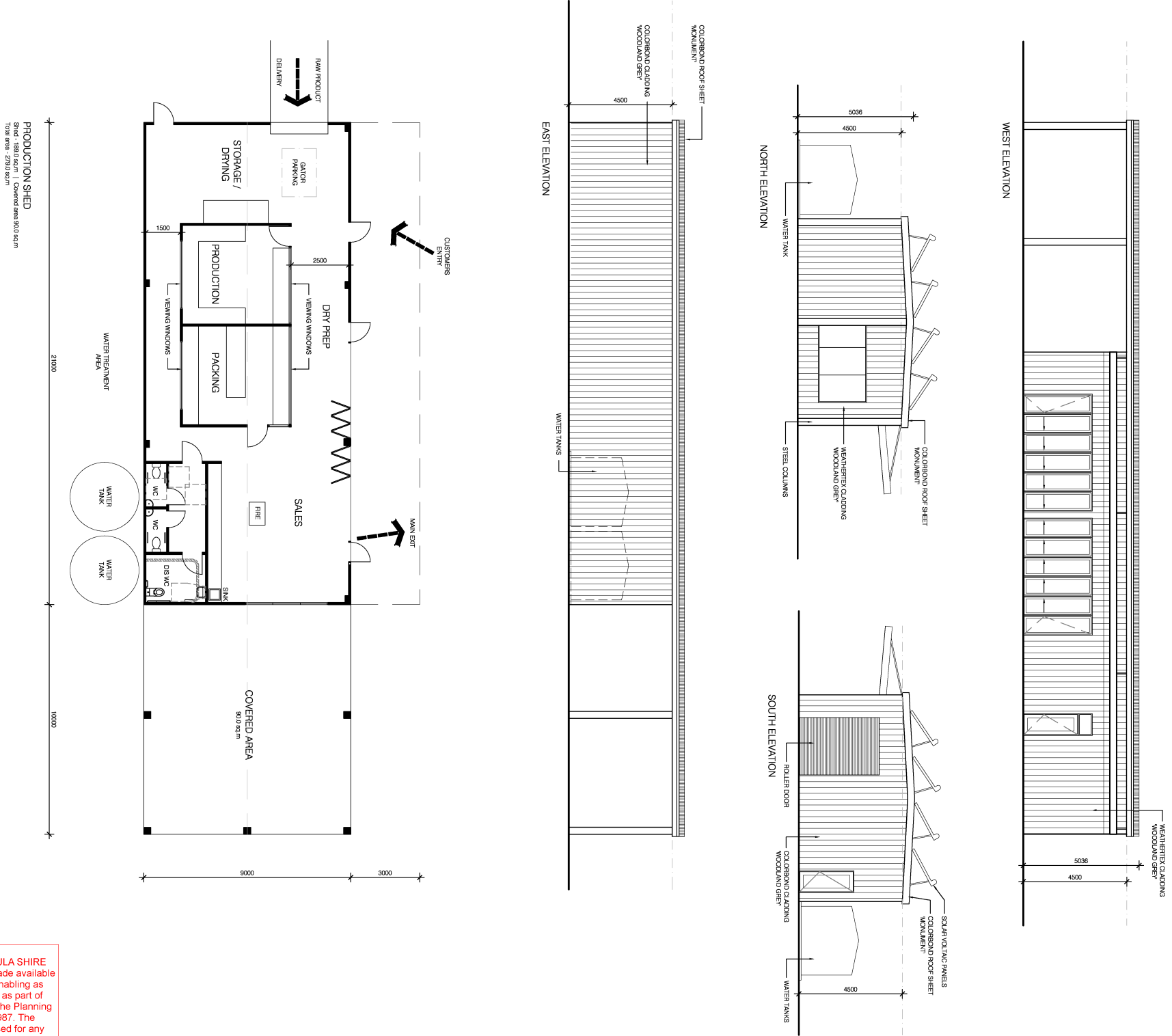
Residential - Commercial - Industrial

H9513

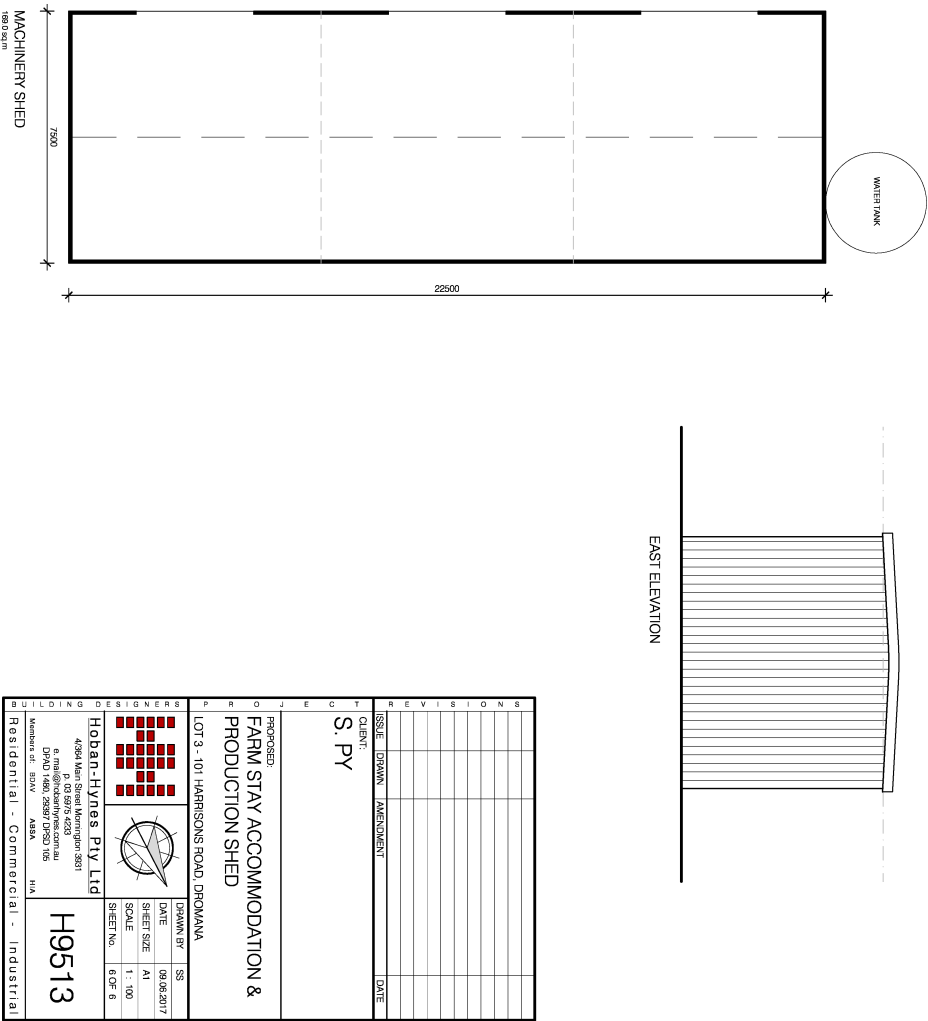
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BUILDING DESIGNERS		PROPOSED		REVISIONS	
Hoban-Hynes Pty Ltd 4/2006 B. HOBAN P. HYNES Residential - Commercial - Industrial		FARM STAY ACCOMMODATION & PRODUCTION SHED			
LOT 3 - 101 HARRISON ROAD DROMANA		DATE: 09.06.2017			
DRAWN BY: SS		SHEET SIZE: A1			
SCALE: 1:100		SHEET No.: 6/24-8			
DATE: 09.06.2017		ISSUE: DRAWN			
CLIENT: S. PY		AMENDMENT			
DATE:					



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No.	Date	Appr	Revision Notes
1	16/11/17	cga	Change layout in accordance with plans from Hoban-Hynes pty ltd. Drg no: H9513
ABBen ART garden design Clive Abben m 0438 044 787			
Design Firm		Abben Art	
Consultant		C Abben	
Project Title		Proposed Lavender Farm	
Sheet Title		Landscape layout plan	
Project Manager		Project ID 1702PY	
Drawn By cga		Scale 1:1500 on A1	
Reviewed By aa		Sheet No. Sht-1	
Date 02/03/17		of	
CAD File Name		1	



101 Harrisons Road Dromana

Proposal: Use and development of the land for Rural Industry and Host Farm together with associated works including internal access arrangement and storage shed

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Nepean Planning Consultants Pty Ltd
Suite 1 / 364 Main Street Mornington VIC 3931
T: 03 5986 1323 E: info@nepeanplanning.com.au

Executive Summary

This Application seeks to amend the Land Management Plan approved via Planning Permit P09/261, as referred to within Section 173 Agreement AH688280T to enable an alternative, more intensive agricultural land use (Crop Raising) and supporting operations including Rural Industry and Host Farm, together with associated works.

101 Harrisons Road Dromana (the Site) is positioned within the rural setting whereby the development pattern of the area is predominately farming, with grazing and crop raising dominating. The Site affords a generous rural land holding of 15.54 hectares and is occupied by a single dwelling (approved by Planning Permit P09/261), used in conjunction with Extensive Animal Husbandry.

The land owner seeks to offer an organic farm experience which envisages the establishment of a more intensive agricultural and conservation operation which will see the development of a Rural Industry (Lavender Farm/ Olive Groves), together with Host Farm to enable short term visitation by persons wanting to experience the sustainable practices on offer.

A botanical nursery is also proposed for the purposes of revegetating the site with native species.

Located outside the urban growth boundary and within the Green Wedge Zone, the site is affected by various environmental overlays including Environmental Significance Overlay and Significant Landscape Overlay. A review of the Mornington Peninsula Planning Scheme leads to the following considerations:

1. Whether the proposed use and development is responsive to site context;
2. Whether the proposed use and increase in building footprint will unreasonably impact upon the future agricultural potential of the land; and,
3. The effect of the development on the landscape and environmental values of the site.

We submit that the use and development as proposed presents a positive response to the key considerations as the development is site responsive, will not affect the agricultural viability or potential and will not alter the landscape or environmental values of the site.

Further, the proposed use and development of the land is an appropriate low scale use that will allow the resident flexibility to maximize the agricultural viability of the land while encouraging sustainable land management practices.

The development as proposed should receive Council's full support as it presents an appropriate response to the relevant objectives and decision guidelines of the planning controls affecting as well as the relevant State and Local Planning Policy provisions.

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VERSION CONTROL:		
Version	Date	Details
1	9.09.2017	Original (for Client Review)

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1. Background

1.1 The Site - Land Use History

Planning Permit P09/261 was issued August 2010 for the use and development of a dwelling in association with extensive animal husbandry, as described in Section 173 Agreement AH688280T.

The land is presently used for dwelling and extensive animal husbandry together with crop raising, with a lavender farm recently introduced onsite. Seven (7) Horses are currently occupying the site without the need for supplementary feed, and the application as proposed seeks to maintain 7 horses onsite.

1.2 'Yuulong' Lavender Farm

The land owner has acquired Yuulong Lavender Farm (located at Mt Edgerton) and seeks to relocate the operation to the Mornington Peninsula, at the subject site.

Yuulong Lavender Farm - Mt Edgerton

Set on a total of 20 acres, the farm had, established licensed cafe & tearooms, gift shop, plus large implement/machinery shed, production/drying shed, packing room and greenhouse/nursery area. Five acres of lavender plants flower over summer, as well as another half-acre of cottage gardens that provided an array of colour from spring through to autumn.

For more than 30 years Yuulong Lavender Estate attracted visitors from all over Australia as well as international tourists. With steadily increasing business from in-bound tour operators as well as bookings from Probus, seniors, garden and travel groups the farm became a hive of activity from spring through to autumn.

Overlaying the tourism side of the business was the manufacturing side, which sees a wide range of lavender skincare, beauty and household products made on-site on the farm. There is also a variety of unique homemade preserves, many featuring our culinary 'Edgerton Blue' lavender. These popular products and preserves were sold onsite, online and at regular monthly farmer's markets all year round. Regular wholesale orders are also in place for a range of the preserves'.

Australian lavender products are becoming increasingly popular in the Chinese market, identified as an opportunity to expanding the business to its full potential. However, the issue faced by the business despite its brand success was its remote location, off the beaten tracks, lack of investment and development focus.

The land owner (of the Site) seeks to give the business new life on the Peninsula and deliver an offering to the Peninsula that will showcase organic and environmentally sustainable manufacturing practices together with exceptional and well-considered conversation management practices that will positively contribute to Tourism on the Peninsula.

1.3 Pre-Application Meeting

The Land Owner engaged with Mornington Peninsula Shire to seek direction on the owners' vision via:

- A meeting with Ms. Leigh Northwood - *Preliminary Application Planner* on 10 November 2016
- A meeting with Ms. Sarah Saxton - *Agribusiness Facilitation Officer* on 15 November 2016
- Follow-up emails with Leigh Northwood and Sarah Saxton

In summary, Council was very supportive of the proposal and provided guidance to assist in preparation of a Land Management Plan (LMP). A well-considered LMP has been prepared by the land owners and accompanies the application at hand.

2. The Proposal

Approval is sought for the use and development of the land for the following:

1. Rural Industry including the growing, harvesting and processing of Lavender and Olives into oil, creams and similar products in a purpose built building (Production Shed);
2. Host Farm including the development of six (6) accommodation buildings specifically sited and designed for persons to experience the organic farm practices of the proposed use;
3. Development of a Machinery Shed to provide storage of vehicles, equipment and supplies associated with Rural Industry and Host Farm; and,
4. Associated access improvements including provision of onsite parking.

2.1 Proposed Land Use

The land currently affords use rights for Dwelling in association with Extensive Animal Husbandry.

The application seeks approval for the following **Section 2** (discretionary) land uses:

- Rural Industry: Land used to: a) handle, treat, process, or pack agricultural produce.....
- Host Farm: An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.

The existing residents of the dwelling will grow, harvest and manufacture lavender and olives onsite and host persons away from their principal place of residents to share the organic farm experience.

The application is supported by the following **Section 1** (as of right) land uses:

- Crop Raising: Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.
- Primary Produce Sales: Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.
 - *Primary Produce Sales is a Section 1 use pursuant to the zone where it is located more than 100 m from any dwelling not in the same ownership; and, where the area set aside for sales does not exceed 50 sqm. The application meets this test.*

The Lavender Farm (currently in advancement) and the Olive Grove will be established via crop raising, together with the revegetation of the onsite wetlands (bush regeneration). Through Primary Produce Sales, the goods produced onsite will be offered for sale from the purpose built building, ancillary to the Rural Industry land use.

It is envisaged that the persons accommodated in the Host Farm will support the vision for the site through assisting with tasks including:

- Planting
- Cutting
- Weeding
- Harvesting (Lavender)
- Picking (Olives)
- Assisting in the production process
- Tending to the horses (Extensive Animal Husbandry)

The Host Farm is expected to be at its peak during Spring – Summer months where the majority of activated to support the Farm are required. It is not expected that the Host Farm will operate near capacity during the winter period.

2.2 Revegetation and Landscaping

The Concept Landscape Plan prepared by Abben Art (extract in Figure 4) illustrates the area set aside for Lavender Gardens, Olive Grove, Orchard, Horse grazing, and other site features.

More than 4.2 ha is to be preserved for bush regeneration, 3.7 ha is set aside for Lavender and more than an acre under Olive Grove.

The revegetation plan referred to within the Land Management Plan articulates the extent of vegetation regeneration, and it is expected that the regeneration will result in significant improvement when considering the landscape, ecological and biodiversity values of the site.

The commitment by the land owner to the improvements proposed within the 4.2 ha bush area reaffirms the sustainable and strategic vision for the site. It is expected that the planting as proposed over the 10-15 year plan is in the order of approximately \$100,000 excluding labour, representative of a substantial financial investment for the land owner.

2.3 The Development Works

The proposed development includes the following key elements:

- *The Production Shed:* A production shed designed for the storage of the harvested crops, sorting preparation and production area, packaging, sales and amenities.

Sited approximately 100 m off the western boundary and 130 m off the southern boundary, the building is modest in scale and form.

With a maximum wall height of 4.5 m and overall building height of 5 m, raised solar panels fitted to the roof do not exceed 6 m above natural ground level. With a maximum length of 31 m and width of 12 m, the building provides an internal floor area of 189 sqm and total building footprint (including canopies) of 279 sqm.

Functional in layout, the building provides designated areas for storage, drying preparation, production, packing and sales. Three wash basins are also provided. A roller door to the south elevation will provide load access and egress to the shed.

- *Host Farm Accommodation Units:* Six accommodation units are proposed, arranged in a chain arrangement linking the production shed from the middle section of the property, south of the Production Shed and west of the existing dam. The closest setback to any boundary is 7 m (south-west boundary).

The buildings incorporate environmentally sensitive design features including solar panels and water tanks. It is also noted that each unit is to be constructed on raised piers to avoid any need for excessive earthworks. The buildings provide an internal floor area of 58.4 sqm and building height of 6 m.

Functional in layout, the buildings feature basic amenities including stove / fire, sink and bathroom. The ground floor will be set aside for sleeping and sitting / dining whilst a mezzanine provides a scenic view across the property and an informal recreation space. A deck runs the length of the north-west and south-west elevations.

The northern most building is specifically designed for cater for persons with disability featuring access ramp and purpose built bathroom.

- *The Machinery Shed:* A storage shed designed to store machinery associated with the farm operation is proposed to the north-east of the site, sited 10 m off the northern boundary.

With a maximum wall height of 4.5 m and building height of 6 m above natural ground level, the building is 22.5 m long, 7.5 m wide with a total floor area of 169 sqm. Strategically sited within close proximity to the dwelling, convenient access is afforded to the 'hosts' of the farm providing access to vehicles, equipment and supplies stored within the shed, required to support the multiple uses across the site.

- Monument Woodland Grey

- The formal access and parking arrangement will be constructed of gravel.

Figure 1 Aerial photo showing the layout of the proposed development in context.



Figure 2 Zoomed in site layout, as proposed.

■ Represents extent of Lavender Gardens
■ Represents extent of Olive Grove

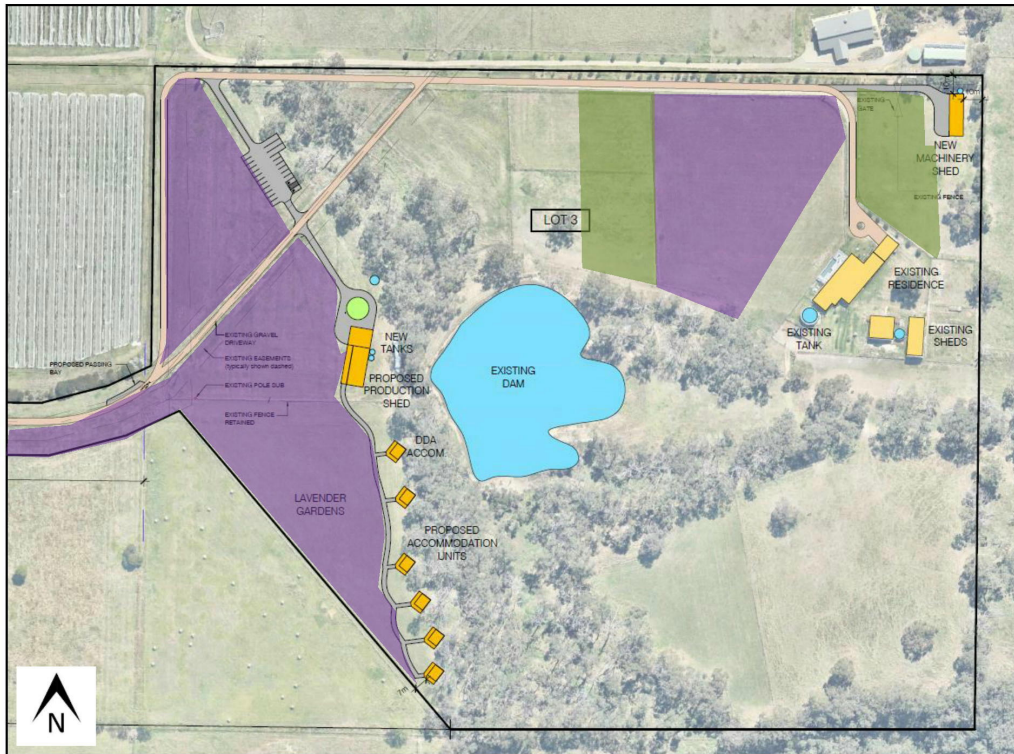


Figure 3 Internal floor plan of typical Host Farm accommodation unit

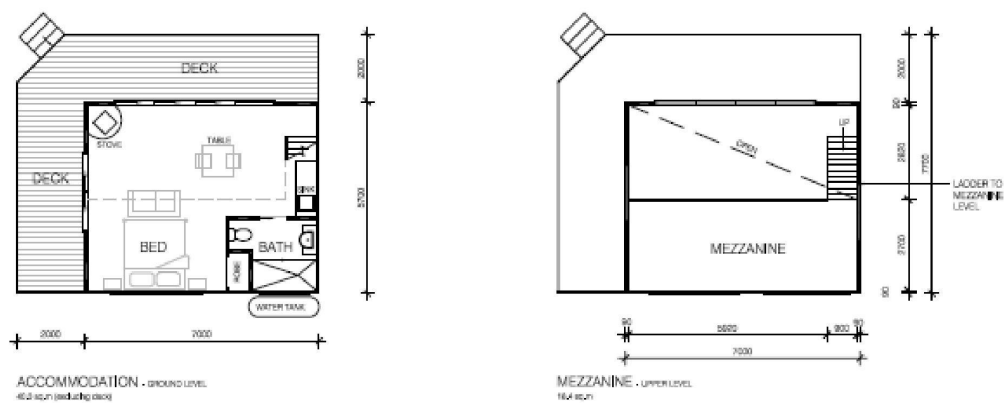


Figure 4 Landscape Plan Extract – Abben Art



3. Planning Controls

The site is affected by the following provisions of the Mornington Peninsula Planning Scheme:

- Clause 35.04: Green Wedge Zone Schedule 3;
- Clause 42.01: Environmental Significance Overlay Schedules 3, 17 and 28;
- Clause 42.02: Vegetation Protection Overlay Schedule 2 ;and
- Clause 42.03: Significant Landscape Overlay Schedules 1.

4. Permit Triggers

A planning permit is required pursuant to:

- Clause 35.04 – Green Wedge Zone
 - Use (Rural Industry and Host Farm)
 - Buildings and works associated with Section 2 use
- Clause 42.01-2 - Environmental Significance Overlay, Schedules 3, 17 and 28
 - Buildings and works
- Clause 42.03-2 - Significant Landscape Overlay
 - Buildings and works

The development area is located outside the Vegetation Protection Overlay Schedule 2.

5. Expectations

5.1 Referrals

Given the nature of the proposal, it is expected that the application will be referred within the preliminary assessment phase of this application (28 days) to the following internal departments:

- Environmental Health (waste water to be treated onsite)
- Rural Business Officer
- Development Engineer
- Tourism Officer

5.2 Public Notice

As the proposal is not exempt from the notice and review requirements of Section 52(1) (a), (b), and (d) of the Planning and Environment Act 1987 it is expected that the application will be advertised by way of letters and sign. May we please request that the application progress to public notice without delay.

5.3 Decision Timeframe

Pursuant to Section 79 of The Act and Regulation 31 (1) of the Planning and Environment Regulations 2005 the prescribed timeframe for a decision is 60 days. It is expected that the decision will be issued within the prescribed timeframe of 60 days.

6. The Site

The irregular shaped lot (15.64 hectares) is known as 101 Harrisons Road Dromana and more formally known as Lot 3 on Plan of Subdivision 621389E contained within Volume 11176 Folio 172. The site is located to the rear of Lots 1 and 2 which have primary frontage to Harrisons Road.

The site is currently used for the purpose of extensive animal husbandry and dwelling, with paddock layout as illustrated within Figure 5 (see page to follow). Access is provided via a gravel driveway to Harrisons Road and vegetation onsite is well managed.

The contemporary single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximize views and vistas across the site, elevated to taking in the sloping topography to the west.

A dam is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the dam extending north-south and further east into neighbouring lots.

Figure 5 Approved layout P09/261 issued 16 August 2010

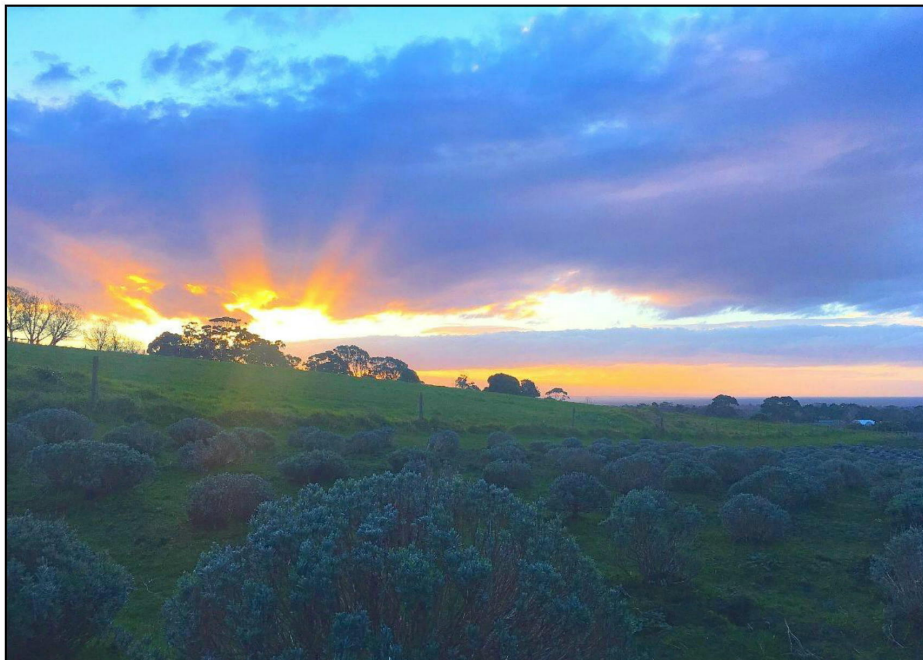


Figure 7 (below): View to driveway looking north from proposed Production Shed



Figure 8 (below): View to from Host Farm looking north-west toward the bay



Figure 9 View from existing driveway toward lavender field and Host Farm accommodation buildings.



Figure 10 (below): View from production paddock toward driveway

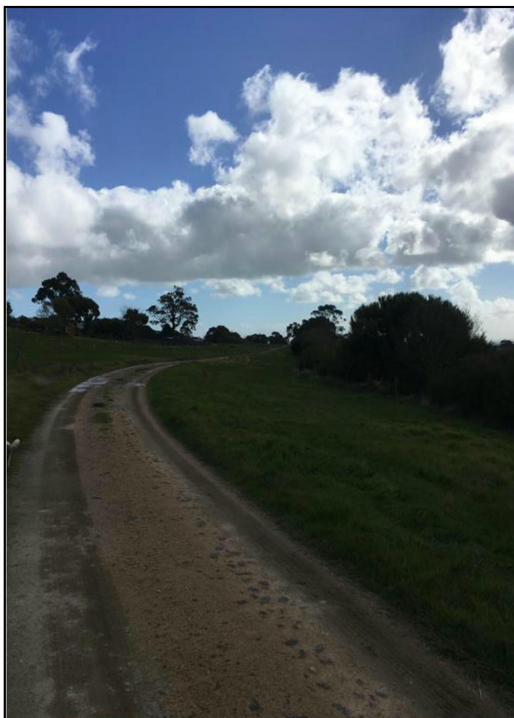


Figure 11 (below): View north-east from production shed toward the driveway and adjoining winery



Figure 12 (below): View from driveway toward the production paddock, the proposed production shed siting is represented by existing hay bales circled.



The Site – A Birds-Eye View



The Site – Zoomed into Development Zone



7. Title Encumbrances

A copy of title produced 29 August 2017 for Volume 11176 Folio 972 demonstrates that the land is affected by Section 173 Agreement which applies to the land referenced as AH688280T is tied to the existing planning approval for the site which in essence was established at the time to ensure that the approved dwelling for the site would be tied to ongoing agricultural activity.

The Plan of Subdivision PS621389E (see Figure 13) represents the locations of easements affecting the areas proposed for development. **No building is proposed to be located over an existing easement.**

Figure 13. Plan of Subdivision, extract

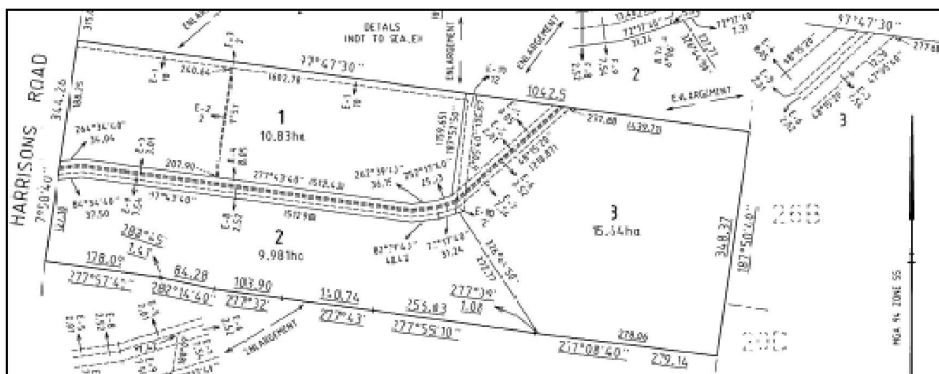


Figure 14. Extract of Section 173 Agreement AH688280T, page 1 of 10)

On 16 August, 2010 the Responsible Authority issued a Planning Permit number P09/261 ("Planning Permit") allowing on the Subject Land the use and development of a single dwelling, associated outbuildings and vegetation removal in accordance with endorsed plans. Condition 2 of the Planning Permit requires the Owner to enter into this Agreement to provide for the matters set out in that condition. A copy of the Planning Permit is available for inspection at the Responsible Authority offices during normal business hours upon giving the Responsible Authority reasonable notice.

Condition 2 of the Planning Permit provides as follows:

"Prior to the commencement of the use and development hereby permitted the applicant must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 providing for the following matters to the satisfaction of the Responsible Authority:

- A. *Applicants indicate that they are fully aware of the potential emissions associated with agricultural activities and proceed with their application in full knowledge that one of the objectives of the Green Wedge is to accommodate productive agricultural use and that this activity should be expected and that they are aware of their obligations in relation to proper land management. This extends to ensuring that all dogs and cats are retained with the properties boundary at all times.*
- B. *The protection and enhancement of any significant native vegetation or fauna habitat on the land. This may include a requirement for a habitat restoration plan and revegetation requirements to the satisfaction of the Responsible Authority.*

8. Site Context

8.1 Zoning

The site and surrounds are located within Green Wedge Zone, Schedule 3 (GWZ3), along with the Environmental Significance Overlay and Significant Landscape Overlay illustrated by the zoning map and Overlay map to follow (Source: www.land.vic.gov.au).

Figure 15. Zoning Map, illustrating zoning of the land in context of zones in immediate area

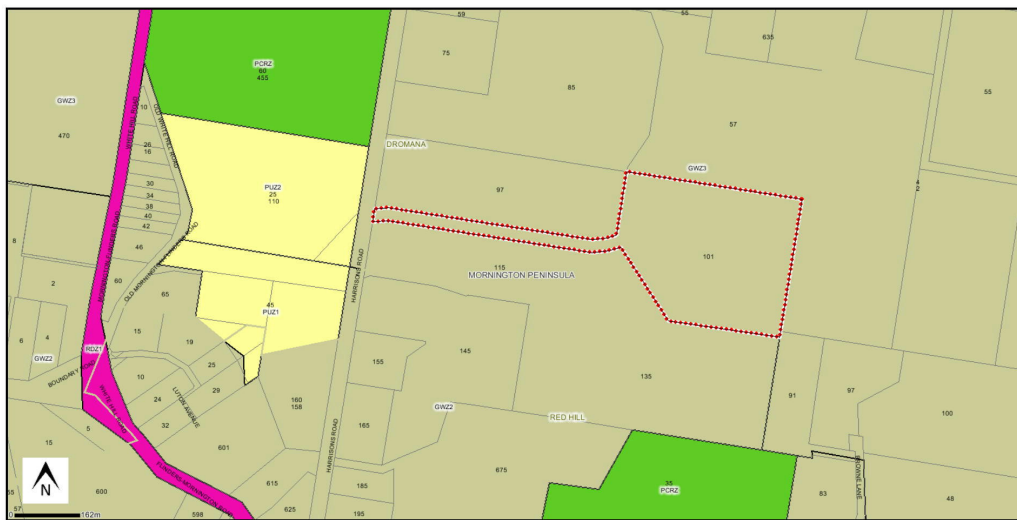


Figure 16. Zoning Plan and Associated Overlays depicting ESO, VPO and SLO boundaries



8.2 Accessibility

The site affords connection to all essential services and infrastructures whilst waste water is managed and treated on site. It is expected that a new waste water treatment system will be provided to respond to the proposed use and development.

The site is well located in terms of access to other roads linking Mornington Flinders Road to the West from Dunns Creek Road to the north and White Hill Road to the south and west of the site. Bicycle and pedestrian links along Harrisons Road are not provided with motor vehicles being the predominant mode of transport in the area.

8.3 Designated Flood Prone Land

Part of the site is located within a flood prone area as represented within the flood map extract to follow:

Figure 17. Flood Prone Area Map – Source: www.mornpen.vic.gov.au



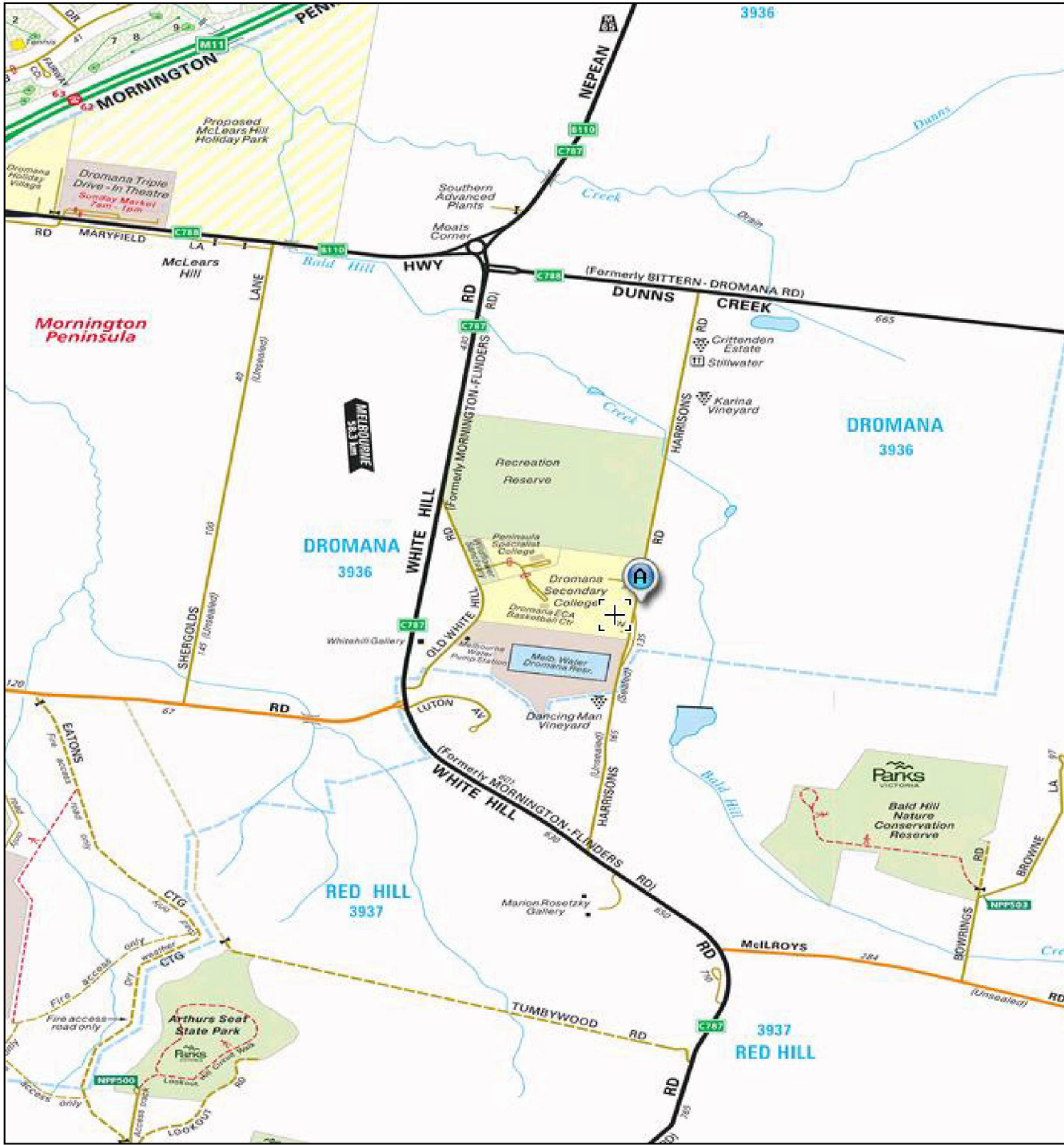
It is acknowledged that Report and Consent to Build on Flood Prone Land is required to enable application for a building permit pursuant to Building Regulations 802 and 806 respectfully. Accordingly, an application will be submitted to Council to ensure that finished floor levels achieve compliance with the nominated flood level. **We consent to Council progressing to Notice** whilst report and consent approval is sought in the background.

8.4 Wider Site Context

When considering the wider context of the site, the land is located in a rural area whereby rural living is prevailing, acknowledging Dromana Secondary College located west at 110 Harrisons Road and Trofeo Estate Winery and Restaurant located to the north at 85 Harrisons Road, Dromana.

The Street-Directory & Aerial Images to follow further illustrate the wider context of the site and surrounds.

Wider Context Plans



8.5 Aboriginal Cultural Heritage Sensitivity

Whilst the land is located within an area of Aboriginal cultural heritage sensitivity, all proposed buildings are substantially separated (no less than 300 m) from the area identified within the aboriginal cultural heritage sensitivity mapping, see Figure 18.

The Process List at Figure 19 communicates our rationale as to why a mandatory Cultural Heritage Management Plan is not required.

Figure 18. Area of Aboriginal Cultural Heritage Sensitivity – Source: www.mornpen.vic.gov.au

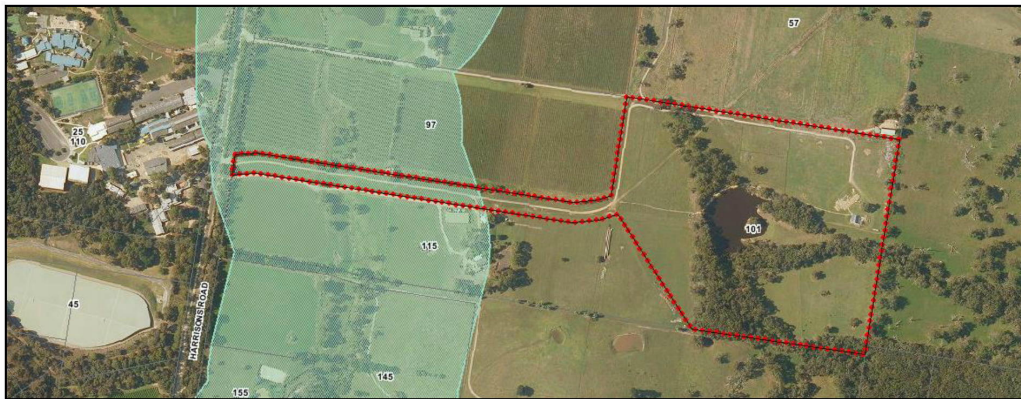


Figure 19. Aboriginal Cultural Heritage Management Plan Tool - Process List



Department of
Premier and Cabinet

Process List

Project Name: 101Harrisons Road DROMANA

	QUESTION	ANSWER
Question 1	Is the proposed activity , or all the proposed activities, exempt?	No
Question 2	Are you undertaking a High Impact Activity as listed in the Aboriginal Heritage Regulations?	Yes
Question 2(b)	Is the activity for or associated with a purpose for which the land was being lawfully used prior to 28 May 2007?	No
Question 3	Does your activity include significant ground disturbance?	Yes
Question 4	Does your activity area include areas of a registered cultural heritage place (regardless of significant ground disturbance) or cultural heritage sensitivity that have not previously been subject to significant ground disturbance?	No
Answer:	<u>ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED</u> YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN <u>FOR THIS PROJECT</u>	

9. State Planning Policy Response

The relevant State Planning Policies applicable to this application include:

- Clause 11.06-7 (Green Wedges)
- Clause 12 (Environmental and Landscape Values)
- Clause 14 (Natural Resource Management)

It has been established planning policy for some time to protect Green Wedges in Melbourne from inappropriate land use and development. In supporting this objective, the use and development which encourages existing and potential 'agribusiness' activities including forestry, food production and tourism should be supported.

Response

The proposal clearly supports the continued use of the land for agricultural purposes firstly by reinforcing its continued use for animal husbandry which will now expand further into an agribusiness supported by a new rural industry and associated eco-tourism function. This will be achieved in the following ways:

1. By growing new orchards consisting of Lavender and Olives;
2. Implementing the processing and production of the harvested produce from the land for sale and distribution; and
3. Inviting tourism to the region by establishing a host farm activity experience for visitors wanting to participate in sustainable farming practices.

While achieving the primary objective of state planning policy for Green Wedge zoned land the proposal has gone further by encompassing a land use and design response which achieves the primary objectives sought under both Clause 12 and 14 which amongst other matters focus on protecting landscapes and significant open spaces that contribute to the environmental and landscape character of the area. In this regard the proposed development will be of a low scale development which will blend in the natural landscape with sympathetic colours and materials which is designed to respect the scenic values of the site.

The proposal will not result in unreasonable visual obtrusion or visual bulk, nor will it impact upon any existing rural view or vista afforded to neighbouring properties.

When considering the siting of the proposed accommodation units, it is apparent that the area set aside for agricultural use will not be impacted upon, ensuring that the existing agricultural potential of the land is protected.

Further, as the use of the land for a dwelling has been established at the opposite eastern end of the site, the proposed use and development will not unreasonably fragment the land.

Accordingly, the proposal is considered to satisfy all relevant objectives and key strategic directions under the State Planning Policy Framework (SPPF).

10. Local Planning Policy Response

The relevant Local Planning Policies applicable to this application include:

- Clause 21.02 (Profile of the Mornington Peninsula)
- Clause 21.09 (Planning for Rural Areas)
- Clause 21.06 (Strategic Framework & the Peninsula's Settlement Plan)
- Clause 22.07 (Commercial and Industrial Uses in Rural Areas)

The relevant objectives are seeking to: *Promote sustainable use and development of rural land, sustainable land use practices and integrated land management, including the retention and enhancement of habitat corridors along streamlines and the protection of wetlands; Promote the siting and design of buildings, including the choice of building materials that is responsive to landscape character; and, Maintain the scenic value of roads and recreational routes.*

Response

Supporting the relevant local planning policy objectives is the *Mornington Peninsula Shire Interim Green Wedge Management Plan* dated September 2012 which establishes a clear vision for land within the Green Wedge Zone. Of particular relevance to this proposal are the following points captured within the vision statement including:

- *A place where sustainable agriculture is supported and the productive capacity of the land is conserved and enhanced for the future.*
- *A place that supports a township-centered approach to tourism that has most accommodation, retail premises and the like located in townships, but will, in the rural areas provide limited support for*
- ✓ *Outdoor –based leisure and recreational uses;*
- ✓ *Small scale host farm and bed and breakfast accommodation;*
- ✓ *Primary produce sales and, in conjunction with established large scale rural enterprises (i.e. farming, wineries or outdoor leisure and recreation), other retail premises; and*
- ✓ *Other uses that will bring regionally significant and sustainable improvement to the protection and enhancement of natural systems or heritage places.*

In response to the visionary statement the proposal is supported by a comprehensive Land Management Plan (LMP) prepared by the land owner (and Business Owner) together with monthly activity cycle which sets out clear directions for the establishment of the various uses sought for approval in this application.

These documents support the legitimacy of the proposed use as a seriously entertained set of documents, which will implement the town planning objectives discussed in this submission. In terms of its application and relevance to the relevant planning controls we advise as follows:

1. The plan sets clear strategies for implementation for the new Lavender and Olive grove planting cycle;
2. The plan sets out a regime for the management of on-site vegetation and weed control;
3. The plan set outs out a program for revegetation of the woodland areas; and
4. A development strategy for the set out and construction of the production shed and host farm accommodation units.

When considering the environmental considerations contained in the Farm Management Plan, all works will be strategically sited outside the respective Environmental Significance and Landscape Overlays to ensure that the development as proposed will not unreasonably impact upon the stability of the land including the streamline and bushland areas east of the development footprint.

The development promotes sustainable development by making efficient use of the site by orientating the accommodation units to maximise solar access with living areas having a northern aspect.

The proposed use and development will not detract from the existing scenic values of Mornington-Flinders Road and other nearby roads given the generous setback, vegetated road reserve, and modest development footprint. It is submitted that the development as proposed will harmoniously blend in with the existing rural setting.

11. The Planning Controls – Review & Response

10.1 Clause 35.04 Green Wedge Zone

Fundamental to the consideration of this application is how the proposed use and development meets the purpose of the Green Wedge Zone.

To follow is our assessment under each purpose in turn:

- ***To implement the State Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.***

Response

Pages 18 and 19 of this submission reference the relevant State and Local Planning Policy provisions with respect to the use of Green Wedge zoned land. Fundamental to supporting land use and development in these zones is the need to create a balance between sustainable agricultural based activities, maintaining biodiversity and protecting as far as practicable the environment.

In this instance it is considered that the proposed use and development provides a balance by introducing a development and land use activity which achieves the following:

- Reinforcing sustainable agricultural activity by expanding from an established animal husbandry based farm activity to a diverse range of rural industry based uses built around Lavender and Olive Orchard production;
- Implementing through a 'Farm Management Plan' a series of land management practices which will enhance the biodiversity of the site through revegetation programs which in turn will improve the environmental and landscape value of the area;
- Provide a tourism opportunity built around the host farm which in turn encourage people to contribute to the overall farming experience; and
- Provide for a sensitively designed development concept which is modeled to blend into its surrounds with minimal ground impacts and offset from more sensitive tree lined landscapes to the east.
- ***To provide for the use of land for agriculture***

Response

There is no doubt that the current and proposed use will ensure that the land will be retained for agricultural use for the long term for the reasons already discussed in this report.

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

Response

The propose use and development is entirely consistent with the intent of this zone purpose as it is clearly designed to support and expand the agricultural potential of the land while creating further opportunities for sustainable land management practices supported by a small tourism based function.

- ***To encourage use and development that is consistent with sustainable land management practices.***
- ***To encourage sustainable farming activities and provide for a variety of productive agricultural uses***

Response

As discussed in the body of this report the proposed use and development is supported by a Farm Management Plan which sets out clear implementation measures which cover all aspects of the farm and rural industry practice from inception. Relevant to this purpose is the series of land monitoring measures including soil quality, weed control and revegetation which form the basis of sustainable land management practices. In this instance the implementation of the Farm Management Plan will ensure that the variety of productive agricultural uses now envisaged for the site will be managed appropriately.

- ***To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes***

Response

In response to this specific purpose careful consideration has been given to the location, siting and design of the proposed development. While further discussion on the benefits of the design response is discussed under Section 10.2, it is evident that all reasonable steps have been taken in this design to minimise impacts associated with site excavation, tree removal and unsightly development. This is supported by the relatively modest size of the production shed and host farm accommodation units and the spacing provided between buildings and parking areas across the site.

- ***To protect and enhance the biodiversity of the area.***

Response

The nature of the proposal is one which achieves a delicate balance between improving on the agricultural potential of the land while preserving and enhancing the biodiversity of the area. This has been achieved the following ways:

1. Deliberately avoiding the more sensitive corridors of vegetation under the control of the ESO 17 and 28 to the east of the site which are more heavily vegetated;
2. Providing a relatively modest development footprint across the site with minimal ground disturbance and low rise built form; and
3. By encouraging through the implementation of the farm management plan revegetation programs which will see improved management of the land including weed control, growth and replanting of native species local to the area. These measures will be supported further by the introduction of the host farm which will provide visitors with the opportunity to take part in the biodiversity program and share the farm experience with others.

10.2 Clause 42.01, Environmental Significance Overlay (ESO3, 17 and ESO28)

The respective overlays which affect the land proposed for development are confined only to Schedule 3 of the ESO (Central Peninsula). The primary objectives of this overlay are to promote sustainable development whilst protecting environmental systems and habitat values. It is noted for its undulating terrain and landscape importance forming part of the gateway to the Kangerong basin.

Response

The development as proposed does not undermine the significance of this overlay and responds to the relevant environmental objectives insofar as:

- Retaining all existing native vegetation;
- Promotion of sustainable development of rural land
- Adopting a modest building heights while staggering the built form with the natural topography;

- Requiring minimal earthworks; and,
- Ensuring that the scenic values afforded to Mornington-Flinders Road and surrounds will be protected due to the responsive siting and scale.

10.4 Clause 42.03, Significant Landscape Overlay (SLO1)

Schedule 1 of the SLO (Ridge and Escarpment Areas) describes the land affected by this overlay as been susceptible to visual intrusion due to the land having high visual exposure. As such the key objective of SLO1 is to protect land from inappropriate development which may impact on ridge lines and escarpment areas.

Response

The development as proposed does not undermine the significance of this overlay and responds to the relevant objectives insofar as:

- The visual, natural and cultural heritage values of the ridge and escarpment landscapes will not be impacted given the ample setback from the road entry and the screening of vegetation from adjoining properties;
- The siting and design of the development is responsive to the landscape values of ridge and escarpment areas as, the development having minimal earthworks will set into the landscape. While some accommodation units will be located at higher points towards the southern boundary the size of the units will have a negligible impact on the landscape.
- The development will have minimal impact on the surrounding natural environment as the development has minimal earthworks and requires no vegetation removal; and
- All buildings and parking areas will fit comfortably within the landscape with the backdrop of mature vegetation and a responsive colour palette.

12. Particular Provisions Response

12.1 Clause 52.06 – Car Parking

Clause 52.06 applies to a new use.

Pursuant to Table 1 – *Car parking requirement*, 'Industry other than listed in this table' (which captures 'Rural Industry') requires 2.9 car parking spaces to each 100 sqm of net floor area; and, 'Primary Produce Sales' requires 4 spaces to each 100 sqm of net floor area.

Accommodation and Host Farm are not listed uses, and therefore parking must be provided to the satisfaction of the Responsible Authority. As the Host Farm units are single rooms and not designed to accommodate more than 2 persons per building, it is reasonable to assume that no more than 1 car parking space per building (unit) would be required.

- With a net floor area for 'Rural Industry' of approximately 230 sqm (excluding area set aside for Primary Produce Sales), seven (7) spaces are required.
- As the 'Primary Produce Sales' area is no more than 50 sqm, two (2) spaces are required.
- Allowing 1 car parking space per 'Host Farm' unit, six (6) spaces should be provided

Accordingly, a minimum of 15 car parking spaces should be provided for.

We submit that the 20 car parking spaces and 3 bus bays allocated will be more than adequate to support the rural industry and host farm operation onsite.

1. Only six on site accommodation units are proposed each of which will have only one bedroom;
2. The business will be marketing at tourists via bus journey, tours managed via time slots; and
3. Visitation periods for those persons not staying in the host farm will be infrequent and easily accommodated within the available parking areas.

12.1 Clause 52.07 – Loading and Unloading of Vehicles

Clause 52.07 applies to buildings and works constructed for the manufacture, servicing, storage or sales of goods. Requirements are set to ensure sufficient space for the loading and unloading of vehicles (generally in warehouse scenarios) seeking:

- Driveway to a loading bay at least 3.6 m wide
- Minimum area for loading being no less than 27.4 sqm, 7.6 m long, 3.6 m wide and 4.0 height clearance.

Given the generous land holding, full compliance can be achieved.

12.2 Clause 57 – Metropolitan Green Wedge Land

The key objectives of this Clause objective include:

- *To protect productive agricultural land from incompatible uses and development; and*
- *To encourage the location of urban activities in urban areas.*

It is considered that the proposal complies with the relevant objectives of the Clause as previously discussed in the body of this submission.

12.3 Clause 65 – Decision Guidelines

The proposed use and development of the land is generally in accordance with the provisions of the Green Wedge Zone 3. It is not considered that the proposal conflicts with the provisions of the SPPF & LPPF for the reasons previously outlined in this report.

The proposal is also in compliance with the provisions outlined in Clause 65 of the Mornington Peninsula Planning Scheme.

13. Conclusion

As demonstrated within this report, the proposed development and use of the land as outlined in this submission results in an orderly planning outcome which is responsive to the objectives of the Mornington Peninsula Planning Scheme and is entirely worthy of support as:

- The application is responsive to the planning controls affecting that site;
- The development is strategically sited to ensure compliance with State and Local Planning Policies and to allow the functional use of Green Wedge Land;
- The siting, design and style, along with the retention of native vegetation and minimal earthworks will ensure that works as proposed will not be dominant in the rural landscape nor detract from the existing scenic values afforded to Mornington-Flinders Road;
- The development will not affect the agricultural viability or potential;
- The development will not result in an unreasonable extent of risk when considering erosion or flooding; and
- The application at hand presents an orderly planning outcome which will meet the strategic vision for the development of land under the guidance of the *Interim Green Wedge Management Plan* – September 2012

Cote & Campagne

Home of Yuulong Lavender Estate

Land Management Plan & Work Program *101 Harrisons Road, Dromana*

December 2017, Version 2

MORNINGTON PENINSULA SHIRE
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Document Control

History of Revisions

Date	Description	Version	Author
25/11/16	Creation	0.1	Samuel Py
04/01/2017	Update – lavender details addition	0.2	Samuel Py
07/02/2017	Update – Farm plans addition – native vegetation list addition – Land selection -	0.3	Samuel Py
11/09/2017	Document finalised for Submission	1	Samuel Py
06/12/2017	Version 2 – to elaborate on Host Farm Activity (Operation)	2	Samuel Py & Melinda Ryan

Reference Documents

Reference	Name	Description	Version	Author
1	Schedule 1	Development Plans (ref: H9513)	9.06.2017	Hoban Hynes
2	Schedule 2	Section 173 (current)		
3	Schedule 3	Yuulong catalogue		
4	Schedule 4	Soil studies		
5	Schedule 5	Water Studies		
6	Schedule 6	New FMP lay out, Landscape Plan		
7	Schedule 7	Yearly Activity Cycle		
8	Schedule 8	Gully woodlands revegetation list		

1 Executive Summary

Context

101 Harrisons Road, Dromana (The Site), also known as 'Cote & Campagne' is currently used for Extensive Animal Husbandry (Equestrian) and associated dwelling.

It is the home of the **Yuulong Lavender Estate**.

It is understood that the current Section 173 Agreement affecting the land (schedule 2) ties the use of the existing dwelling to 'Agriculture', more specifically 'Extensive Animal Husbandry'.

An amendment is sought to the Farm / Land Management Plan endorsed under the historic permit (P09/261) to enable a more intensive agricultural land use together with a sustainable tourism offering to the Mornington Peninsula.

This Land Management Plan should be read on conjunction with the supporting reference referred to within this report together with the written Planning Submission prepared by Nepean Planning Consultants (Version 1, dated September 2017); and, the *Application to Amend Planning Permit P09/261*.

In summary, the application seeks approval for the use and development of the land for:

- **Rural Industry** including the growing, harvesting and processing of Lavender and Olives into oil, creams and similar products in a purpose built building (Production Shed);
- **Host Farm** including the development of six (6) accommodation buildings specifically sited and designed for persons to experience the organic farm practices of the proposed use;
- **Development of a Machinery Shed** to provide storage of vehicles, equipment and supplies associated with Rural Industry and Host Farm; and,
- **Development of a production Shed** to provide lavender oil processing and production facilities, and retail facilities
- **Associated access improvements** including provision of onsite parking.

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Overall Vision

The Vision of the Site is:

- To develop a Farm experience with sustainable practice with others with onsite off the grid living accommodation
- To maintain the management, planting and reselling of, animals, plants and crops (Lavender, Olive and by-products) on site processing of:
 - Lavender oil and by-products (preserves, cosmetics)
 - Olives oil
 - Jams and homemade farm produces
- Develop botanical and Native type gardens and nursery, through the reclaiming and re-vegetating process of part of the land.

Background: The Yuulong Lavender Farm

1.1 History

Yuulong Lavender Farm - Mt Edgerton , the oldest lavender farm in Mainland australia

Set on a total of 20 acres, the farm had, established licensed cafe & tearooms, gift shop, plus large implement/machinery shed, production/drying shed, packing room and greenhouse/nursery area. Five acres of lavender plants flower over summer, as well as another half-acre of cottage gardens that provided an array of colour from spring through to autumn.

For more than 30 years Yuulong Lavender Estate attracted visitors from all over Australia as well as international tourists. With steadily increasing business from in-bound tour operators as well as bookings from Probus, seniors, garden and travel groups the farm became a hive of activity from spring through to autumn.

Overlaying the tourism side of the business is the manufacturing side, which sees a wide range of lavender skincare, beauty and household products made on-site on the farm. There is also a variety of unique homemade preserves, many featuring our culinary 'Egerton Blue' lavender. These popular products and preserves are sold onsite, online and at regular monthly farmer's markets all year round. Regular wholesale orders are also in place for a range of the preserves'.

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Australian lavender products are becoming increasingly popular in the Chinese market, identified as an opportunity to expanding the business to its full potential. However, the issue faced by the business despite its brand success was its remote location, off the beaten tracks, lack of investment and development focus.

1.2 The vision, the brand

The land owner (of the Site) seeks to give the business new life on the Peninsula and delivery an offering to the Peninsula that will showcase organic and environmentally sustainable manufacturing practices together with exceptional and well-considered conversation management practices that will positively contribute to Tourism on the Peninsula.

In 2017 Robyn and Samuel of the “Cote et Campagne” partnership acquired the business and its assets and transferred it to the Mornington peninsula. Despite the heavy commitment in both financial and manpower resources terms, Cote & Campagne took the risk and finalised the transplanting process. **The moving of thousands mature plants and the oldest Lavender registrar in the country took place in May 2017 and was finalised before the winter start** with the aim to start re-launching the farm and business activities by the spring summer 2017 and make the farm a prime natural production centre and touristic destination in the Mornington peninsula

The Yuulong Lavender is an established with more than 30 years of exposure to the Australian and international markets, with products being sent to Singapore, China, Taiwan and the UK. Yuulong Lavender has trusted product recipes and suppliers, and has regular customers as well as wholesale customers stocking a small range of products. With a well-established web presence with e-commerce and social media, the domain www.yuulonglavender.com.au is high ranking on Google and gets top results from lavender related searches within Australia.

The business also has tourism contacts in Australia and China that are able to supply group bookings. Chinese based tourism companies are increasingly hard to attract to new businesses but over the long history of Yuulong we have established contacts that are the envy of other larger local tourism businesses. As these companies have multiple tours daily to Mornington and Phillip Island the relocation of this business may in fact enjoy a higher rate of traffic than in northwest Melbourne

The need for rural industry permit is even more relevant given the % of revenue currently derived from the by-products line (see product catalogue details in schedule 3)

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Purpose

This Land Management Plan will outline the overall methodology we will employ to look at things like

- Conservation (outline our vision to reduce environmentally intensive damaging activity (i.e. high number of Cattle) and reclaim areas for planting)
- Land (how to manage it)
- Farming activity
- Production
- Tourism component

2 The Site and Site Layout

The Site

The irregular shaped lot (15.64 hectares) is known as 101 Harrisons Road Dromana and more formally known as Lot 3 on Plan of Subdivision 621389E contained within Volume 11176 Folio 172. The site is located to the rear of Lots 1 and 2 which have primary frontage to Harrisons Road.

The site is currently used for the purpose of extensive animal husbandry and dwelling, with paddock layout as illustrated within Figure 5 (see page to follow). Access is provided via a gravel driveway to Harrisons Road and vegetation onsite is well managed.

The contemporary single storey dwelling is located towards the north-east corner of the allotment, together with usual outbuildings. The dwelling is sited to maximize views and vistas across the site, elevated to taking in the sloping topography to the west.

A dam is located towards the middle section of the site where the land slopes down from the eastern and southern boundaries forming a catchment point. A distinct corridor of established native trees also aligns the perimeter of the dam extending north-south and further east into neighbouring lots.

The Site Layout

The proposed site layout is illustrated below with the images to follow (refer to **Schedule 6**):



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3 Yuulong Lavender Farm – Land Management Plan

Benefits

3.1 Environmental

It's Hardy and Easy to Grow: In general, lavender is a hardy plant that doesn't require a whole lot of care once established. It thrives in sunshine and dry soil, so under watering or drought isn't an issue for this stunning flower.

Scent: Aside from the fact that it's easy to grow, lavender is an incredibly aromatic flower with a soothing scent, and fantastic blue-violet buds. Once you get a whiff of a fresh lavender plant you'll understand why its oil is a common ingredient in soaps, shampoos and scented sachets

Repel Mosquitoes, Flies, Fleas and Moths: Planting lavender in the garden is a great choice for those who are mosquito magnets! Unlike humans – who tend to be drawn to the soothing scent of lavender – mosquitoes are repulsed by it. Using lavender's natural repelling powers is far safer than using DEET

Attract Pollinators: While winged pests won't want to set up shop near lavender plant, all manner of beneficial insects will – such as butterflies and bees. With our global bee population in decline – something that could have devastating and far-reaching consequences for the planet – it is vital that we attract and protect these invaluable species. What's more, they'll work hard to pollinate flowers and plants ensuring a colorful and buzzing garden for years to come.

Further, it is expected that the flow-on benefits to neighbouring wineries (including *Troffeo Estate*) will be positive.

3.2 Health / Medicinal

A number of studies have reported that lavender essential oil may be beneficial in a variety of conditions, including insomnia, alopecia (hair loss), anxiety, stress, and postoperative pain. However, most of these studies have been small. Lavender is also being studied for antibacterial and antiviral properties. Lavender oil is often used in other forms of integrative medicine, such as massage, acupuncture, and chiropractic manipulation.

Here are a few ways how the lavender plant may positively contribute to Health:

Treat Stress and Anxiety: When stress strikes, open your bottle of oil or head out to the garden and breathe in the aroma of your beautiful lavender plants.

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Researchers have discovered that lavender produces calming, soothing and sedative effects when its scent is inhaled. In fact, the scent of lavender can actually change brain wave patterns, which is why it can work for a variety of neurological issues.

Scent: Aside from the fact that it's easy to grow, lavender is an incredibly aromatic flower with a soothing scent, and fantastic blue-violet buds. Once you get a whiff of a fresh lavender plant you'll understand why its oil is a common ingredient in soaps, shampoos and scented sachets

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Attract Pollinators: While winged pests won't want to set up shop near lavender plant, all manner of beneficial insects will – such as butterflies and bees. With our global bee population in decline – something that could have devastating and far-reaching consequences for the planet – it is vital that we attract and protect these invaluable species. What's more, they'll work hard to pollinate flowers and plants ensuring a colorful and buzzing garden for years to come.

Improve Cognitive Function: Not only does lavender oil boost mood, but other studies have shown that its scent helps people perform math faster and *more accurately* than those who don't inhale the aroma before taking tests.

Insomnia or Agitation: In folklore, pillows were filled with lavender flowers to help restless people fall sleep. Scientific evidence suggests that aromatherapy with lavender may slow the activity of the nervous system, improve sleep quality, promote relaxation, and lift mood in people suffering from sleep disorders. Studies also suggest that massage with essential oils, particularly lavender, may result in improved sleep quality, more stable mood, better concentration, and reduced anxiety. In one study, people who received massage with lavender felt less anxious and more positive than those who received massage alone. Several small studies suggest that lavender aromatherapy may help reduce agitation in people with dementia. Lavender flowers have also been approved in Germany as a tea for insomnia, restlessness, and nervous stomach irritations.

Relieve Headaches: Known for its anti-inflammatory properties and its ability to dilate blood vessels, it's easy to understand how lavender kills the pain associated with headaches.

If simply sitting in the garden isn't enough to quell the pounding in your skull, add some lavender oil to your diffuser or take a relaxing bath with fresh lavender buds and a few drops of the oil.

Alopecia areata: In one study of 86 people with alopecia areata (an autoimmune disease that causes hair to fall out, often in patches), those who massaged their scalps with lavender and other essential oils daily for 7 months experienced significant hair regrowth compared to those who massaged their scalps without the essential oils. However, there is no way to tell whether it was one or the combination of oils that was effective. On the other hand, preliminary studies also show that lavender may be effective in treating women with hirsutism (excessive hair growth).

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Lavender Tea for Stomach Problems & More: Steep fresh or dried lavender flowers in hot water for three minutes before straining and drinking. This tea helps stomach problems, bad breath and the pain associated with arthritis, backache and headache. People can also try a calming cup before bedtime, especially if feeling anxious, overwhelmed or depressed.

Other uses: Aroma therapists use lavender in inhalation therapy to treat headaches, nervous disorders, and exhaustion. Herbalists treat skin ailments, such as fungal infections (like candidiasis), wounds, eczema, and acne, with lavender oil. It is also used in a healing bath for joint and muscle pain.

One study evaluating treatments for children with eczema found that it was therapeutic touch from the mother that improved symptoms; in other words, massage with and without essential oils (including lavender) both reduced the dry, scaly skin lesions. Another study found that lavender oil may improve pain control after surgery. Fifty people undergoing breast biopsy surgery received either oxygen supplemented with lavender oil or oxygen alone. People in the lavender group reported better pain control than people in the control group.

In one study, the smell of lavender reduced crying in babies and sent them into a deeper sleep, while simultaneously reducing stress in both mother and child. This may be because the aroma is known to slow down heart rate and lower blood pressure and stress levels. Although there are a host of lavender scented products on the market to – from scented sleep masks to lavender mattresses – the most natural option is to cut fresh lavender flowers for your nightstand.

¹ Supporting research

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Production - Genus Variety

Although there are over 30 species of lavender, with hundreds of varieties, there are just 3 species that are widely grown by most commercial growers.

- ***Lavendula Augustifolia***, also commonly called 'English' lavender or true lavender.
- ***Lavendula x Intermedia***, called lavandins, as they are hybrids created by crossing *Lavendula augustifolia* with *Lavendula latifolia*, also known as 'Spike' lavender.
- ***Lavendula Stoechas***, known also as topped lavender or Spanish lavender

3.3 *Lavendula Augustifolia*

Lavendula augustifolia, or English lavender, is a cold hardy species that does well in our climate zone, with mild summer heat and long hours of daylight. The plants have grey foliage and flowers ranging in colour from white to purple. The sweet fragrance of the true lavenders is ideal for culinary use, and the aroma and quality of the essential oil they produce.

3.4 *Lavendula x Intermedia*

This lavender species is a cross between *L. augustifolia* and *L. latifolia*, and are called lavandins. They produce large plants, with more long floral spikes than the true lavenders. Many varieties are grown solely for essential oil production, as they can yield over five times as much oil as true lavenders. The oil contains camphor, with a pungent, woody aroma. Lavandins are very hardy and flower later than true lavenders, usually in summer time

3.5 *Lavandula Stoechas*

This unique lavender species is easy to recognize, with a cylinder shaped flower head topped by leafy extensions that resemble rabbit ears. *Stoechas* are often called "topped lavenders" or Spanish lavender. They are the earliest lavenders to bloom and produce flowers all through the season, but are less hardy. The fragrance of most varieties contains a hint of rosemary, for a unique scent that is often used commercially for air fresheners and deodorants.

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Expected output

Current production from the Estate sits at around \$100,000 / year.

Lavender field location

37,011sqm of area is set aside for lavender fields, located along the driveway, north-west and south-west of proposed 'rural industry' shed and west of proposed Olive Grove to the north-east corner, as represented within the Landscape Layout Plan at **Schedule 6** to this Plan.

Soil requirements

Lavender must have well drained soil, with a pH of 6 to 8. pH . Most plants need a specific pH range to thrive, and lavender likes the neutral range, with 6.5 to 7.5 being just about ideal.

In addition to the proper pH, lavender does best in sandy loam soil that provides good drainage. If the soil becomes saturated with water, as often happens in clay soils, areas with hardpan or a high water table, the result is root rot disease that will kill the lavender plants. We plan on using raised growing beds to improve water drainage. The soil on the property fit almost perfectly the required conditions and has been treated with natural fertilizer to increase its capacity.

Management practices

3.6 Nutrition & fertilization

Lavender does best with almost no fertilizer once it is established. When the new plants are first planted, nitrogen fertilizer can give them a boost although we do not plan on adding any. After the first year, nitrogen tends to stimulate leaf production instead of flower and oil production. If the plants are to be fertilized after they are established, we believe a low nitrogen fertilizer will be best.

3.7 Water measure

Lavender is a xerophyte, in other words, water hardy, not requiring irrigation, at least once established. Unfortunately this characteristic appears to be taken to the extreme by some growers and flower and oil yields subsequently suffer. As with many other essential oil producing plants there will be key stages of growth that are critical to flowering and essential oil accumulation. Indeed, because of its Mediterranean origins, lavender is a drought tolerant plant that requires less water than most crops to do well. However, young lavender plants need regular watering until their root system is well established and watering after harvest helps produce more flower stems for the next season. Drip irrigation is the preferred method of watering, as it reduces the risk of fungal diseases and uses less water than overhead watering.

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Once lavender plants are mature, which takes three years; they will be productive for ten to fifteen years. To help insure a long and productive life for lavender plants, we need to remember they prefer less watering rather than more watering.

Watering will occur once a fortnight using stored rain water and dam water during the hot summer months is just about right.

3.8 Weed control

One of the benefits of lavender is that the plants, once established, will be around for ten to fifteen years. That's a lot of weeding! To minimise the effort we are laying down some weed insurance.

After the soil has been tilled, and the rows laid out, a woven landscape fabric is laid down to keep the weeds under control. Because the fabric breathes, it allows water to reach the lavender plants, but prevents almost all weeds from growing. It is expensive at first, but compared to the effect of herbicide and the time involved in hand weeding for years, it is a very cost effective and environmentally friendly treatment. In addition, the dark weed fabric warms the soil, which can bring earlier harvests

The landscape fabric can be applied to the entire growing area, or just in the rows, leaving a strip between the rows that can be mowed. We need to avoid mulching too heavily around the base of the lavender plants to avoid disease problems

3.9 Disease, Pest and animal control

When lavender is grown in an area with a suitable climate and in well-drained soil, it has few problems. Spittlebugs may appear in spring, the best control is simply washing off the bugs and spittle with a strong spray of water. Root rot is a common problem in wet soils, caused by fungi. The solution is prevention; by making sure the planting area is well drained. If plants are wilting and dying, even partially, it's time to remove and destroy the affected plants.

Pruning / Cutting

Lavender needs pruning during the early years, while it is still growing to maturity. If pruning is not done for the first two years, the stems could become woody, resulting in fewer stems and flowers. After planting in the first year, new growth will be removed, including the flower stems. The plant will be pruned into a ball shape.

In the second year, the new growth is pruned early in the season to encourage flowering. In the fall of the second year, we will prune again to remove the flowers and continue training the plant into a ball shape. The third year is when most lavender varieties are considered 'mature' plants, and ready to harvest. Harvesting the blooms in the third year is sufficient pruning, other than a bit of touch up pruning to improve the shape of the plant. If the plant is a double bloomer, we need to harvest and prune one more time after the second bloom

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Processing and distillation site

Lavender bunches will be processed on site in the shed/barn (as per design schedule 1)

3.10 Drying

After harvesting the lavender bunches, they must be bind with a sturdy rubber band around the base of the stems and hung upside down from horizontal wires in a drying shed. The drying area should be dark, have good ventilation and be rain proof (so the lavender dries quickly). One must ensure to leave enough space between bunches for air circulation to prevent mold. Roof ventilation fan should be used to increase air movement and help the bunches dry faster

The mezzanine level of the shed/barn will be used for drying because of its heat retaining and aeration capabilities.

3.11 Oil processing

There are 2 distillation methods: Hydro distillation, also called water distillation, or steam distillation. In hydro distillation, water and plant materials are boiled together in a tub, producing hydrosol, a blend of oil and water. Since oil is lighter than water, it floats to the top, where it can be separated from the hydrosol water.

Steam distillation uses a boiler to produce steam, which passed through the lavender plants suspended above it in a basket. As the steam passes through the lavender, it ruptures the oil glands on the flowers, allowing the oil to vaporize with the steam. This blend of steam and lavender then flows to a condenser, a coiled tube that removes heat

When the heat is removed, the water and oil separate. In the separator, the oil is removed and the hydrosol, or lavender infused water is drained. Both the oil and hydrosol are then stored until used in glass containers in a cool, dark place. We plan to use Steam distillation because of the better oil quantity and quality being produced. The oil will be processed on the ground floor of the shed/Barn

3.12 Bud processing

The best and most affordable way to process the lavender harvest for buds is to use a screen made from ¼" galvanized hardware cloth on a wood frame. Rubbing the stems over the screen will loosen the dried buds, which then fall through the screen. After processing, the dried buds must be stored in an airtight container until sold or used in sachets or other craft items. Buds will be processed on the ground floor or upper area

Activities planning

See overall activity plan schedule 7

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4 Olive Grove Activity and management plan

Introduction

The Olive Grove is expected to complement the Lavender Farm, with organic olive oils expected to be produced onsite.

Expected output

Average Yields (good irrigation and spacing)	year 3 -4		year 5-7		year 7-10	
	Min	Max	Min	Max	Min	Max
Tonnes / Hectare	0.25	1.5	6	8	8	10
Kg / trees	1	2	12	25	27	40
Extra virgin oil per litre	10%	25%	10%	25%	10%	25%
Price per Litre (Bio farm)	\$8.00	\$10.00	\$8.00	\$10.00	\$8.00	\$10.00
Average Oil Production per trees (Olive oil)	0.11	0.55	1.32	6.87	2.97	10.99
Average Oil revenue per trees	\$0.88	\$5.49	\$10.55	\$68.68	\$23.74	\$109.89

Projection for 450 trees	Min	Max	Min	Max	Min	Max
Kg / trees	450	900	5400	11250	12150	18000
Extra virgin oil per litre	10%	25%	10%	25%	10%	25%
Price per Litre (Bio farm)	\$8.00	\$10.00	\$8.00	\$10.00	\$8.00	\$10.00
Average Oil Production for 3 acres - 450 trees (Olive oil)	49.45	247.25	593.41	3,090.66	1,335.16	4,945.05
Average Oil revenue for 3 acres - 450 trees	\$396	\$2,473	\$4,747	\$30,907	\$10,681	\$49,451

Grove location

Olive grove will be located to the north-east corner of the site, with 4,376sqm set aside for Olives.

Management practices

4.1 Weed control

Manual removal and spot spraying

4.2 Pruning

Tree pruning will be carried out to facilitate improved health of the trees without compromising their amenity value or for safety reasons.

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Pruning induces new growth close to the cut and a few cuts on large diameter wood can cause excessive localised growth of shoots. Therefore pruning will ideally be carried out to ensure well distributed cuts on smaller diameter wood spread over the entire t r e e .

Trees should be kept open in the centre as adequate light into the centre encourages a good fruit set. Dead branches or branches that cross over in the center of the tree should be removed.

Pruning effected, as a general rule will:

- Remove all suckers and deadwood
- Remove all branches that hang low to the ground
- Remove crossed branches within the centre of the tree, where such removal will not significantly affect the trees canopy

Where new trees are planted formative pruning will be effected on an annual basis for 5 years. Pruning will thereafter be effected as part of the normal maintenance of the grove.

To maximise the effectiveness of the pruning undertaken, in the olive groves, the following program is to be implemented:

Olives dedicated Details activity plan

See overall activity **plan schedule 7**

Activity/Actions	Proposed timeline	Date Completed
removal of all suckers and dead wood	Year 1	Winter
open up centre of tree and reduce height where excessive lop sided growth has occurred	Year 2	Winter
thin out adventitious growth	Year 3	Spring
Maintain open centre and remove suckers and adventitious growth	Yearly	Spring winter

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5 Host Farm Activity and management plan

Introduction

The land owners will be the Hosts of the farm stay, living on site providing service, instructions and surveillance to the Host Farm visitors.

It is expected that the Host Farm will result in positive outputs culturally and environmentally.

Keeping cattle off the block has already created something of a wildlife haven. However the ethical management of the lavender farms and native area to be re-created requires extensive manpower on a constant basis, from weeding to harvesting in season the work load is fairly extensive.

Outside of the lavender, the reclaiming of the land for re-vegetation purpose is going to be a 10-15 year plan with an enormous amount of ongoing efforts and funding required to achieve the desired outcome.

Having resources on site will help both on the manpower and financial front is a key motivation behind the Host Farm Activity, secondary to showcasing an organic and sustainable farm offering to visitors of the Mornington Peninsula.

The Host Farm will operate year round, with activities varying seasonally, as expressed within the Table to follow – *Seasonal Activities*.

Host Farm guests will have the option to select their preferred activities to take part in, on offer during the time of their stay. This will ensure that the activities better align with the guests' capacity and skillset.

Seasonal Activities

Month/Activity	Lavender	Livestock	Garden/farm	Culinary
Jan	Processing lavender buds Distillation Oil production	Collecting eggs Horse care: (feeding, grooming, cleaning enclosures, etc.)	Fruit picking Berry picking	Picnic with farm produce / Making preserves
Feb	Distillation Oil production	Collecting eggs Horse care	Collecting/chopping firewood	Picnic with farm produce / Creating lavender condiments
Mar	Weeding Lavender soap & bath products making	Collecting eggs Horse care	Collecting/chopping firewood	Creating lavender condiments

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			Collecting indigenous seeds	
Apr	Weeding Lavender crafts Repotting cuttings	Collecting eggs Horse care	Fishing	Campfire cooking Creating lavender condiments
May	Weed mat repair/replace	Collecting eggs Horse care	Pruning fruit trees Fishing	Campfire cooking Damper making
Jun	Lavender crafts Planting cuttings	Collecting eggs Horse care	Pruning fruit trees Fishing Mulching Planting winter vegetables	Campfire cooking Damper making
Jul	Lavender crafts Weeding Planting cuttings	Collecting eggs Horse care	Planting native seedlings Fishing Mulching Planting & harvesting winter vegetables	Campfire cooking Damper making
Aug	Lavender crafts	Collecting eggs Horse care	Weeding Planting native seedlings Fishing	Campfire cooking Damper making
Sep	Weeding Taking cuttings Striking cuttings	Collecting eggs Horse care	Weeding Planting native seedlings Planting spring vegetables Fishing	Campfire cooking Damper making
Oct	Weeding Taking cuttings Striking cuttings	Collecting eggs Horse care	Weeding Fishing Mulching	Picnic with farm produce
Nov	Weeding Lavender crafts	Collecting eggs Horse care	Yabbing Fishing Mulching	Picnic with farm produce Lavender shortbread
Dec	Harvesting Lavender	Collecting eggs Horse care	Yabbing Fishing	Picnic with farm produce

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Host Farm Booking & Operation (Onsite) Process

- Guests view the calendar of activities
- Book the accommodation
- Select their preferred activities
- Provide further information about their age, interests and experience
- Guests are emailed basic information on what to bring
- Upon check in, guests are advised induction process
- Induction is completed by ourselves on a guest/group by guest/group basis at a suitable time after check in
- Participate in activities
- Prior to departure, guests receive photos, seasonal gift/souvenirs/product they helped create

5.1 Example Online Booking Form

The example online booking form (below) is similar to the form layout envisaged to be used by the Host Farm operators.

About you

Select age group

Your skills

Please list your activity preferences

Please list any special needs

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5.2 Meals

Breakfast and basic provisions will be provided within the cabins.

Cooked meals, snacks and refreshments will be provided during farm activities.

Guests will have 'free time' to spend as they choose when not participating in farm activities, and it's our intention that during this time they will organize their own meals, eat out at local wineries or restaurants, or use the basic provisions within the cabins.

5.3 Host Access

At least one Host will be onsite when guests are present, and will be contactable by mobile phone.

The onsite *Emergency Management Plans* and *Guest Information Booklets* will be provided to each cabin.

5.4 Servicing of Rooms

Short stays (1-2 nights) rooms will not be serviced during stay

Longer stays (3-7 nights) rooms will be cleaned & provided fresh towels & provisions (Precooked bakery, preserves, etc. or BBQ provisions) every 3 days unless otherwise arranged with guests.

5.5 Duration of Stays

Accommodation will be offered on a short stay (1-2 nights) and long stay (3-7 nights) basis, with opportunity to book more than one stay at a time.

Check in would be from 11 am and checkout before 10am

5.6 Peak and Off peak times

Lavender flowering and harvesting time (Nov – Dec) will likely be the most popular 'peak' season.

It is envisaged that mid-winter months would be typically an 'off peak' season. Whilst the farm will have activities running all year round, opportunity for active bookings still exists during this period.

5.7 Capacity

With a total of 6 cabins allowing a maximum of 2 persons per cabin, capacity exists for a maximum of 12 guests per night.

5.8 A Typical *Short-Stay* Guest Schedule

DAY 1

- 11:00 - 11.30 am, Guests arrive at the farm, are greeted and checked in, and advised time for induction.
- 12.00 – 1:00 pm, Guests eat a (provided) picnic lunch on the deck of their cabin
- 1:00 pm, Induction – guests are presented with the available activities and locations. Based on choice, they are assigned tasks and provided with any relevant equipment and instruction and given a start time & location
- 1.30 pm – 5:30 pm, Meet at the assigned location and complete a farm activity (example lavender harvesting)
- 6:00 pm, Return to cabin for free time / overnight

DAY 2

- 8.00 am, Guests eat breakfast on the deck of the cabin, go for a walk around the lavender/garden/lake
- 10 am – 12:00 noon, Introduction and commencement of 2nd day activity
- 12.00 – 1:00 pm, Camp oven lunch
- 1:00 pm – 4:00 pm, continuation of 2nd day activity
- 4.00 pm, Return to cabin for free time / overnight

DAY 3

- 8 am, Guests have breakfast in cabin with provisions
- 9 am, Guest farewell & given dried lavender, fresh produce bag & activity memento

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Accommodation type

The Host Farm Accommodation is strategically sited and designed, following the following key principles:

- Minimal building footprint
- Provision of privacy and orientation to maximise views across the site and towards the bay
- Environmental sustainable
- Respectful of the existing landscape

Sustainability in design is achieved through inclusion of:

- Solar power generation
- Water tanks
- LED lighting
- Use of 'smart-systems'
- Wood stove heating
- Double glazed windows
- Sustainable materials
- Worm farm waste processing

See design details in **Schedule 1**



Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo location site map



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 1 - Looking south east from driveway (Olive grove on driveway edge)



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 2 – Looking south east from driveway (Olive grove on driveway edge)



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 3 – Looking north east towards approximate location of proposed pod 1



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 4 – Looking north towards approximate location of proposed pod 1



Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 5 – Looking north west towards approximate location of proposed pod 2 beyond which are the proposed vines



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 6 – Looking west from approximate vicinity of proposed pod 1



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 7 – Looking south west from approximate vicinity of proposed pod 1 (Dwelling on adjoining property at 135 Harrisons Road Red Hill in background at top of hill)



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 8 – Looking north east towards dam / lake



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 9 – Looking east up driveway (right of photo is proposed tennis court & proposed pavilion)



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 10 – Looking south east at existing horse menage (location of proposed tennis court & proposed pavilion) with existing dwelling on subject site in background



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 11 – Looking west from horse menage



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 12 – Looking north east to adjoining property at 57 Harrisons Road Dromana



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 13 – Looking west with dam / lake in background



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 14 – Looking north west to existing dwelling on subject site



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Officer photos 4/7/2024 - P17/1892.02 — 101 Harrisons Road Dromana

Photo 15 – Looking west towards dam/lake and site of proposed Lakehouse in foreground



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Planning Services Committee
Minutes

29 October 2018

4 STATUTORY PLANNING REPORTS

4.1 P17/1892 - 101 Harrisons Road, Dromana - Use and Development of the Land for the Purpose of Rural Industry, a Host Farm and Associated Buildings and Works in Accordance with the Submitted Plans.

Prepared By	Hugh Pierce, Senior Planner - Strategic Projects
Authorised By	Chief Operating Officer
Document ID	A8371931
Attachment(s)	1. Locality Plan 2. Application Plans 3. Land Management Plan 4. Submissions (confidential)
Application No.	P17/1892
Proposal	Use and development of the land for the purpose of Rural Industry, a Host Farm and associated buildings and works in accordance with the submitted plans
Melway Reference	161 B9
Zoning	Green Wedge Zone
Applicant	Nepean Planning Consultants
Date of Application	3 October 2017

PURPOSE

The purpose of this report is to seek Council's decision regarding Planning Application P17/1892 for the use and development of the land for host farm accommodation, rural industry, and associated works including car parking.

The application is recommended for approval to proceed to the issue a Notice of Decision to Grant a Permit.

Proposal	Use and develop the land for a host farm, rural industry and associated buildings and works.
Zoning and Overlays	Green Wedge Zone schedule 2 (GWZ2); Environmental Significance Overlays (ESO) schedules 3, 17 and 28, Significant Landscape Overlay schedule 1 (SLO1), Vegetation Protection Overlay schedule 2 (VPO2) and Bushfire Management Overlay (BMO).
Permit Triggers	Clause 35.04 GWZ2 - land use, and buildings and works. Clause 42.01 ESO 3, 17 and 28 – buildings and works. Clause 42.04 SLO1
Advertising	The application was advertised by way of mail to adjoining land owners and occupants, as well as one sign located at the front of the site. The advertising period concluded on 16 February 2018.

Planning Services Committee
Minutes

29 October 2018

4.1 (Cont.)

Submissions	Six objections have been received.
Key Issues	Whether the use of the land for a host farm represents an appropriate land use in this context; The impact of the proposed buildings and works on the landscape and existing vegetation.
Recommendation	That a Notice of Decision to Grant a Permit be issued (subject to conditions)

BACKGROUND

The land has been used for agricultural purposes and a dwelling since 2015. Prior to this time, the land formed part of a larger agricultural and viticulture estate known as the '*Five Sons Estate*'.

The landowner owns a former Lavender Farm (established for 30 years, now closed) in Mount Edgerton. The Lavender from this property is being progressively removed and replanted on the owners new property at 101 Harrisons Road, Dromana (the subject site). At the time of inspection, a substantial area had been planted out with Lavender in accordance with the layout shown on the submitted plans.

Previous Permits

The lot was created by a boundary realignment approved at the Development Assessment Committee meeting held on 16 February 2009 (Planning Permit P08/3105 being issued on 18 February 2009).

Planning Permit P09/2621 was subsequently issued on 16 August 2010 for the 'Use and Development of the land for a single storey dwelling, associated outbuildings and vegetation removal on the land'. The permit required the registration of section 173 Agreement AH688280T (the Agreement). Clause 4 of the Agreement addresses the land owner's obligations for ongoing land management including:

- Ensuring that the land is used for productive agriculture;
- The protection of significant native vegetation and fauna;
- The maintenance of the rural character and view lines; and
- Provision of a land management plan '*demonstrating one or more of the following elements:*'
 - *Biodiversity protection and enhancement;*
 - *Use of the Subject Land for productive agricultural purposes; and*
 - *Provision of opportunities for recreation linked to the experience of the natural environment, agriculture or cultural heritage having regard to the existing conditions and capabilities of the site.'*

The dwelling permit approved the use of the land for cattle grazing in accordance with the outcomes sought by clause 4 of the Agreement. It is noted that the current proposal does not offend any of the land management obligations of the current Agreement on title and is arguably more in alignment with the outcomes sought.

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Existing Conditions

The subject lot is located on the eastern side of Harrisons Road, and comprises a battle axe style layout of 15.8 hectares. The land rises from the front of the site towards the rear (eastern) boundary and falls across the north-western side of the lot towards the north-western property boundary. A dam is in the centre of the lot with existing native vegetation running through the site (following the streamline) from north to south, and from the centre of the property toward the east.

The lot is accessed via Harrisons Road, with the battle-axe driveway being approximately 600 metres length, and running adjacent to the boundaries of 97 and 115 Harrisons Road either side of the driveway.

Until the end of 2016, the site was used for cattle grazing in association with the dwelling. More recently, the land has been planted out with lavender from the Mount Egerton site in lieu of the cattle grazing. There are also several horses kept on site.

Surrounding Land

A review of the general locality reveals a mix of lot sizes and land uses in the area. It is evident that surrounding land includes uses such as vineyards with some lots being used for rural lifestyle living. All land to the north, east and south is located within the Green Wedge Zone.

The land to the western side of Harrisons Road is located within Public Use Zone 2 and Public Conservation and Resource Zone and operates as Dromana Secondary College.

Further to the south is Bald Hill Flora Reserve, a heavily vegetated site owned by the Department of Sustainability and Environment.

The properties immediately adjacent to the site include:

- North-west: 85 Harrisons Road, Dromana – agricultural land (vineyard) and dwelling;
- North: 57 Harrisons Road – agricultural land and dwelling;
- East: 2 Gibb Road, Red Hill - agricultural land (with remnant bushland) and dwelling;
- South-east: 91 Browne Lane, Red Hill - bushland and dwelling;
- South – 135 Harrisons Road, Red Hill – agricultural land and dwelling; and
- West: 97 Harrisons Road – agricultural land (vineyard) and dwelling; 115 Harrisons Road – agricultural land and dwelling.

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An aerial image of the site (bound in red) and its immediate surrounds is shown below:



PROPOSAL

The proposal seeks planning permission for the following:

- To use and develop the land for host farm accommodation comprising six detached accommodation units;
- To use the land for rural industry (on site value-add processing of lavender and olives grown on site to create creams/lotions, oils and the like);
- Development of a new machinery shed in the rear (north-east) corner of the land;
- Development of a new produce shed associated with the Rural Industry; and,
- Provision of parking for users of the host farm and the primary produce sales area.

The proposal also involves crop raising (lavender and olives) and primary produce sales. Both these uses are section 1 uses and no permit is required. It is noted that the area of primary produce sales has been nominated within the planning report prepared by Nepean Planning Consultants (dated September 2017) as no more than 50 square metres. The proposal does however necessitate an amendment to the current Land Management Plan (LMP) as approved under Planning Permit P09/2621, since this requires the land to be used for cattle grazing as approved in association with the dwelling permit.

The plans and documentation submitted with the application can be seen at Attachments 2 and 3.

The details of the various uses and buildings and works include:

Host Farm accommodation

- Use:
 - Six cabins allowing two people per cabin. The stay lengths would be between one – seven nights.

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- Host farm activities relate to the LMP: lavender growing, maintenance and processing; livestock care; garden and farm maintenance (e.g. revegetation and chopping wood); and cooking.
- Buildings and works
 - Accommodation units are to be located in the south-west portion of the site (between the dam and the lavender gardens).
 - The internal area of each unit is modest at approximately 40 square metres (excluding the two metre external decking running down two sides of each cabin). They are clad in muted tones of colorbond (Woodland Grey and Monument) to blend in with the rural setting. The DDA accommodation unit will also incorporate a ramp (1:20 maximum slope); and
 - The southern-most unit would be setback seven metres from the south-west boundary.

Land Management Plan

- Meadow grass – 61,314 square metres;
- Lavender – 37,011 square metres;
- Bush regeneration area – 41,222 square metres;
- Dam area – 6,211 square metres;
- Olive grove – 4,376 square metres;
- Orchard area – 1047 square metres;
- Vegetable patch area – 584 square metres;
- Ornamental lawns and garden beds – 4,118 square metres;
- Lavender fields – 37,011 square metres; – weed control, maintenance, harvesting and processing.
- Olive Grove – 4,376 square metres; - weed control, pruning, harvesting and processing.
- Host farm (see above). It is also noted that a host will be on site at all visitor times.

Rural industry

- Use:
 - Production and packing areas, storage/drying area; primary production sales area, and adjacent 90 square metres external covered area. Operating hours have not been provided.
- Buildings and works:
 - Proposed production shed and tanks to be located to the west of the dam (south of the easement);

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- Proposed car parking area to be in the north-west corner;
- Production shed – the dimensions of the shed include a maximum height of 5.036 metres, wall height of 4.5 metres, 21 metres length and nine metres width. The attached covered area has the same height, a width of nine metres and a length of ten metres. Materials and colours include Colorbond cladding 'woodland grey' and Colorbond roof sheeting 'monument'; and
- Primary production sales area component (advised as no more than 50 square metres).

Other

- Car parking – 20 space car park area including 18 car spaces with dimensions of 2.6 metres x 4.9 metres and two disabled car spaces (2.4 metres x 5.4 metres with a no parking area in between). Three bus spaces (three metres x 10 metres).
- Vehicle access – 3.5 metre gravel driveways and an eight metre wide access aisle in the car park area. There is also a gravel turning circle with a four metre radii.
- Water tanks – fire tank, two water tanks
- New machinery shed – a new shed is proposed for the north-east corner of the site. The shed is to have a 10 metre setback from the east and north boundaries. (within the former calving yard). The maximum wall height of the shed is six metres, the width 7.5 metres and the length 22.5 metres.

NOTIFICATION AND CONSULTATION

The application was advertised pursuant to section 52 of the *Planning and Environment Act 1987 (Vic)*.

Notification

The application was advertised by way of mail to adjoining land owners and occupants, as well as one sign located at the front of the site.

Submissions

Six objections were received in relation to the proposal. The issues raised in the objections can be summarised as:

- Rural fragmentation through the use of six different dwellings and a production and sales shed on the site and a large car park area a long way from the existing house and sheds. This is against Council policy;
- Unreasonable intensification of the land use;
- The traffic along the battle-axe driveway is close to neighbouring dwellings and will have a detrimental impact on the rural amenity of these properties;
- All large windows on the accommodation units face the dwelling on 115 Harrisons Road;
- Concern that approval of six additional dwellings would set a precedent for more dwelling approvals. This would be detrimental to the rural landscape and vista;

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4.1 (Cont.)

- Concern about extent of car parking area – perhaps trees planting around this area would improve the landscape outcome;
- Concern about the use of driveway by visitors (cars and buses) and the impacts in terms of noise and dust on neighbouring properties;
- Visual bulk of new production shed and machinery shed will be detrimental to neighbouring properties (e.g. 135 Harrisons Road);
- Significant loss of productive agricultural land;
- Amendment of the existing LMP referred to within the Agreement would set a precedent that results in an undermining of the rural character;
- Concern that any host farm accommodation buildings would become redundant (should ownership change hands) and create a problem for the potential to restore the land to productive agriculture; and
- Any permit approved should direct that there be section 173 provisions that prohibit the accommodation units being used as permanent dwellings whether by land owners or via permanent rentals.

REFERRALS

There were no external referral authorities under section 55 of the *Planning and Environment Act 1987 (Vic)*.

The application was referred to Council's Agribusiness officer and Environmental Health team, who provided the following comments:

Agribusiness and Food Administration Business Officer:

I have reviewed the proposal and do not have any issues to raise. The proposal significantly increases the agricultural capability of the site and appears well thought through and thorough.

Environmental Health:

Advised no objection, subject to the following conditions being placed on any permit granted:

1. *All wastewater from the proposed development must be discharged into an on-site secondary wastewater treatment and irrigation system which is approved by the Environment Protection Authority, retains all waste within the boundaries of the land, and is installed in accordance with Council's Wastewater Management Policy.*
2. *The wastewater system must be maintained to the satisfaction of the Responsible Authority.*
3. *The wastewater disposal field must be fenced or landscaped to prevent vehicle access, and be kept as a grassed or vegetated area.*

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4.1 (Cont.)

PLANNING SCHEME PROVISIONS

Permit Triggers

A planning permit is required pursuant to the following clauses:

- **35.04 Green Wedge Zone schedule 2** - Land use, and buildings and works. The proposed land uses requiring approval include rural industry and host farm. It is noted that the proposed primary produce sales would be more than 100 metres from 'a dwelling in separate ownership' and that the application documentation states that the display and sale area will not exceed 50 square metres. As such, no planning permit is required for this element;
- **42.01 Environmental Significance Overlay schedules 3, 17 and 28** – Buildings and works; and
- **42.04 Significant Landscape Overlay schedule 1** – Buildings and works.

It is also noted that whilst no permit is triggered under clause 52.06 Car Parking (since no variation or reduction is being), clause 52.06-8 requires the provision of a car parking plan. Further, clause 52.06-9 requires that the car parking plan demonstrates compliance with the Design standards for car parking. A parking plan has been provided as part of the application material and is considered satisfactory.

State Planning Policy Framework
Clause 11 Settlement
Clause 11.05 Planning for Distinctive Areas and Landscapes
Clause 12 Environmental and Landscape Values
Clause 12.01 Biodiversity
Clause 12.05 Significant Environments and Landscapes
Clause 13 Environmental Risks
Clause 13.02 Bushfire
Clause 13.03 Floodplains
Clause 14 Natural Resource Management
Clause 14.01 Agriculture
Clause 14.02 Water
Local Planning Policy Framework
Clause 21 Municipal Strategic Statement
Clause 21.03 Mornington Peninsula – Regional role and local vision
Clause 21.09 Planning for Rural Areas
Clause 22.07 Commercial and industrial uses in rural areas.

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Clause 22.11 Mornington Peninsula Fire Protection Policy
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Clause 22.14 Mornington Peninsula Land Units
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Other

- Clause 51.02 Metropolitan Green Wedge Land; and
- Clause 52.06 Car parking.

CONSIDERATION

Land Use

A planning permit is required pursuant to clause 35.04-1 to use the land for rural industry (section 2 innominate use) and a host farm (section 2 use). The purpose of the Green Wedge Zone includes:

- *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; and*
- *To encourage use and development that is consistent with sustainable land management practices.*

The decision guidelines require that consideration be given to the impact on the provision of agricultural land, and the impact on the site's environmental values, how the proposal relates to rural diversification, recreation and tourism and whether there are any adverse impacts on the surrounding area.

Host Farm

The application also includes a proposal for use of the land as a host farm. Clause 74 of the Planning Scheme defines a host farm as:

'An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purpose'.

In *Blackney v Surf Coast SC & Ors [2013] VCAT 218 (27 February 2013)* two questions were asked to determine whether the approval of a host farm proposal was considered appropriate. The first question being *'is this a farm?'*. The proposition that the subject site currently operates as a farm is accepted. The type of agricultural production has clearly changed in recent years from small scale cattle grazing to lavender growing and olives (i.e. crop raising), as well as the keeping of horses. There is no issue with the scope of the changes to the productive agricultural use of the land. This is wholly appropriate in a green wedge setting.

The second question is: *'would there be a farm experience?'*. Based on the Land Management Plan and Work Programme ('LMP') prepared by Cote and Campagne (December 2017), the answer to the second question can also be answered positively. The LMP demonstrates that the activities proposed for those staying in the host farm units would be directly related to the agricultural production (i.e. the lavender and olive grove) and other farm specific experiences (horse care and opportunities to participate in bushland regeneration). The proposed activities available to guests would also include rural industry

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4.1 (Cont.)

and ancillary activities, such as lavender and olive processing, and the making of products directly related to the agricultural production. This is consistent with planning policy at Clause 22.07-3, that specifies applications involving:

'commercial uses in rural areas should be limited to those which demonstrate a direct link to rural activities or the provision of accommodation, services and facilities linked to the Peninsula's role as an area providing opportunities for outdoor and unstructured recreation, associated with the Peninsula's natural and cultural heritage values. Uses which may be considered include the provision for the sale of farm produce grown on the property and the provision of home hosted accommodation.'

Prima facie, the proposed host farm use is consistent with the purpose of the Green Wedge Zone, but the State Policy Planning Framework (SPPF) and Local Policy Planning Framework (LPPF) also acknowledge the importance of sustainable agricultural use (e.g. clause 14.01-2 'Sustainable agricultural land') and the avoidance of rural fragmentation (e.g. clause 14.01-1 'Protection of agricultural land' and clause 21.09-2 'Supporting agriculture and primary production'). When considering these issues, the intensity of the host farm should also be considered. The introduction of the accommodation along with the intensification of the agricultural land use supporting the rural industry compounds the land use intensity, when the cumulative footprint of the buildings and works, car parking, vehicle access, and pedestrian access associated with all uses are combined. The proposed use of the subject site for four different uses (dwelling, agriculture, rural industry and host farm), each on their own a significant element of the site, raises the question of whether the intensity of the six accommodation unit host farm is too high for the overall site use and subsequent building footprint. Although there are a number of elements to this proposal, it is considered that in order to run a bone fide host farm and be able to offer a genuine farm experience, economies of scale mean that it would likely be unrealistic to offer the necessary range of farm experiences at a reduced level of accommodation units (e.g. if the number were halved to three units).

Clause 14.01-1 Protection of agricultural land includes a strategy that to *'Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.'* This is reiterated in the 14.01-2 Sustainable agricultural land use strategy of ensuring *'agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.'* Further the LPPF clause 21.09-2 Supporting agriculture and primary production, seeks to avoid fragmentation of rural land whilst maintaining long term land capability. The strategies include the prevention of *'the establishment of use and development that is incompatible with agricultural activity'* and ensuring *'that recreational developments do not impact on the rural character of an area or the continued use of land for rural pursuits by their nature or scale.'*

The use of the site as proposed represents an appropriate intensification of the current agricultural land use, consistent with the objectives and strategies of clauses 14.01-1, 14.01-2, and 21.09-2.

The objectives of clause 22.14 -2 Mornington Peninsula Land Units also seek to ensure that the use and development of rural land is sustainable through the protection and conservation of environmental systems. The promotion of use and development that is compatible as well as the siting and design of buildings and works that responds to landscape character and other environmental issues is also sought. These objectives are achieved through decision guidelines that require (amongst other things):

- The consideration of sustainable land use and development, where sustainable practices include whole farm planning and the use of LMPs;

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- The protection of streams through the management of storm water and effluent disposal;
- Land stability protection; and
- Vegetation and habitat protection.

It is considered that the proposal is largely in accordance with the outcomes sought by the policy. In particular, the land use and works have been clustered together rather than sprawling throughout the site. Wastewater issues have been resolved via the lodgement of a land capability assessment to the satisfaction of the Shire's health officers. A concern remains around the proximity of the accommodation units to existing vegetation, however since the footprint of each unit is quite limited, it is considered that the works can be accommodated on the land subject to a condition requiring an Arborist report to detail tree protection methods during construction.

The amenity of neighbouring properties may be affected by the provision of night lighting between the car park and the huts. This can be minimised through a condition included on any permit issued that requires the selection of appropriate lighting that is baffled and limited in terms of hours of illumination.

Rural Industry

The appropriateness of the rural industry is dependent upon the intended function. Clause 73.03 of the Planning Scheme defines 'rural industry' as

'land used to: a) handle, treat, process or pack agricultural produce...'

The proposal involves the processing of the lavender (drying, oil processing, bud processing), the making of lavender products (lavender oil, bath soaps, crafts), and olive processing (olive oil). It is anticipated that there will be tourists and organised groups visiting the production shed (with an area of the shed set aside for primary produce sales).

The proposed rural industry is directly related to the continuing agricultural production of the land and is therefore consistent with the purpose of the zone. The proposed rural industry use is also consistent with the SPPF and LPPF as most of the agricultural land within this site remains available for primary production. This includes the objectives associated with the PPF clause 14.01-2 which seeks to encourage sustainable agricultural land use and provides for a strategy of supporting:

'the development of innovative approaches to sustainable practices' and 'effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.'

It is also considered that the proposal is consistent with LPPF clause 22.07 which includes an objective of preventing the establishment of use and development that reduces distinctive rural landscapes. This policy states the need for a direct connection between the proposed industry and the rural activity; an element that is established by the proposed lavender farm (crop raising) and lavender processing. It is also noted that the proposed production shed/primary produce sales area will be well set back from Harrisons Road, and would therefore have a limited impact on the landscape when viewed from the public realm.

Clause 22.07 also seeks to ensure that *'Sites proposed for commercial or industrial activities should generally have access to a sealed road of a suitable standard and sites adjoining unsealed roads must include proposals for road maintenance and dust suppression.'* Whilst the subject site is accessed directly from Harrisons Road, a sealed road, the gravel driveway forms part of a battle-axe subdivision layout and passes close to the dwellings on 97

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Harrisons Road and 115 Harrisons Road. Given the anticipated tourist traffic associated with the rural industry will be higher than primary production, a condition should be included on any permit issued requiring a programme for dust suppression and driveway maintenance.

Other impacts that need to be considered include those relating to the environment and amenity for neighbouring properties. Subject to conditions relating to the construction of buildings and works, and waste management (see discussion below), the use of the land for rural industry would not cause an unreasonable level of detriment to the environment.

As most visitors to the site will be there during daylight hours, any noise impacts are not anticipated to cause an unreasonable level of detriment. The minimisation of noise impacts is also aided by separation in excess of 250 metres between the new buildings and car park area.

Given the above, it is considered appropriate to support (subject to conditions) the use of the land for rural industry. As noted above, the production shed proposed in association with the rural industry use is also to be used for primary produce sales.

Section 173 Agreement

Since the host farm accommodation is reliant upon the provision of a genuine (rather than 'tokenistic') farm experience to be able to be considered in the zone, it is appropriate to require the landowner to enter into a new section 173 agreement as part of this approval, to reinforce the planning conditions which require ongoing implementation of the LMP in perpetuity. The LMP would also contain the obligation in terms of dust suppression (for the access driveway), so the use of a section 173 agreement is supported as a vehicle to secure these outcomes, as well as alerting future purchasers of the obligations which run with the land insofar as the accommodation and land management elements are concerned. There is no need to amend the current Agreement on title, since the proposal under consideration here fully aligns with the outcomes sought by that agreement, and the new LMP will contain a statement to confirm that it has been prepared in response to both this permit, and Permit No. P09/2621. It is not uncommon for a title to have more than one S173 agreement and is less cumbersome than amending the current agreement.

Buildings and Works

A planning permit is required for buildings and work pursuant to clause 35.04 GWZ2, clause 42.01 ESO schedules 3, 17 and 28, and clause 42.04 SLO1. It is noted that the buildings and works are located within ESO 3 and SLO1, and on the edge of the ESO 17 and 28. The purpose of the Green Wedge Zone includes to protect agricultural, rural, landscape and environmental characteristics, through the use and development of sustainable land management practices. The objectives of:

- ESO 3 include to protect and conserve the rural and environmental characteristics of the Central Peninsula;
- ESO 17 include to protect streamlines and watercourses, as well as the flora and fauna habitats around them;
- ESO 28 include to protect remnant native vegetation; and
- SLO 1 include to protect significant landscapes.

Rural Industry Production Shed

The proposed production shed and associated water tanks are to be located to the west of the existing dam and stream catchment area and south of the existing gravel driveway. The

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dimensions of the shed include a maximum height of 5.036 metres, 21 metres length and nine metres width. The proposed building area is 189 square metres. The attached covered area has the same height, a width of nine metres and a length of 10 metres (90 square metres area). The location toward the centre of the site (adjacent to the native vegetation area), and a setback of more than 90 metres from the nearest boundary means that the scale of this shed would not present as causing an unreasonable level of visual bulk in the context of this rural setting.

The proposed external material for the shed is Colorbond sheeting and the colours are 'woodland grey' and 'monument'. These colours are sympathetic to the surrounding vegetation and landscape, and relatively typical of structures found within the Green Wedge Zone across the Peninsula. To the north-east of the production shed and roundabout is a proposed water tank. The siting and location are supported.

Host farm Accommodation Units

As noted earlier, the six accommodation units would be located in the south-west portion of the site (to the east of the lavender gardens), with the internal area of each unit being 40 square metres plus associated external decking two metres wide. Each unit has incorporated a mezzanine level, meaning the overall height is six metres. The ground floor layout indicates that the bedroom and bathroom and small living space can be incorporated downstairs – the mezzanine level has not been nominated for any particular purpose, but could reasonably be expected to be used as either additional living area, or for extra accommodation should groups in excess of two people seek to occupy the unit (i.e. families with children).

The building mass of each accommodation unit is low in scale, and there are no impacts anticipated to be unreasonable that may be had on the occupants of the dwelling at 115 Harrisons Road. This is because the separation between the proposed units and this dwelling is more than 300 metres. The visual separation is also assisted by the change in topography, with the northern most units located on land with a lower level (up to five metres) than that for the dwelling at 115 Harrisons Road.

New Machinery Shed

The proposed new machinery shed and associated water tank would be in the north-east corner of the site (within the former calving yard). The shed is to have a 10 metre setback from the east and north boundaries. The maximum wall height of the shed is six metres, the width 7.5 metres and the length 22.5 metres. The total area of the shed would be 168.75 metres. The height of the shed is considered appropriate given the setback from the boundary and that it is located opposite a shed (setback approximately five metres from the boundary) on the neighbouring property at 57 Harrisons Road. The proposed shed would be separated from the dwelling at 57 Harrisons Road by approximately 40 metres.

The shed would be constructed of Colorbond sheeting, with the colours of 'woodland grey' selected for the walls and 'Monument' for the roof. These colours are considered appropriate for their location.

The buildings and works are adequately separated from adjoining properties and appropriate in design and scale for the surrounding landscape character. There are no anticipated detrimental impacts that would be considered unreasonable as an impact on adjoining properties.

As such, subject to conditions, the buildings and works are considered consistent with the objectives of the Green Wedge, ESO 3, 17 and 28 and SLO1. No vegetation is proposed for removal, however, as discussed below there is potential for damage to vegetation due to construction which needs to be managed if the application is to be approved.

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There are no precise dimensions as to the setbacks, and therefore site location, of the proposed production shed, and accommodation units. Further, there are no details as to the extent of excavation/ earthworks required. Should a permit be issued then a condition should be included requiring the plans to be amended to show the dimensions and excavation/ earthworks details.

Environmental Protection

Vegetation

ESO 3, 17 and 28 seek to protect the environmental characteristics of this site, including the remnant native vegetation and streamline area. The application states that no trees are proposed for removal as part of the application, however, there are concerns about the location of the huts close to the existing trees and the impact of the building footprint and foundations on tree critical root zones and tree limbs. Insufficient information has been provided as to the protection of the native vegetation from buildings and works associated with the roundabout, as well as production shed.

To ensure that there is no unforeseen impact, a condition should be included on any permit issued requiring that an arborist report be provided establishing that the location of the proposed accommodation units, and all other building and works will not result in the removal or lopping of trees or damage to the critical root zones of the trees. It is noted that if an arborist report establishes that any of these situations are likely to occur, then the applicant would need to seek Council approval for vegetation impacts or relocate buildings or works via an amendment to any approved plans. Further, as this application does not provide any details of proposed vegetation lopping or removal, any permit issued should provide a condition to confirm that no tree lopping or removal is allowed without prior approval from Council.

Land Management Plan (LMP)

Clause 21.09 Planning for rural areas seeks to ensure that the environmental values and significance of rural areas are maintained. This includes the sustainability of biological systems and seeks to ensure that 'farming practices are integrated with other planning objectives, particularly in terms of catchment management, conservation and landscape protection'. Further, 'sustainable development and land use must be based on a detailed assessment and understanding of long term land capability'. The use of a LMP is recommended to achieve this, and any LMP required should include a detailed restoration and maintenance programme.

The Land Management Plan and Work Programme prepared by Cote & Campagne (December 2017) provides detail about the operations to occur on site. This includes information on:

- Lavender growing and harvesting e.g. nutrition and fertilisation, irrigation, weed control, plant health management;
- Lavender processing e.g. drying, oil processing, and bud processing;
- Olive grove growth, management and harvesting e.g. weed control, pruning; and
- Host farm activity and management e.g. guest activity schedules.

The proposed landscape layout associated with the LMP identifies the:

- Meadow grass – 61,314 square metres;

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- Lavender – 37,011 square metres;
- Bush regeneration area – 41,222 square metres;
- Dam area – 6,211 square metres;
- Olive grove – 4,376 square metres;
- Orchard area – 1047 square metres;
- Vegetable patch area – 584 square metres;
- Ornamental lawns and garden beds 4,118 square metres;
- Lavender fields – 37,011 square metres – weed control, maintenance, harvesting and processing;
- Olive grove – 4,376 square metres - weed control, pruning, harvesting and processing; and
- Host farm (see above). It is also noted that a host will be on site at all visitor times.

The LMP does not provide sufficient detail about the regeneration and conservation for the existing native vegetation/habitat areas. This includes an absence of detail as to how weed management is to occur. A condition should be included in any permit issued that requires the LMP to be revised to include additional details as to weeding within the bush regeneration area, indigenous/ riparian species recruitment and planting methods and timeframes. The bush regeneration management plan should provide for a minimum 10-year timeframe to achieve goals, with ongoing maintenance in perpetuity.

Car Parking and Vehicle Access

Clause 52.06 Table 1 requires the provision of 2.9 spaces per 100 square metres of floor area for industrial uses (rural industry). The primary produce sales should also be factored in when calculating car parking requirements, with the clause 52.06 Table 1 requirements being four spaces per 100 square metres of leasable floor area.

Table 1 of clause 52.06-5 does not stipulate a car parking rate for a host farm. It is considered that a parking rate for a host farm would relate to the number of accommodation units.

The car parking requirements are detailed in the following table:

Use	Clause 52.06 Table 1/ Council Requirement	Spaces Provided
Rural Industry	Area = 230 square metres – seven spaces	Seven spaces
Host farm	One space per one-bedroom accommodation hut –six spaces for six huts	Six spaces
Primary produce sales	Maximum 50 square metres primary produce display and	Two spaces

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	sales area indicated – two spaces	
Total Requirement	15	
Total Spaces Provided		20
Waiver/ Reduction Required		No waiver/ reduction required, therefore no planning permit required.

The proposed car parking plan has also been assessed against the clause 52.06-9 Design standards for car parking. The assessment is as follows:

- Design Standard 1 – Accessways

Satisfactory - The proposal includes a car park area in the north-west section of the land. The proposed vehicle access includes 3.5 metre wide gravel driveways and the existing entrance provides for two-way (separated) access. Three 2.5 metre wide passing bays (providing a total width of six metres) are proposed along the driveway (approximately 200 metre apart). There is also a gravel turning circle with a four metre radii located adjacent to the proposed production shed. All cars and buses can exit the site in a forward direction.

- Design Standard 2 – Car parking spaces

Satisfactory - The car park provides for a 20 space carpark area including 18 car spaces with dimensions of 2.6 metre x 4.9 metre and two disabled car spaces (2.4 metres x 5.4 metres with a no parking area in between). There are also three bus spaces (three metres x 10 metres). The proposal access aisle width is eight metres wide.

- Design Standard 3 – Gradients – Not applicable.

- Design Standard 4 – Mechanical Parking – Not applicable.

- Design Standard 5 – Urban design – Not applicable.

- Design Standard 6 – Safety – Satisfactory.

- Design Standard 7 – Landscaping

Satisfactory subject to condition - given the extent of land area to be utilised for vehicle access and car parking, it is considered appropriate to require landscaping around the car park. The selected species should be indigenous to the area.

Consideration of Objections

Six objections were received in relation to the proposal. Most of the issues raised in the objections are addressed in the above discussion; with comment made on those not yet addressed provided below:

- Concern that approval of 6 additional dwellings would set a precedent for more dwelling approvals. This would be detrimental to the rural landscape and vista.*

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4.1 (Cont.)

The setting of precedent is not a relevant planning consideration as all applications are assessed on individual merits.

- *Amendment of the existing Land Management Plan referred to within the s173 Agreement would set a precedent that results in an undermining of the rural character.*

It is generally anticipated that the specifics of approved LMPs may need to change from time as the agricultural activities associated with the land are changed. It is not appropriate to essentially lock in a particular land use outcome in perpetuity without any avenue to consider an alternative agricultural land use. Any such amendment would need to be to the satisfaction of Council, and would need to be assessed as being consistent with the particular features of the site, and the objectives of the applicable zone and overlay controls.

- *Any permit approved should direct that there be s173 provisions that prohibit the accommodation units being used as permanent dwellings whether by land owners or via permanent rentals.*

As discussed above, a new section 173 Agreement will reinforce the obligations of the LMP, requiring that it be implemented in perpetuity in order for the host farm accommodation to operate.

OFFICER DIRECT OR INDIRECT INTEREST

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

CONCLUSION

The proposed rural industry and host farm on the subject site are appropriate within the context of the relevant PPF, Green Wedge Zone and relevant Overlays. The proposed rural industry is directly related to the continuing agricultural production of the land and is therefore consistent with the purpose of the zone. Furthermore, the host farm has demonstrated a suitable relationship with the ongoing farming operations that justify the establishment of this form of accommodation.

Taking into account the above considerations, it is recommended that the proposal be supported, and a Notice of Decision to Grant a Permit be issued subject to the below conditions.

Suspension Of Standing Orders

Moved: Cr Celi
Seconded: Cr Martin

That Standing Orders be suspended.

Carried

Deputations

- Mr Samuel Pye

Extension Of Speaking Time

Moved: Cr Gill
Seconded: Cr Celi

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4.1 (Cont.)

That a two minute extension to the speaking time be granted to Mr Pye, in relation to the above matter.

Carried

- Ms Mel Ryan

Resumption Of Standing Orders

Moved: Cr Colomb
Seconded: Cr Martin

That Standing Orders be resumed.

Carried

RECOMMENDATION

That the Committee resolve to issue a Notice of Decision for Planning Application P17/1892 at 101 Harrisons Road, Dromana for the use and development of the land for a host farm, rural industry and associated buildings and works in accordance with the submitted plans on the following conditions:

1. Prior to the commencement of any use and development approved by this permit, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plans will be endorsed and will then form part of the permit. The Plans must be drawn to scale with dimensions and three copies must be provided. The Plans must include:
 - A. An amended Land Management Plan that must:
 - i. Provide additional details relevant to weed eradication within the bush regeneration area, indigenous/ riparian species recruitment and planting methods and timeframes. The bush regeneration component of the land management plan must provide for a minimum 10-year timeframe to achieve goals, with ongoing maintenance in perpetuity.
 - ii. Outline details of the proposed booking system (as referenced in the planning submission) confirming the suite of farm experience activities on offer for patrons of the accommodation units.
 - iii. Provide for a reporting regime requiring the landowner to report back to Council on a regular basis (after the first 12 months and then every two years thereafter for as long as the land use continues to operate) detailing ongoing implementation of the Land Management Plan.
 - iv. Detail proposed dust suppression method(s) in instances whereby a dust nuisance may be caused by vehicles utilising the unsealed driveway access to the property between Harrisons Road and the car park;
 - v. Make reference the requirements of Planning Permit P09/2621, and clarify that this Land Management Plan has been prepared to respond to the requirements of both the current permit and P09/2621, and supersedes any previous Land Management Plan endorsed under P09/2621.

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4.1 (Cont.)

- B. An updated Landscaping Plan prepared by a suitably qualified landscape professional, that must show:
 - i. The layout updated to be consistent with the planning drawings in terms of location of built form, accessways and car parking area;
 - ii. A survey (including botanical names) of all existing vegetation to be retained and / or removed in the vicinity of all buildings and works proposed under this permit;
 - iii. Details of surface finishes of pathways and driveways;
 - iv. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - v. Landscaping and planting within all open areas of the site, including around the accessway and car parking;
 - vi. All selected species to be indigenous.
 - vii. Vegetation marked for retention to be marked with protection barriers in accordance with the recommendations of an arborist in accordance with condition 1d of this permit.

All species selection must be to the satisfaction of the Responsible Authority.
 - C. Dimensioned setbacks of all buildings and works from relevant lot boundaries, and details of any excavation/fill required to accommodate the works.
 - D. A lighting plan for any external lighting to the accommodation units, the car park, and the pathway to the accommodation units. Such lighting must be designed to have limited intrusion on the rural landscape and include details of cut-off times for externally illuminated areas associated with the approved land-use to preserve the rural amenity during evening hours.
 - E. An arborist report prepared by a suitably qualified professional demonstrating that the all building and works associated with the rural industry and host farm will not impact on any vegetation, and provide recommendations as to any tree protection requirements necessary to be established to ensure this during construction.
- 2. The approved development, including the materials of construction and colours of the exterior finish of the buildings, as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.
 - 3. The approved land uses as detailed on the endorsed plans must not be altered without the consent of the Responsible Authority.
 - 4. Once the development has commenced under this Permit, it must be continued and completed to the satisfaction of the Responsible Authority.
 - 5. The use of the site for host farm accommodation must cease if the accommodation is not operated in conjunction with the approved agricultural and land management

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outcomes as detailed in the endorsed Land Management Plan to the satisfaction of the Responsible Authority.

6. Unless with the further written consent of the Responsible Authority, the use of the land for rural industry including the sale of any associated goods on the land are limited to the following hours:
 - A. Between 9.00am to 6.00pm on any day;
 - B. Not at all on Good Friday and Christmas Day.
7. All disturbed surfaces on the land resulting from the development must be revegetated, battered and stabilised to the satisfaction of the Responsible Authority.
8. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - A. Transport of materials, goods or commodities to or from the land.
 - B. Appearance of any buildings, works or materials.
 - C. Emission of noise, artificial light, vibration, smell, fumes, dust, waste water or other waste products.
9. Nuisance dust must not be discharged beyond the boundaries of the premises.
10. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
11. Outdoor or external lighting including that of the buildings and car park areas must be suitably baffled to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
12. No external or internal amplified music, public address or speaker systems shall be installed or operated on the land.
13. Prior to the commencement of any of the land uses approved by this permit, the land owner/occupier must demonstrate commencement of the endorsed Land Management Plan to the satisfaction of the Responsible Authority. Once commenced, the endorsed Land Management Plan must be implemented and maintained to the satisfaction of the Responsible Authority.
14. Prior to the commencement of any works associated with the approved use and development (or other such time as approved in writing by the Responsible Authority), the owner must enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The Agreement must be prepared and registered on the title to the land to the satisfaction of the Responsible Authority. The Agreement must require the owner or occupier to undertake the following to the satisfaction of the Responsible Authority:
 - A. Implement and maintain in perpetuity, the endorsed Land Management Plan (or other approved plan as may be endorsed under this permit) to the satisfaction of the Responsible Authority, and specify that should the landowner/occupier fail to operate in accordance with an approved LMP

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- which offers a genuine 'farm experience' to guests, then the host farm accommodation land-use must cease.
- B. Continuously protect and enhance the indigenous native vegetation and fauna habitat on the land.
 - C. Construct fencing or freestanding walls that have a rural character and allow for the free passage of native indigenous animals.
 - D. Not plant any new hedges (with existing hedges to be managed) to ensure scenic views across the site are not obscured.
 - E. Not construct any bund wall or similar earthworks or artificial barriers that obstruct view lines.
 - F. The permit holder must responsibly manage farming practices including spray drift so as not to impact on neighbouring properties farming practices.
 - G. Livestock must not be permitted in remnant vegetation conservation areas at any time.
 - H. All costs associated with the drafting and registration of this Agreement on title, are to be borne by the permit holder.
 - I. This Agreement must be registered by the Applicant on title, prior to the commencement of works approved under this permit (or other such time as approved in writing by the Responsible Authority), pursuant to section 181 of the Planning and Environment Act 1987.
- 15. Within six months of the commencement of the use hereby approved (or other such time as approved in writing by the Responsible Authority), landscape works as shown on the endorsed plans must be completed and then maintained in a healthy condition, to the satisfaction of the Responsible Authority. Any dead or diseased trees or shrubs must be replaced as soon as possible.
 - 16. Prior to commencement of the use, the applicant must submit a Waste Management Plan to the satisfaction of the Responsible Authority which addresses: the storage and disposal of waste generated through all activities carried out on the property; the control of any odour emanating from the site when undertaking any manufacturing process associated with the Rural Industry. When approved, the management plan will be endorsed and will then form part of the permit.
 - 17. All wastewater from the proposed development must be discharged into an on-site secondary wastewater treatment and irrigation system which is approved by the Environment Protection Authority, retains all waste within the boundaries of the land, and is installed in accordance with Council's Wastewater Management Policy.
 - 18. The wastewater system must be maintained to the satisfaction of the Responsible Authority.
 - 19. The wastewater disposal field must be fenced or landscaped to prevent vehicle access, and be kept as a grassed or vegetated area.
 - 20. Buildings, outdoor areas and pathways to provide for all abilities access in accordance with Australian Standard 1428, including AS 1428.2:1992, AS/NZS 1428.4.1:2009 and AS 1428.5:2010 all to the satisfaction of the Responsible Authority.

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21. After the endorsement of condition 1 plans and before any works associated with the development starts, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and two copies must be provided. Alternatively, plans in pdf format may be emailed to devengadmin@mornpen.vic.gov.au. The plans must show:
 - A. All areas of the development being drained to the satisfaction of the Responsible Authority.
 - B. Details, including levels of all internal access aisles and parking areas.
 22. Before any works associated with the development starts, drainage computations are required for the drainage system, including consideration of any drainage catchment external to the development that may drain to the drainage system.
 23. Before the initial occupation of any part of the approved development or commencement of the land use, the development drainage works within the development must be constructed in accordance with approved construction plans, and to the satisfaction of the Responsible Authority.
 24. Before the initial occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed in accordance with approved construction plans, surfaced and drained to the satisfaction of the Responsible Authority.
 25. Car spaces, access lanes and loading zone must be kept available for these purposes at all times.
 26. This permit will expire if either one of the following applies:
 - A. The development is not completed within four years of the date of this permit.
 - B. The use is not commenced within four years of the date of this permit.
- In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Part B

That the Committee resolves that Attachment 4 to this report be retained as a confidential item pursuant to section 77(2)(a) and (b) of the Local Government Act 1989 as it contains personal submitter details.

COMMITTEE DECISION

Moved: Cr Celi
Seconded: Cr Brooks

That the recommendation be adopted.

Carried

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4.1 (Cont.)

Vote by Division (Requested by Cr Colomb)

For: Cr Brooks, Cr Celi, Cr Fraser, Cr Gill, Cr Hearn, Cr Martin, Cr Payne and Cr.
Roper

Against: Cr Colomb

Carried

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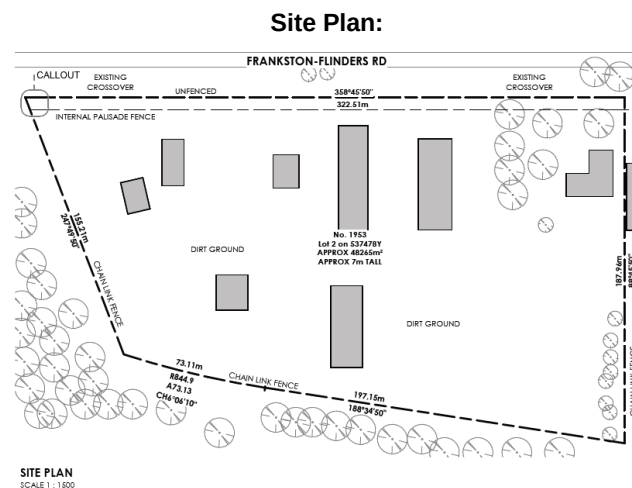
APPLICATION SUMMARY

APPLICATION SUMMARY	
Planner	Alex Colquhoun
Date	23/02/2024
Application Number	P23/1995
Proposal	DEVELOPMENT OF A FLOODLIT MAJOR PROMOTION SIGN
Address	Lot 2 on PS537478Y addressed as 1953 Frankston-Flinders Road HASTINGS
Applicant	Gawk
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	IN3Z
Permit Triggers	Clause 52.05 - Signs
Restrictions on title	No
Advertising	Yes
Objections	Yes (2)
Referrals	External - Department of Transport (DoT) External - VicTrack
CHMP required?	No

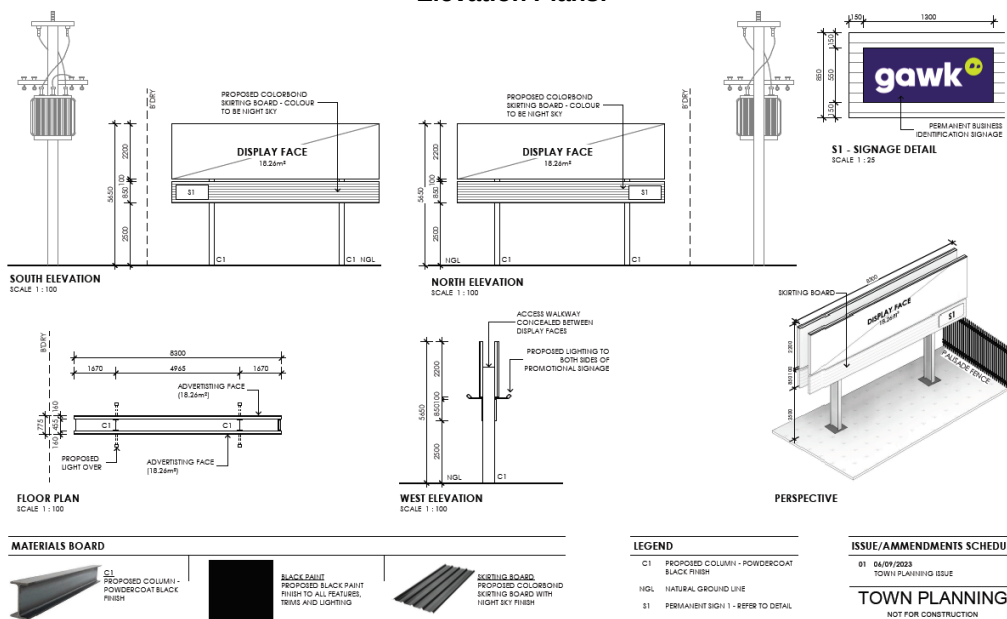
PROPOSAL

This application seeks approval for the development floodlit major promotion sign.

- The sign is to be within south-west corner of 1953 Frankston-Flinders Road.
- It has two floodlit, externally illuminated display faces, each measuring 8.3m wide by 2.2m high. The overall structure is 5.65m high.



Elevation Plans:



ZONE/OVERLAYS

Zone/Overlay	Permit Trigger?	Rationale
IN3Z	N/A	Sign requirements are at Clause 52.05. This zone is in Category 2.
Clause 52.05-2 and 52.05-12 – Category 2 – Office and industrial	Yes	52.05-2 - A permit is required to construct or put up for display a sign in Section 2 of the relevant category. 52.05-12 - A permit is required for a 'major promotion sign' as it falls under Section 2.

SUBJECT SITE AND SURROUNDS

The site is formally described as Lot 2 on the Title Plans PS537478Y, it has an irregular quadrilateral shape with a site frontage of 322.51 metres to the Frankston-Flinders Road and a maximum depth of 187.5 metres. The overall land size is approximately 48,119 square metres. The orientation is from the west to the east.

The site is relatively flat but slopes from the western to the eastern boundary. The proposed siting of the sign is on land that is approximately 14m AHD, in the south-western corner. The proposed top of the sign will be 5.65 metres above that.

There are business identification signs located within the front setback of the adjoining properties to the north and south. The sign is proposed to be within the south-west corner of the site and is to be visible from the north and southbound traffic on Frankston-Flinders Road.

The site is on the east side of Frankston-Flinders Road in Hastings. The site is amongst a strip of existing industrial warehouses and businesses which include The Wood Project PTY
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LTD and Norton Livestock Handling Solutions. Each building contains business identification signage on the facades.

Directly opposite the site, beyond Frankston-Flinders Road, is 1950 Frankston-Flinders Road which is under the Green Wedge Zone. This site is the closest residential receptor with the existing dwelling on the land being approximately 160 metres from the proposed signage location. The site is substantially vegetated around the dwelling as well as along the front title boundary. The existing dwelling is setback approximately 60 metres from Frankston-Flinders Road, is located on the northern boundary of the site and has been identified as having potential heritage significance (currently under investigation).

There are no restrictive covenants on the title. There are easements which run through the middle of the site (north to south), however they do not inhibit the proposal.



Figure 1: Aerial Photo showing subject site and surrounds – GIS April 2023



Figure 2: Aerial Photo showing proposed siting of sign – GIS April 2023

Permit/Site history

Council's records indicate that there are no recent planning decisions/applications made relevant to the assessment of this application.

Cultural Heritage Management Plan (CHMP)

A CHMP is not required as the subject site is not located within an area of cultural heritage sensitivity.

SURROUNDING PROPERTIES

The subject site is located approximately 800 metres north of the Hastings Activity Centre, to the eastern side of Frankston-Flinders Road. Land on the eastern side of Frankston-Flinders Road is located within the Industrial 3 Zone, whereas land located to the north-west and west of Frankston-Flinders Road is located within the Green Wedge Zone. More specifically, the interfaces to the subject site are set out below:

North	1921 Frankston-Flinders Road Hastings 21 industrial warehouse units (Industrial 3 Zone)
	1925 Frankston-Flinders Road Hastings Reece Plumbing Centre (Industrial 3 Zone)
East	Kanowna Street Unmade (Paper) Road which adjoins the Stony Point Railway Line (IN3Z)
	Stony Point Railway Line Railway Line owned by the State Transport Authority (TRZ1)
South	1973 Frankston-Flinders Road Hastings Hastings Neighbourhood Hub (PPRZ)
West	1950 Frankston-Flinders Road Hastings – Single Dwelling (GWZ2)

North

- No. 1921 and 1925 Frankston-Flinders Road are industrial premises currently occupied by 21 industrial warehouse units and a Reece Plumbing Centre respectively. All structures being of a similar scale and design that is common amongst industrial areas such as flat pitched roofs, associated signage and of a double storey height.
- Further north are similar industrial warehouses and complexes such as Melbourne Garages, Hastings Paint Shop and Westernport WorkGear, all of which accommodate business identification signage in some form.

East

- Kanowna Street is located directly east and is currently an unmade (paper) road which is highly vegetated with large canopy trees and approximately 18 meters in width.
- Further East, directly adjacent Kanowna Street is the Stony Point Railway Line which is owned and managed by the State transport Authority and remains operational.
- Further east, approximately 220 metres, is the closest General Residential Zone in which dwellings 1-6 John Coleman Close adjoin the Stony Point Railway line. These dwellings are sited and faced east as to avoid the nearby industrial area and have limited views towards the subject site as a result of the established vegetation on Kanowna Street.

South

- To the immediate south is a buffer under the Industrial 3 Zone which is by way an extension of Kanowna Street. This area is approximately 22 metres in width, remains vacant and is largely vegetated with large canopy trees.
- Further south is the Hastings Neighbourhood Hub which is owned by the Department of Energy, Environment and Climate Action (DEECA) and is under the Public Park and Recreation Zone. The site has an approximately 150 metre vegetation buffer which consists of mature large canopy trees before the main structure and associated car park. The site will have limited views towards the site area given the substantial vegetation buffer.

West

- Directly west, opposite Frankston-Flinders Road, No. 1950 Frankston-Flinders Road is a Green Wedge Zone lot which consists of a single dwelling to the north-east corner of the site. The site area is approximately 82,824 square metres in which the dwelling is accessed from the north-east corner onto Frankston-Flinders Road and is surrounded by vegetation on all sides. The site also contains substantial vegetation running along the front title boundary so as to avoid any impacts from Frankston-Flinders Road and the nearby industrial area.
- Similarly, to the north-west, No. 1940 Frankston-Flinders Road, has site area of approximately 84,698 square metres and consists of a single dwelling which is located within the south-western portion of the land. The site is substantially vegetated so as to avoid any impacts from Frankston-Flinders Road.
- No. 1920 Frankston-Flinders Road (north-west of the subject site) is currently being used for a poultry farm and 1970 Frankston-Flinders Road (south-west of the subject site) is currently a vacant parcel. These properties have limited views towards the subject site.

PUBLIC NOTIFICATION

The application was advertised by sending direct notice to adjoining properties and erecting a sign on site for 14 days.

Submissions

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To date, 2 submissions, characterised as objections have been received. The concerns raised can be summarised as follows:

- Impact on Green Wedge properties
- Environmental impacts
- Response to the objectives under Clause 52.05

REFERRALS

Referral	Internal/External?	Response
DoT	External - Non Section 55	No objections, no conditions
VicTracks	External – Section 52 Notice	No objections, no conditions

PLANNING POLICY & PROVISIONS

Planning Policy Framework (PPF)
Clause 11.03-5S Distinctive areas and landscapes <i>Mornington Peninsula Localised Planning Statement (Victorian Government, 2014)</i>
Clause 11.03-6S Regional and local policies
Clause 15.01-1S Urban design
Clause 15.01-1R Urban design – Metropolitan Melbourne
Clause 15.01-1L Urban design – Mornington Peninsula
Particular Provisions
Clause 52.05 Signs
General Provisions
Clause 65 Decision Guidelines

ASSESSMENT

It is considered that the proposed sign is consistent with the objectives of Clause 52.05 and the above policies and provisions on the following basis:

Clause 11.03-5S Distinctive areas and landscapes

The objective of Clause 11.03-5S is “to protect and enhance the valued attributes of identified distinctive areas and landscapes”. The Mornington Peninsula Localised Planning Statement further reinforces the distinction of the Peninsula and the role and character of the Mornington Peninsula’s settlements, town and villages.

While this sign will be larger and taller than most nearby signage or across the Peninsula, it is considered to respond to the attributes and development expectations of the Mornington Peninsula, including those expressed by the Localised Planning Statement. This is demonstrated by the relatively constrained size and overall height of the sign comparative to similar types of signs in Metropolitan Melbourne along wide arterial roads in commercial zones. In metropolitan Melbourne context, such signs would often be much larger in size and height.

Clause 15.01 Urban Design

The relevant objective of this clause is to:

- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Clause 15.01-1L Urban Design – Mornington Peninsula

Objectives of this clause include to:

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- Avoid signs that protrude above the height of the building, including any parapet.
- Give preference to freestanding pole signs over signs attached to buildings.
- Encourage signs that relate to the address, business name or type of business conducted on the premises.
- Avoid animated signs such as those with flashing or moving lights.
- Avoid bunting signs except for use in display yards or as a temporary sign.
- Avoid the use of fluorescent or reflective paints that result in visually obtrusive effect.

The above objectives seek to create urban environments that contribute to a sense of place and cultural identity and achieve design outcomes that contribute positively to the local context and enhance the public realm.

The proposed sign is not considered to detract from the amenity and character of the locality, as the review site is not in a sensitive landscape area, but on a main road in an industrial area, which can successfully accommodate a range of built form and signage outcomes without causing detrimental amenity or negative character outcomes.

The sign will not detract from the review site and the buildings on that site, as it will sit as a separate structure, and be read at a much greater distance from the immediate streetscape view at which the other features of the review site will be appreciated.

There are multiple business identification signs located along both the same (east) side of Frankston-Flinders Road within the area. Examples of this are below:

Existing business identification signage on adjoining site (1947 Frankston-Flinders Road)
(Google, November 2019)



Existing business identification signage on nearby site (1940 Frankston-Flinders Road)
(Google, November 2019)



Existing business identification signage on nearby sites (along Watts Road Service Road)
(Google, November 2019)



Clause 52.05 Signs

The purpose of this clause is:

- To regulate the display of signs and associated structures.
- To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The site is within the Industrial 3 Zone, which is Category 2 – Office and Industrial (low limitation) in relation to signs. The purpose of this category is to:

- To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

The proposed sign falls in the section 2 sign (permit required) for this category. There are no prohibited signs in Category 2.

The decision guidelines for Major promotion signs are:

- The effect of the proposed major promotion sign on:
 - Significant streetscapes, buildings and skylines.
 - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.

- Residential areas and heritage places.
 - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
 - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
 - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
 - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
 - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
 - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

Is the proposal acceptable having regard to streetscape, built form, character and skyline?

This area of Hastings is typically defined by industrial properties which face and run parallel along this section of Frankston-Flinders Road. Opposite (west) the subject site is a Green Wedge Zone in which the properties are accessed from Frankston-Flinders Road. These properties have been identified as being used for a mix of residential and agricultural uses. It is a main road in an industrial area that has a wide variety of front setbacks, frontage treatments, extent of landscaping, number of crossovers, and rhythm and spacing of buildings. It is considered that the proposed signage can be accommodated within this location without causing detrimental amenity or character outcomes.

The site is not within a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy. Whilst a major promotion sign must be prominent by its inherent nature, the sign is not considered to unreasonably dominate any part of the road corridor or surrounding environment. This is largely due to the wide nature of the Frankston-Flinders Road, where the extent of panorama that is available will mean the sign will only ever take up a relatively small proportion. The height of the proposed signage is to be lower than that of what a typical major promotion sign and will therefore only be visible to those who are on Frankston-Flinders Road and not nearby roadways.

The proposal could be considered to be a progression toward visual clutter or a cumulative impact in terms of congestion of signage in the surrounding area. However, it is not considered to be that yet. It is the first major promotion sign in an approximately 1.2 kilometre long industrial strip. The sign is within an open area of the subject site, however, is not far from other business identification signage which is a prominent feature within this strip.

The sign will not tower over any important viewing point, nor dominate any streetscape or intersection. While the sign will appear partly above the skyline on certain views to north and southbound traffic, this skyline does not form an important landscape. As such, the proposed sign is not considered to unreasonably change the nature and extent of skyline views available from these locations.

Is the proposal acceptable having regard to the effect on residential areas or heritage places?

The proposal is directly opposite a Green Wedge Zone which is separated by Frankston-Flinders Road and approximately 215 metres from the closest residential area. In saying this, the sign will be viewed from the Green Wedge Zone properties to the west which each contain a single dwelling. Nearest being the dwelling at 1950 Frankston-Flinders Road in which it is important to note that the existing vegetation both on the road reserve/front setback of the

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property and surrounding the dwelling means that the owner of the land will have little to no views to the proposed signage (as seen below).



Figure 2: Street view facing 1950 Frankston-Flinders Road from the area of works – Google November 2019

The surrounding dwellings and vegetation have also all been designed ensure minimal views to Frankston-Flinders Road are available as there would be limited desire to address the industrial interface from a dwelling. The proposal is not considered to have a negative effect on residential areas or heritage places. There are no heritage places within the vicinity of the site.

Is the proposal acceptable having regard to the effect on open space and waterways?

The review site is not within an open space reserve, or a corridor around a waterway.

Is the proposal acceptable in responding to the effect of illumination and road safety?

The siting and angle of the signs ensures that while it will be directly visible to both northbound and southbound drivers, it will not form a background to any traffic signal or interfere in anyway with the reading of traffic signals. As a result, the sign will not distract drivers or pedestrians. Additionally, the proposed Major Promotion Sign will be externally illuminated only and not provide any electronic display face. Notwithstanding, the mandatory conditions for a Major Promotion Sign under Clause 52.05-9 are still required to ensure that the sign must not:

- Dazzle or distract drivers due to its colouring.
- Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
- Be able to be mistaken as an instruction to drivers.

These would be incorporated into the permit conditions.

The application, which was referred to Transport for Victoria, had no objections to the application as a recommending referral authority and subsequently posed no conditions.

Response to Submissions

Impact on Green Wedge properties

The objector is concerned that the proximity of the site area to nearby Green Wedge Zoning will have a detrimental impact on the flora and fauna within these areas. The area in which the major promotion sign is located is zoned as an Industrial area with the infrastructure and businesses surrounding also forming a strong industrial character on the eastern side of Frankston-Flinders Road. Although to the west are Green Wedge Zoned properties, it is evident from the subject site that these properties have been designed and sited as to avoid views, noise and any other interaction with Frankston-Flinders Road apart from access to this road.

Given that the eastern side of Frankston-Flinders Road within this area has 1.2 kilometre strip of industrial properties, it is not uncommon to experience advertising material and signage along this entire area. This character of this area is heavily characterised by warehouses and factories which have existed and interacted with the nearby areas for numerous years. Council do not consider this out of keeping with the immediate neighbourhood character and its relation to the existing Green Wedge areas.

Environmental impacts

All signs must be considered in relation to the character of the area which includes giving regard to the sensitivity of the area in terms of the natural environment. Although the subject site and site area is within an industrial area it is important to identify the nearby areas and the impact that the proposed signage could have on these areas. Nearby areas include Green Wedge and Public Park and Recreation Zones, all of which contain important environmental landscape and habitat value.

It is important to note that the proposed major promotion sign will be at a maximum height of 5.65 metres, well below the canopy of the surrounding mature trees. Additionally, the major promotion sign will only be externally illuminated and not electronic meaning the impact on the fauna is far less than if it was proposed as an electronic sign. The environmental landscape and value within these areas will not decrease as a result of the erection of the proposed major promotion sign as the low scale nature and illumination technique will not unreasonably detract from or impact the existing environmental features within the area.

Response to the objectives under Clause 52.05

Please see the Clause 52.05 assessment above.

DECISION

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to grant a permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as Lot 2 on PS537478Y addressed as 1953 Frankston-Flinders Road HASTINGS in accordance with the endorsed plans, subject to the following conditions:

PERMIT PREAMBLE

THE DEVELOPMENT OF A FLOODLIT MAJOR PROMOTION SIGN IN ACCORDANCE WITH THE ENDORSED PLANS

CONDITIONS

Approved Development not Altered

1. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme.

Maintenance

2. All signs hereby approved must be designed to a professional standard, constructed and maintained in good condition to the satisfaction of the Responsible Authority.

Illumination

3. Sign illumination must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
4. The intensity of the external lighting and lighting in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
5. Any wiring, cabling or anything similar must be concealed from view to the satisfaction of the Responsible Authority.
6. The signage must be wholly located within the subject property. No part of the sign may encroach into the road reserve.
7. External illumination of the sign must cease between the hours of 10pm and 6am to the satisfaction of the Responsible Authority.

Major Promotion Sign conditions

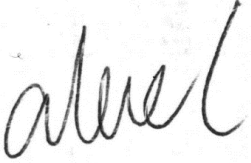
8. The sign must not:
 - a) Dazzle or distract drivers due to its colouring.
 - b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - c) Be able to be mistaken as an instruction to drivers.

Expiry

9. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.

CONFLICT OF INTEREST DECLARATION

I have considered my professional duties and personal interests and declare that to the best of my knowledge no actual, potential or perceived conflict risk of exists in the assessment of this application.

	
Alex Colquhoun Senior Planner	D Balkin Team leader, planning
Delegate Approved:	05/07/2024

HASTINGS - PROPOSED DOUBLE
SIDED, EXTERNALLY ILLUMINATED,
MAJOR PROMOTION SIGN

1953 FRANKSTON-FLINDERS RD,
HASTINGS, VIC 3915

TOWN PLANNING DRAWINGS

- A01 COVER PAGE
- A02 SITE PLAN
- A03 FLOOR PLAN & ELEVATIONS
- A04 PERSPECTIVE VIEWS



PHOTO 01



PHOTO 02



PHOTO 03



PHOTO 04



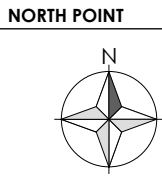
KEY PLAN
SCALE 1 : 3000

PHOTO LEGEND	
NO.	DESCRIPTION
01	PHOTOGRAPHIC VIEW OF THE PROPOSED LOCATION FOR THE SIGN.
02	PHOTOGRAPHIC VIEW NORTH FROM FRANKSTON-FLINDERS RD.
03	PHOTOGRAPHIC VIEW WEST FROM THE PROPOSED LOCATION FOR THE SIGN.
04	PHOTOGRAPHIC VIEW SOUTH FROM THE PROPOSED LOCATION FOR THE SIGN.

ISSUE/AMMENDMENTS SCHEDULE	
01	06/09/2023 TOWN PLANNING ISSUE
TOWN PLANNING	
NOT FOR CONSTRUCTION	

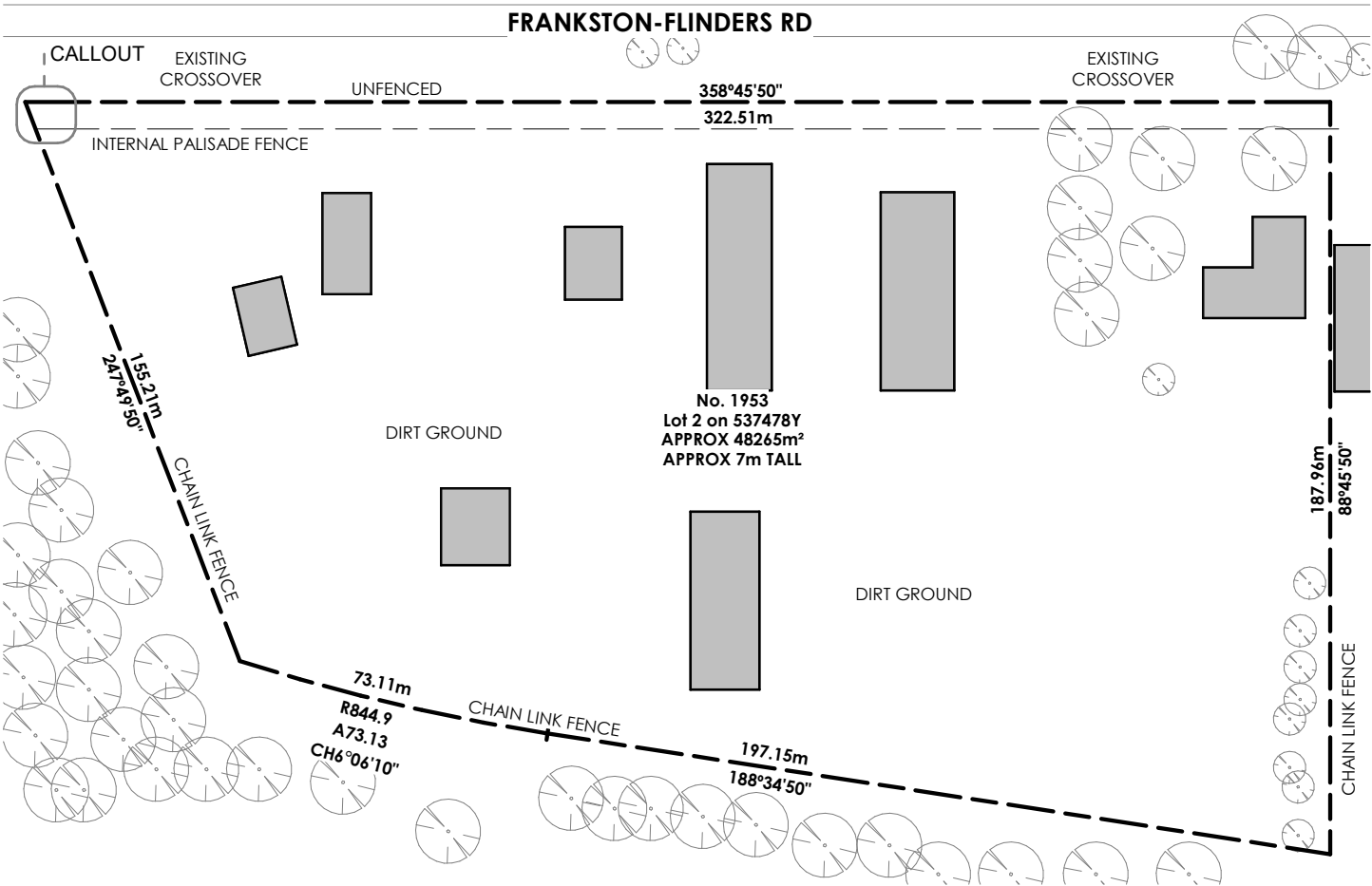


PROJECT
HASTINGS - PROPOSED DOUBLE SIDED, EXTERNALLY
ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
1953 FRANKSTON-FLINDERS RD,
HASTINGS, VIC 3915

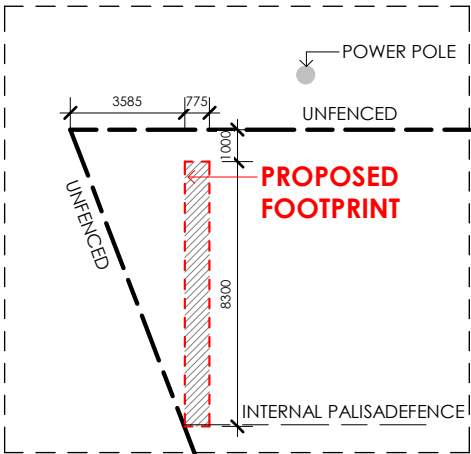


DATE 06/09/2023	DRAWING NO. A01	DRAWN BY AP
PROJECT NO. 23-013	PAGE SIZE A3	ISSUE NO. 01

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james@gawk.com.au
03 5409 2655



SITE PLAN
SCALE 1 : 1500



CALLOUT
SCALE 1 : 200

LEGEND		
	PROPERTY BOUNDARY	
	EXISTING BUILDINGS ONSITE	
	PROPOSED MAJOR PROMOTION SIGN FOOTPRINT	

ISSUE/AMMENDMENTS SCHEDULE

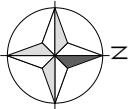
01 06/09/2023
TOWN PLANNING ISSUE

TOWN PLANNING
NOT FOR CONSTRUCTION



PROJECT
HASTINGS - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
1953 FRANKSTON-FLINDERS RD,
HASTINGS, VIC 3915

NORTH POINT



DATE
06/09/2023

DRAWING NO.
A02

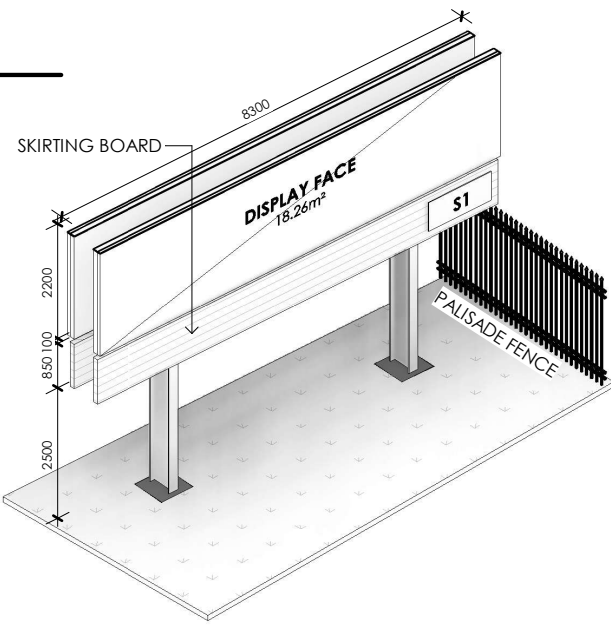
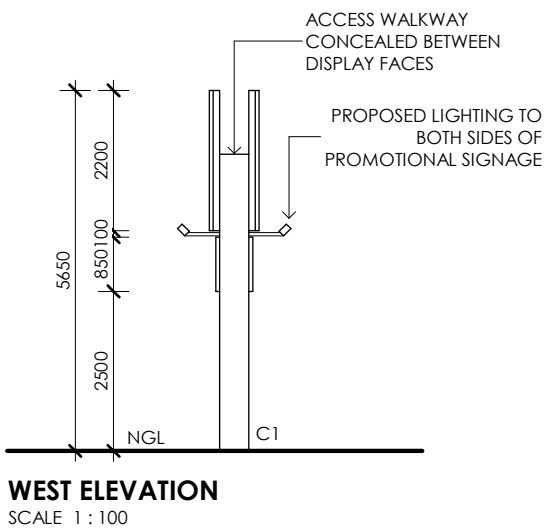
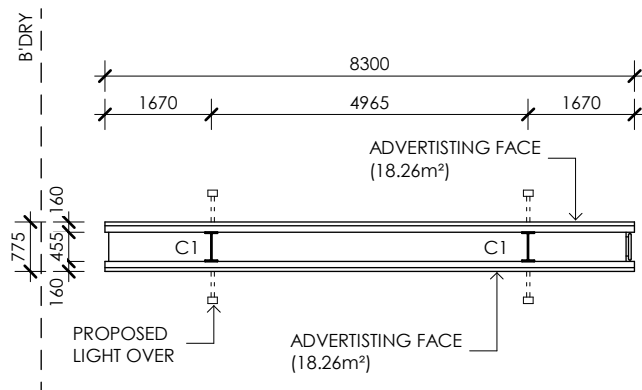
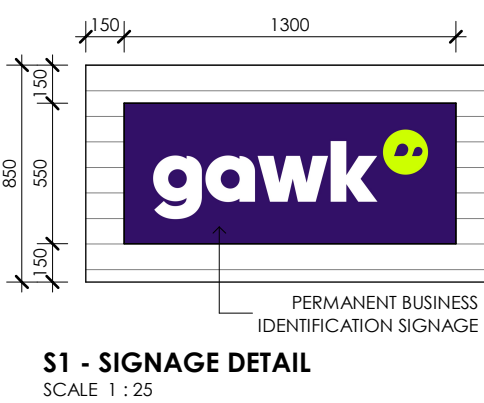
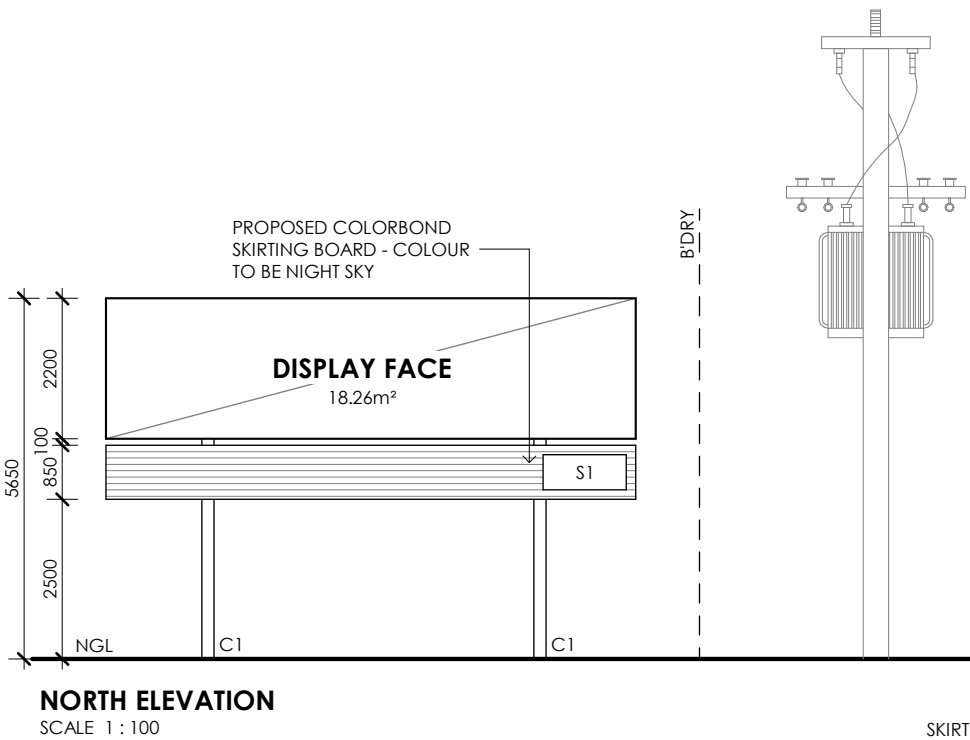
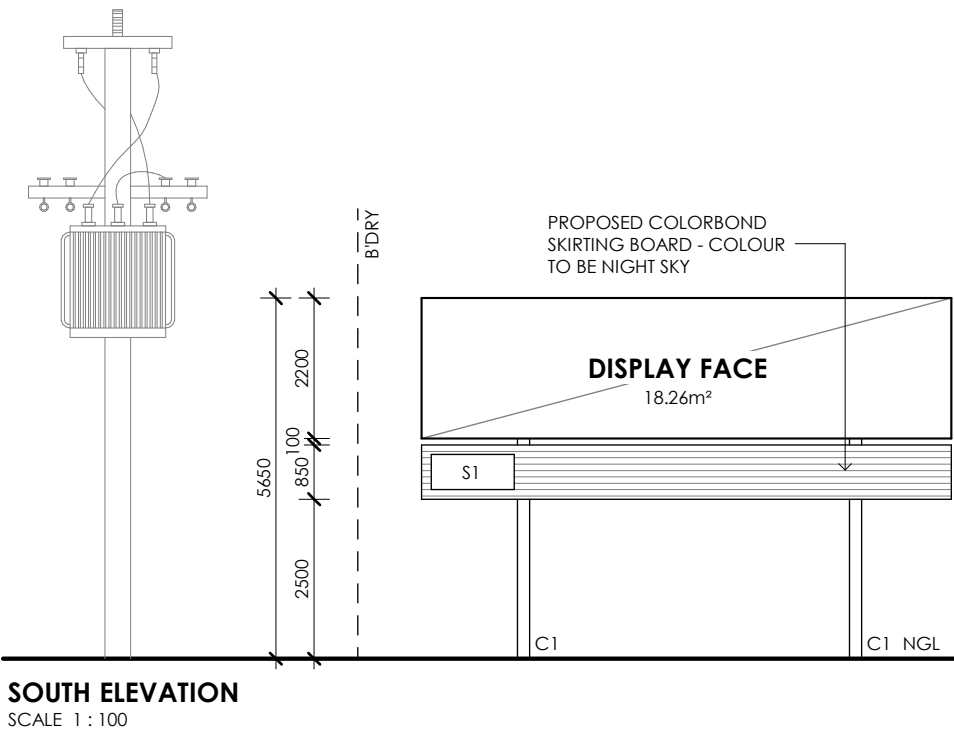
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PROJECT NO.
23-013

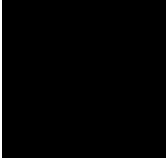
PAGE SIZE
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ISSUE NO.
01

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 james@gawk.com.au
 03 5409 2655



MATERIALS BOARD

		
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LEGEND

C1	PROPOSED COLUMN - POWDERCOAT BLACK FINISH
NGL	NATURAL GROUND LINE
S1	PERMANENT SIGN 1 - REFER TO DETAIL

ISSUE/AMMENDMENTS SCHEDULE

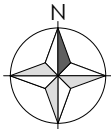
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TOWN PLANNING
NOT FOR CONSTRUCTION



PROJECT
HASTINGS - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
1953 FRANKSTON-FLINDERS RD,
HASTINGS, VIC 3915

NORTH POINT



DATE
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PROJECT NO.
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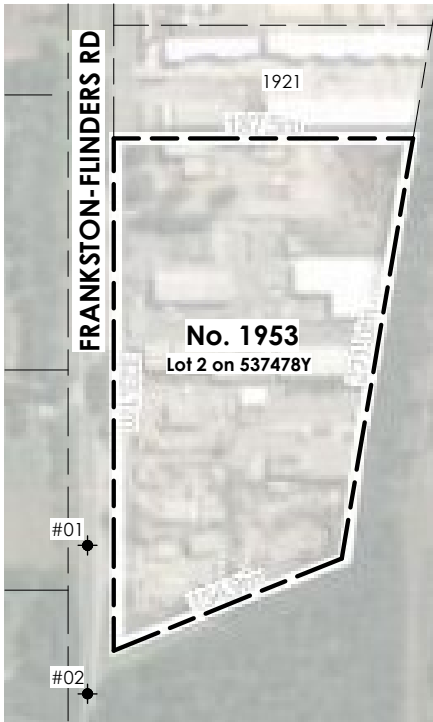
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EXISTING PERSPECTIVE VIEW #01 - SOUTHBOUND TRAFFIC



EXISTING PERSPECTIVE VIEW #02 - NORTHBOUND TRAFFIC



PERSPECTIVE VIEW REFERENCE
SCALE 1 : 4000



PROPOSED PERSPECTIVE VIEW #01 - SOUTHBOUND TRAFFIC



PROPOSED PERSPECTIVE VIEW #02 - NORTHBOUND TRAFFIC

GENERAL NOTES

PROPOSED PERSPECTIVE VIEW IS AN ARTISTS IMPRESSION OF THE PROPOSAL ONLY. SIZE AND SCALE ARE REFERENCED ON THE FLOOR PLANS AND ELEVATIONS.

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH THE SUPPLIED TOWN PLANNING REPORT

REFER TO THE TOWN PLANNING REPORT FOR THE WRITTEN STATEMENT REGARDING THE METHODOLOGY DURING THE PREPARATION OF PERSPECTIVE VIEWS

LEGEND

#00 PERSPECTIVE VIEW - LOCATION IN WHICH PHOTOGRAPHIC VIEWS WERE TAKEN

ISSUE/AMMENDMENTS SCHEDULE

01 06/09/2023
TOWN PLANNING ISSUE

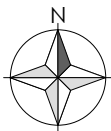
TOWN PLANNING

NOT FOR CONSTRUCTION



PROJECT
HASTINGS - PROPOSED DOUBLE SIDED, EXTERNALLY ILLUMINATED, MAJOR PROMOTION SIGN
ADDRESS
1953 FRANKSTON-FLINDERS RD,
HASTINGS, VIC 3915

NORTH POINT



DATE
06/09/2023

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A04

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PROJECT NO.
23-013

PAGE SIZE
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ISSUE NO.
01

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PLANNING PERMIT APPLICATION

PROJECT Proposed Major Promotion Sign

LOCATION 1953 Frankston – Flinders Rd,
Hastings VIC 3915

DATE September 26, 2023



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2. INTRODUCTION

2.1. Overview of Regional Billboard Co

Regional Billboard Co Pty Ltd ("RBC") is a family run business that develops, owns and operates outdoor advertising billboards throughout Victoria – primarily in regional areas. The company was founded by James & Luke Course – who have extensive experience in Outdoor Advertising, Town Planning and Managing Projects. The business was founded to ensure that local and regional businesses have access to Outdoor Advertising to grow their businesses.

2.2. Outdoor Advertising Industry

While traditional forms of media (radio, television, print) have been in decline for the past decade, Outdoor has been flourishing and has been used by a huge number of businesses to grow. Total out of home industry revenue in Australia has grown for the past 8 consecutive years, with over 6% growth from 2016-2017 (source:OMA).

2.3. Advertising Content

At RBC we pride ourselves on helping local businesses grow using outdoor advertising. Companies within a small radius to our advertising signs will always take preference over large nationwide advertising campaigns. Typically, at least 50% of the advertising content is for businesses located within a 5km radius of the sign. Road safety messages from the TAC are also very common across regional billboards.

Advertising content is governed by the Australian Advertising Standards Bureau – which has a code of ethics in addition to industry specific controls for sensitive industries such as alcohol. The code of ethics is strictly obeyed and does not allow for religious, racist, sexually explicit or offensive advertising content.

2.4. Community Benefits

Our billboards help grow local businesses as well as attract visitors to the town. Advertisements often prompt travellers to stop in that town which puts money in the local economy when motorists may have not otherwise stopped. In addition to the immense benefits for advertiser's RBC provides value to our landlords from which it leases property. Our landlords receive fixed rent payments each year throughout our lease term which can provide stability and increase their property value. Additionally, wherever possible we use local contractors for construction and ongoing installation of billboard skins.

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3. SITE SELECTION

When seeking a site in an area there are numerous factors that are considered. RBC seeks to work within the planning policies and frameworks within the council and avoids sites that have planning overlays which discourage major promotion signs. Properties in commercial and industrial areas along major highways and arterial roads are typically what RBC looks for.

Properties owned by local property owners and small businesses are prioritised over large national investors. When choosing the exact location on the property we seek an area that is currently unused and will not impact the day-to-day use of the property. It is also important to ensure the location where the sign will be located does not inhibit any development or future plans for the property. This collaboration is important to us as having a positive relationship with our property owners is something we pride ourselves on.

During the site selection process, RBC focuses on areas outside the realm of residentially utilised and zoned properties. Ensuring there is always an extended visual and spatial barrier between the proposal and any potentially effected residential properties. The major focus is to identify areas with a built form character where the size and scale of the proposed sign will be justified by the surrounding context of the proposed site.

4. SITE DESCRIPTION & EXISTING CONDITIONS

4.1. Site Description

The subject site is currently an industrially zoned and utilised lot, owned by Dale Richard Aitken, Barbara May Aitken & Mook Nominees Pty Ltd. The site at No. 1953 Frankston-Hastings Rd is semi-rectangular. The main frontage to Frankston-Flinders Road is 322.51m long, with an overall site area of approximately 4,813m².

The subject site is being utilised by multiple businesses and have accordingly been divided. Over the lot spans multiple buildings in accordance with the industrial nature of the site. This also includes multiple large-scale warehouses, wooden buildings, and offices; thirteen in total.

The buildings along the site are made from a mix of different materials, including but not limiting too; concrete, steel, and wood cladding, typical of industrial style construction which is reflective of the locality (which includes large scale industrial property to the north). The tallest building on the subject site is approximately 12m high.

There are five driveways which forms the vehicular access to the subject site from Frankston-Flinders Road. Three of which form direct access to certain areas on

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the lot, whilst two end up forming a horseshoe drive providing access to six of the buildings of the Subject Site. There are numerous parking spaces on the site, as well as a service road along the frontage of Frankston-Flinders Road that also offers space for parking.

The site is divided by the use of fences and buildings, and where built forms are not, the land is either concrete or gravel, which is currently being utilised as either parking or storage space. The topography of the subject site is generally flat, with an even gradient inside the property boundaries. The major promotion sign is targeted at traffic along the Frankston-Flinders Road, and projects to both Northbound and Southbound traffic.

A copy of the certificate of title and associated title plan are attached as part of this town planning submission.



Figure 1 – Aerial Photograph of Subject Site

4.2 Surrounding Context



Figure 2 – Aerial Photograph of Surrounding Area

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The locality characteristics are:

- The northern boundary abuts the first lot on the plan 537478Y, which host numerous tenants and similar industrial buildings to the Subject Site.
- The eastern boundary is met with a line of dense trees and shrubbery before meeting a railway line that services the Stony Point line.
- To the south is zoned as a public park and recreation zone, which further along is the Hasting Park and Community Hub some 200m down the road.
- To the west is Frankston-Flinders Rd.

The site is located within the northern most industrial area in Hastings. In its wider context the site sits within a robust transport corridor, where there is a strong industrial theme for 1.25km north along the right-hand-side of Frankston-Flinders Rd. Each of these properties houses large built forms and structures, typically of low aesthetic appeal to the buildings. There are built forms to the north of the subject site are generally utilitarian in nature with the interest and differentiation displayed through business identification signage in the area. To the western side of Frankston-Flinders Road the character changes and the industrial estate makes way for a designated Green Wedge Zone.

Throughout the industrial context of the area, most properties display different forms of freestanding and wall mounted business identification signage. This sets up the industrial character of the area, where the signage is directed at both north and south bound traffic along Frankston Flinders Road.

The appropriate zoning and the robust industrial context were key factors in choosing this site for this development. The absence of any heritage issues in the immediate context was also an important factor.

5. PROPOSED DEVELOPMENT

5.1. Description of Proposed Development

The proposal seeks approval for the erection and display of a major promotion sign on the property at 1953 Frankston-Flinders Road, Hastings including the display of third-party advertising within the proposed advertising area specified on the attached town planning documentation.

The proposed major promotion sign (as detailed in the attached town planning package) proposes one 18.26m² display face. The sign will primarily be viewed by northbound and southbound traffic on Frankston-Flinders Road.

In addition to this display face, there will be a permanent 0.27m² 'Gawk' business identification sign on the skirting board to the left of the display face. Therefore, the total advertising area will be 18.53m². Refer to the town planning documentation for further details.

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5.2. Design Response

The proposal is carefully sited and designed, to ensure that:

- It has a clear connection to the built forms on the Subject Site and adjoining properties. It will add further colour and vitality to this industrial area
- It will always be viewed with a background of industrially zoned land along Frankston-Flinders Road.
- The location of the site allows local advertisers to reach a key audience of local and visitor traffic through Hastings. This is a valuable audience for local advertisers which can have very positive impacts on the local economy.
- The site was carefully selected due to its location within one of Hasting industrial estates. This ensures the effects on the surrounding properties is minimal.
- The subject site has an interface with the Green Wedge Zoning, these properties however, clearly account for the robust interface. Extensive landscaping fully shields the residences from the truck/transport route, and industrial uses. The proposed sign will not be visible from any dwellings, and the open paddocks would have limited views to the sign.
- The decision of this application will be influenced by the policies of clause 52.05. The consideration largely lies in the assessment of context, and its residential sensitivities. We submit that these sensitive are nominal in the sign's direct context, due to the industrial flavour that projects out into the streetscape.
- The major promotion sign is located in a manner which compliments its context, and purposely sited to ensure the visibility to the subject site and abutting properties remains unaffected.
- The robust look and feel of all properties in this industrial area extends out for 1.25km to the north. This sign sits within this robust stretch of road.
- The major promotion sign is located in a manner which compliments its context, and purposely sites to ensure the visibility to the Subject Site and abutting properties is not unreasonably affected.
- The size and height of the promotion sign was designed to ensure it is visible to traffic, without compromising any views or impact on the visual amenity of this area in Hastings.

All surrounding properties have a consideration for the robust industrial precinct. Almost all properties are designed to be visible and prominent for passing traffic. This is reinforced by the frequency of signage in the area – a clear theme which can be viewed in Appendix 5.

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6. STATUTORY PLANNING CONTROLS

6.1. Zoning

The subject site is situated within the Industrial 3 Zone; therefore, the following items are relevant to the proposal outlined in this application:

- Promotional signs are encouraged in commercial and industrial locations in a manner which complements or enhances the character of the area. The character of this particular area is commercial and utilitarian in nature
- Advertising sign requirements are at Clause 52.05. This zone is in Category 2 (Low Limitations) for Industrial Zonings

Refer to Appendix 4 for a detailed response to the provisions and requirements set out in Clause 52.05.

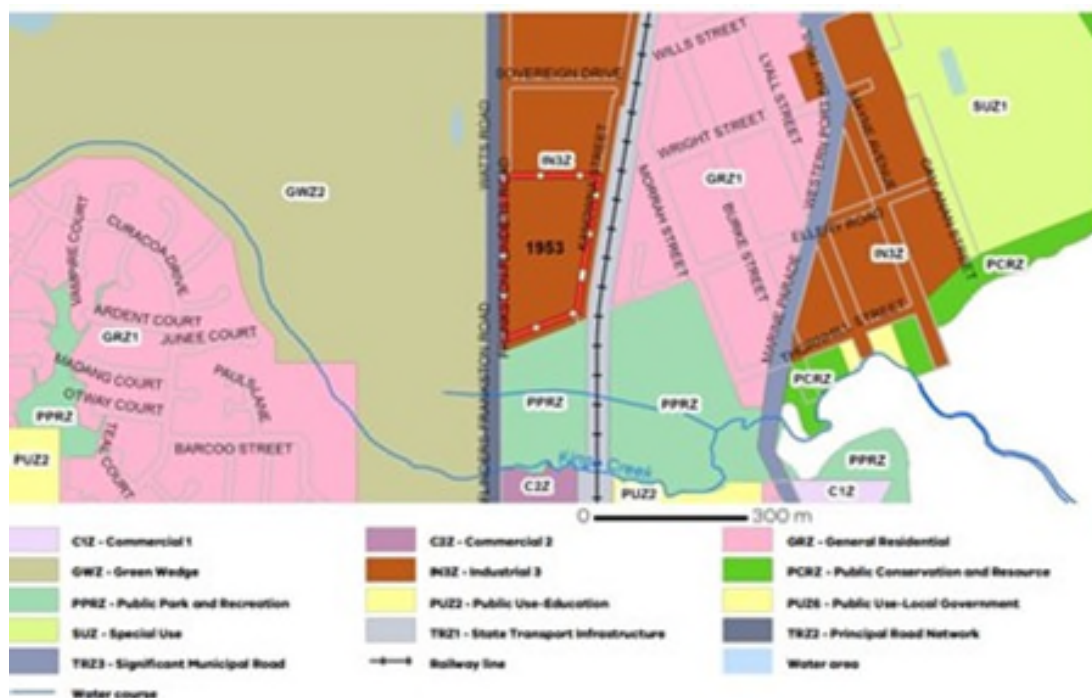


Figure 3 – Zone Controls of the Site & Surrounds

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6.2. Overlays

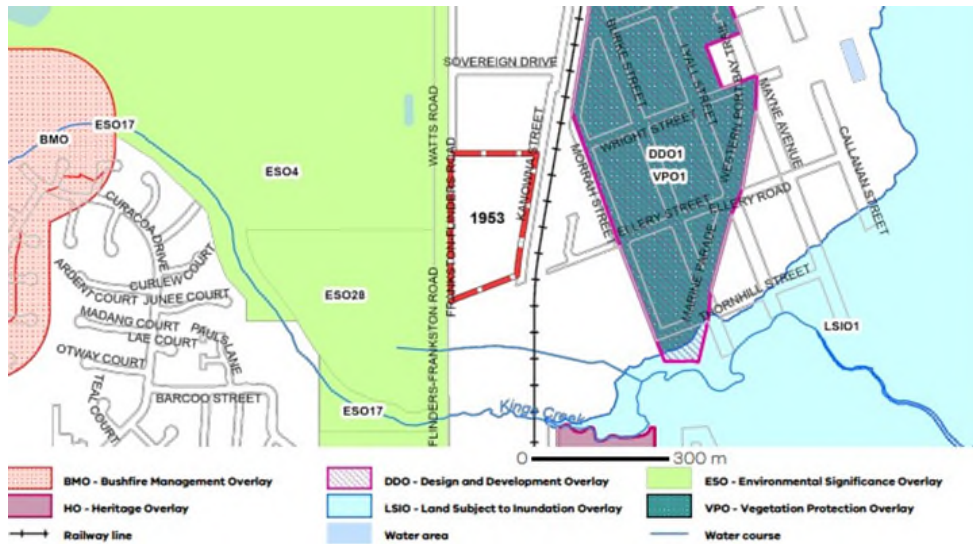


Figure 4 – Planning Overlays of the Site & Surrounds

There are no relevant overlays shown above on the Subject Site.

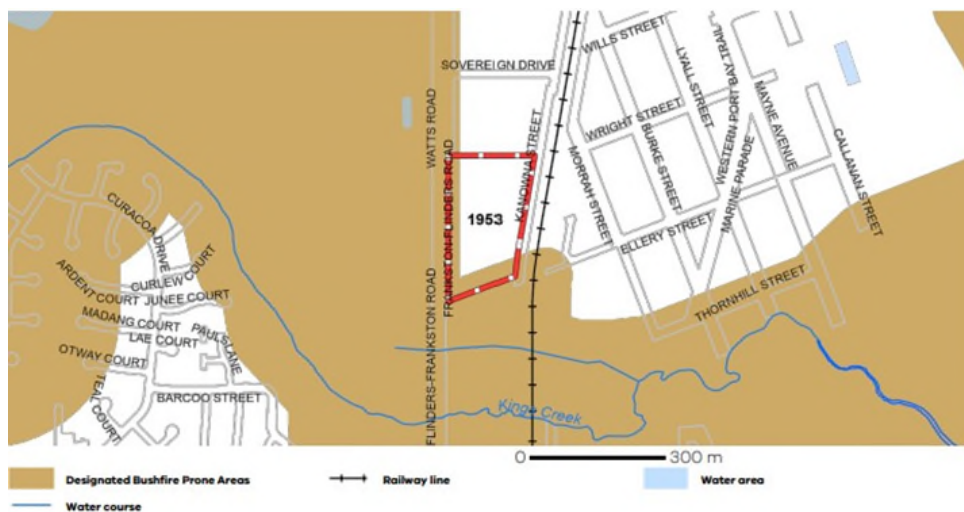


Figure 5 – Bushfire Overlay of the Site & Surrounds

The subject site has a bushfire management overlay “BMO” encompassing the land parcel. The purpose of this overlay is “To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire and to identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.” This development overlay makes no direct mention of advertisements and or signage, therefore this overlay does not affect this permit. Furthermore, the proposal uses non-combustible

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materials and would not adversely affect the surrounding land in the case of a bushfire.

7. LOCAL PLANNING POLICIES

Mornington Peninsular Shire Council

Clause 02.02 Vision -Strategic objectives.

- To facilitate opportunities for job creation and an environment for business to succeed.
- To help grow key strategic industries, such as the food economy, niche manufacturing and health economy, in the Mornington Peninsula.

Clause 02.03 Strategic Directions

2.03-6 Economic development

- Facilitate the expansion of existing industries and support new industries that provide services to the Peninsula community, contribute to the local employment base and are compatible with the Peninsula's character and environment, and the amenity of the local area.

The Hastings community centre is located off the main Frankston to Flinders connecting road, therefore businesses within this precinct have a direct commercial disadvantage. The proposal can strengthen the existing centre and provide advertising for new businesses looking to establish themselves in the Hastings community centre.

The proposal is a genuine form of new industrial development, with a contribution to the local economy by:

- Providing a guaranteed income from the revenue stream generated from the billboard to the local property owners.
- Local sign writers being employed to change display skins as required over the billboard's lifespan.
- Taking through traffic off Frankston-Flinders Road and into local businesses.

The locality of the proposal is nestled into an existing industrial area. The proposal adds colour and vitality to the subject site, which is currently utilitarian in nature. This ensures that the presentation of the township is benefitted by the proposal.

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Clause 52.05 - Signs

Purpose:

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance, or efficiency of a roads

52.05-08: Decision guidelines

- Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
- Major promotion signs are discouraged along forest and tourist roads, scenic routes, or landscaped sections of freeways.
- Major promotion signs are discouraged within open space reserves or corridors and around waterways.
- Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant view lines.
- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

The proposal is reflective of the advertising signage clause for the following reasons:

- Visual disorder and sign clutter is avoided as there is currently no advertising displayed with the general vicinity of the proposed site of the major promotional sign. There is an abundance of advertising along the Frankston-Flinders Road commercial/industrial corridor which sets up a strong advertising theme.
- Road safety is expected to not be adversely affected by the proposal, VicRoads ten-point checklist has been responded to appendix 06.
- The size and height of the advertising sign is compatible and comparable with the existing built form onsite, surrounding built form and surrounding advertising context. These factors ensure that the proposal compliments the existing streetscape.
- The proposal does not affect the visibility or clarity of any traffic management signs.
- Given the industrial nature of the proposal, the advertising sign is well designed and maintained to ensure it is visually appealing to potential advertisers.

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8. CONCLUSION

In conclusion, we submit that:

- The proposal seeks the approval for the development of a major promotion sign on the property at 1953 Frankston-Flinders Road, Hastings.
- The Subject Site is the most suitable for the proposed sign in all of Hastings. It is located in the heart of the industrial precinct and is not in close proximity to any heritage overlays or residential properties.
- The proposal is clearly supported by local policies in the Hastings Planning Scheme – whether evaluating the location or design of the sign.
- The proposed sign will primarily be used to advertise local businesses. This can have very positive impacts on the local economy.
- The proposal employs a high level of consideration to the provisions and policies set out about advertising signage in clause 52.05.
- The proposal is consistent with the built form on the subject site and surrounding properties. The design has carefully considered the height of nearby buildings and has ensured no important views or vistas will be impacted.

Overall, we conclude that the proposed development is consistent with the relevant state and local planning policies. The development also addresses the strategic directions and policy objectives of Mornington Peninsular Shire Council.



9. APPENDIX 1 – COPY OF TITLE



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 2

VOLUME 10997 FOLIO 732

Security no : 124105475066s
Produced 10/09/2023 10:27 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 537478Y.
PARENT TITLES :
Volume 09638 Folio 702 Volume 09827 Folio 896
Created by instrument PS537478Y 13/03/2007

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 1 of a total of 2 equal undivided shares
Joint Proprietors
DALE RICHARD AITKEN of 2 HIGH STREET HASTINGS VIC 3915
BARBARA MARY AITKEN of 21 MOLESWORTH STREET SEAFORD 3198
As to 1 of a total of 2 equal undivided shares
Sole Proprietor
MOOK NOMINEES PTY LTD of 21 MOLESWORTH STREET SEAFORD 3198
PS537478Y 13/03/2007

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG248394S 15/12/2008
BANK OF QUEENSLAND LTD
As to the interest of
DALE RICHARD AITKEN
BARBARA MARY AITKEN

LEASE as to part PL26286P 12/04/1989
Expiry Date 01/07/2087
DALE RICHARD AITKEN
BARBARA MARY AITKEN

LEASE as to part AN041191A 23/08/2016
Expiry Date 30/10/2087
MOOK NOMINEES PTY LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS537478Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Title 10997/732

Page 1 of 2

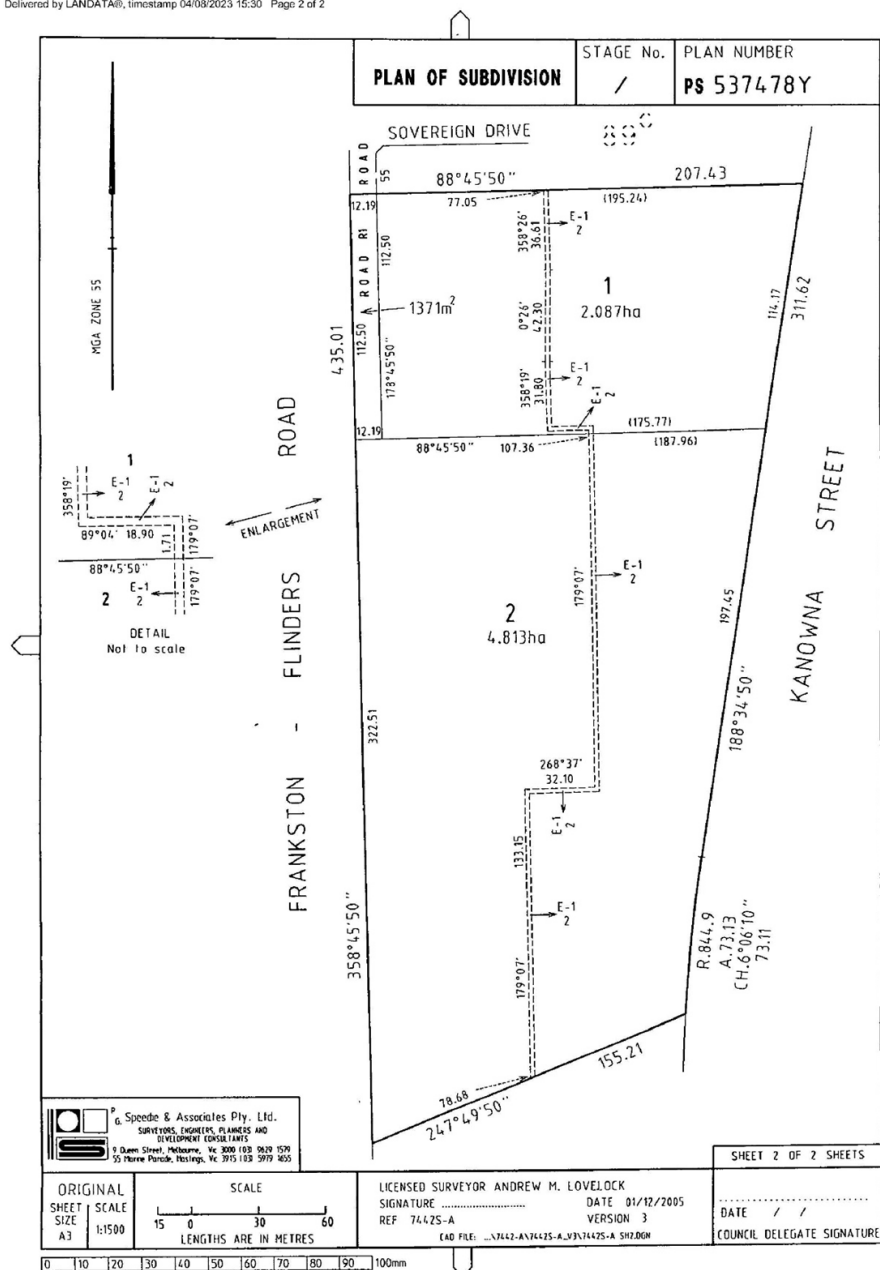
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10.APPENDIX 2 – COPY OF PLAN

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11. APPENDIX 3 – PERSPECTIVE VIEWS WRITTEN STATEMENT

Prepared By:	James Course
Qualification:	Advanced Diploma of Building Design (Architectural) <i>Including: BUIL5922 – Undertake site survey and analysis to inform design process</i>
Software:	Adobe Photoshop Creative Cloud <i>Informed by: Site features and measurements plan prepared in Autodesk Revit 2018</i>
Methodology:	Relevant data obtained from site measure up performed by James Course in conjunction with topographical maps from various online sources: services.land.vic.gov.au/maps & https://www.google.com.au/maps
Perspective View 01:	Camera: Google Pixel 6 Pro Type: Digital Lens Size: 27mm Angle: Landscape – Parallel to ground Date: 16/05/2023 Time: 3:19PM Height Above Ground: 1600mm Modified elements: Nil Assumptions: Height and Length are relative to the documented site features plan; however definitive accuracy cannot be guaranteed.
Perspective View 02:	Camera: Google Pixel 6 Pro Type: Digital Lens Size: 27mm Angle: Landscape – Parallel to ground Date: 16/05/2023 Time: 3:19PM Height Above Ground: 1600mm Modified elements: Nil Assumptions: Height and Length are relative to the documented site features plan; however definitive accuracy cannot be guaranteed.



12. APPENDIX 4 – CLAUSE 52.05

The relevant requirements for advertising signage are set out in Clause 52.05, which outlines that the following items must be addressed:

Site Context Report

Included on page A01 & A02 of the town planning documentation.

Location for Proposed Sign

Included on page A02 of the town planning documentation.

Location and Size of Existing Signage on the Site

The subject site has multiple wall mounted business identification signs on its Frankston-Flinders Road facing buildings, identifying the multiple tenants that occupy the Subject Site.



The Location of Closest Traffic Control Signs

The closest traffic control sign is sign alerting drivers to a change in speed along Frankston-Flinders Road.

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View Lines or Vistas Which May Be Affected by the Proposed Sign:

There are no important views or vistas impacted by the proposed sign which is free-standing.

Dimensions, Height Above Ground Level and Extent of Projection of the Proposed Sign

Included on page A03 of the town planning documentation.

Height, Width & Depth of the Total Sign Structure Including Method of Support and any Associated Structures Such as Safety Devices and Service Platforms

Included on page A03 of the town planning documentation.

Details of Associated On-Site Works

Installation of steel structure in line with engineer's specifications, steel erection via crane (no onsite welding, all bolted together), installation of cladding/display face fixed on to steel structure.

Details of any Form of Illumination Including Details of Baffles and the Times at Which the Sign Would be Illuminated

The proposed sign is to be illuminated, refer to appendix 6 for further information on the lighting. It would be switched off from Midnight to 4am.

The Colour, Lettering Style and Materials of the Proposed Sign

Included on page A03 of the town planning documentation.

The Size of the Display (Total Advertising Area Including all Sides of a Multi-Sided Sign)

Included on page A03 of the town planning documentation. Also referenced in section 5.1 of this report.

The Location of any Corporate Logo Box and Proportion of Display Area Occupied by such a Logo Box

Included on page A03 of the town planning documentation.

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Any Landscaping Details

No additional landscaping details.

A Description of the Existing Character of the Area Including Built Form and Landscapes

Refer to section 4 of this report.

Any Existing Identifiable Advertising Theme in the Area

As shown above and in Appendix 5, the majority of properties along this stretch of Frankston-Flinders Road have medium to large sized business identification signage. This signage is the key source of colour and vitality in this precinct. This signage comes in many forms and sizes – with a mixture of medium-large scale business identification and promotion signage. These signs are a mixture of wall mounted, awning fascia and under awning signs. Images of typical signage are shown in Appendix 5.

Photo Montages or a Streetscape Perspective of the Proposed Sign

Included on page A04 of the town planning documentation.

Level of Illumination

Please refer to appendix 6 for further information on the lighting.

The Relationship to any Significant or Prominent Views and Vistas

As identified above, the proposal is deemed as having no effect on any significant views or vistas.

In summary, the proposal is representative of the guidelines set out in clause 52.05. The proposal is characteristic to the scale of the surrounding context of built form. The impacts on any important or significant views are negligible.



13. APPENDIX 5 – SURROUNDING SIGNAGE & BUILT FORM

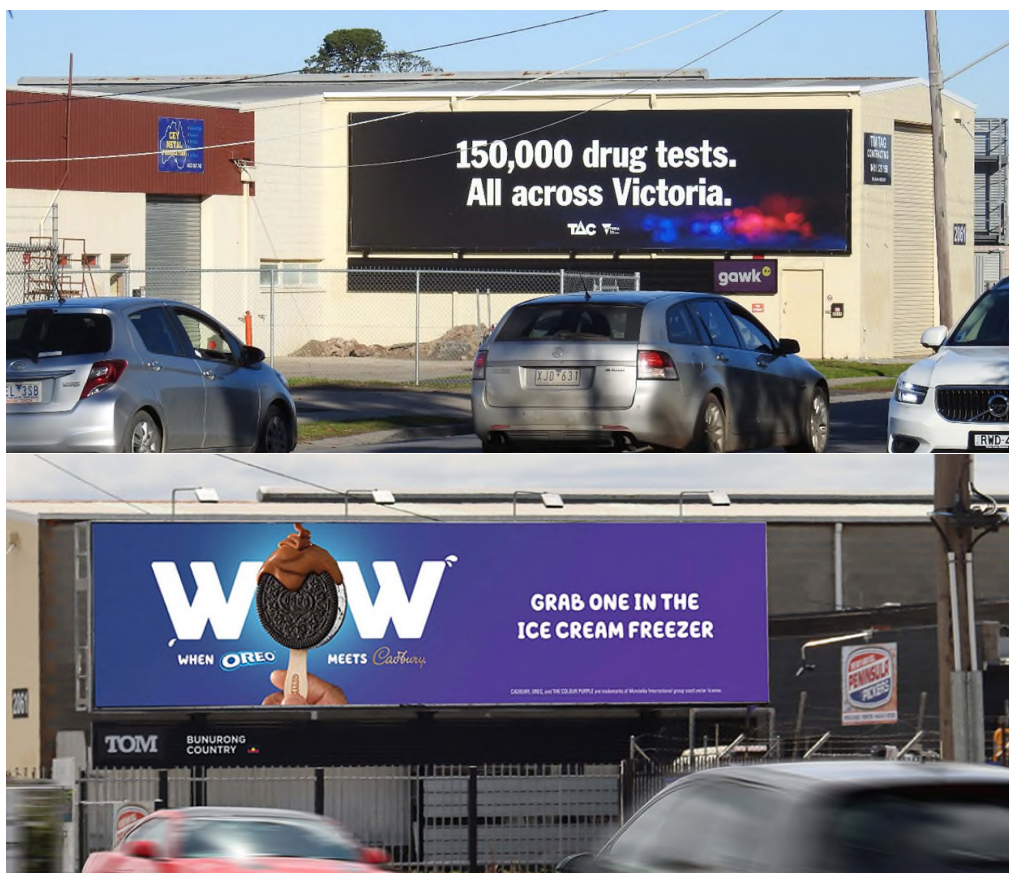


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14.APPENDIX 7 – VICROADS TEN POINT CHECKLIST

No.	Item	Comment/Response
01	Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.	The proposed sign would have no impact on any line of sight. There is a substantial setback from the property boundary to the carriageway and the proposal is located on a service lane.
02	Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device.	The closest traffic control device is over the other side of the road, so the sign would not be viewed as the background to this sign.
03	Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.	The advertising faces have strict guidelines regarding the design and coloration of advertising. The sign will not be reflective, animated or flashing and the sign is not illuminated.
04	Is at a location where particular concentration is required, such as a high pedestrian volume intersection.	The location is deemed to have no special consideration.
05	Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.	The advertising face is reviewed under strict guidelines to ensure no traffic control symbolism exists.
06	Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.	As with other advertising billboards, it is considered that the proposal would not require a detailed study.
07	Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.	It is understood that the proposed sign would not have any traffic control symbolism or directional advice to drivers.
08	Is within 100 metres of a rural railway crossing.	The proposal is not within 100m of a rural railway crossing.
09	Has insufficient clearance from vehicles on the carriageway.	The proposal will not effect the current clearance conditions on the subject site.
10	Could mislead drivers or be mistaken as an instruction to drivers.	As is outlined above, strict guidelines are adhered to in order to ensure advertising faces do provide instructions to drivers.

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15. APPENDIX 6 – BRIGHTNESS



Leaders in energy efficient lighting

Tiger LED Shoebox Area Lights

120W • Fixed or Hinged bracket • Lens & colour options

NB: OTHER SIZES AVAILABLE ON SPECIAL ORDER - PLEASE ALLOW 7-8 WEEKS FOR DELIVERY

CARPARK SHOEBOX LIGHT - FIXED BRACKET - 120W

Ideal energy efficient replacement for shoebox fitting for car parks, tennis courts, etc.
Fits onto 60mm spigot or onto square pole or wall with adaptor bracket..



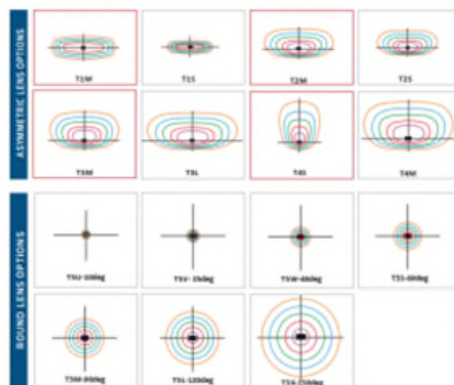
BILLBOARD LIGHT - HINGED BRACKET - 120W

Hinged mounting arm allows fitting to be turned up or down from horizontal or vertical position for precise direction of light beam. Fits onto 60mm spigot.



Photometrics - Lens options available

PLEASE NOTE: Certain size, colour and lens combinations may be special order items and may require 7-8 weeks for assembly & shipping.



Technical Parameters

Specifications	120W
Power consumption: System/LED	121W
Comparable metal halide	250 - 400W
Luminous Flux @ 120 lm/W	16,540 lm
Input current:	530mA
Input voltage & frequency	120-277VAC/50-60Hz
Power factor (PF)	≥ 0.95
LED modules / LED chips	4 modules / 72 LEDs
LED driver	Philips Xitanium
Colour rendering index (CRI)	Ra > 70
Colour temperature	5,000K
Light distribution	15 lenses available, inc 8 asymmetric
Most common asymmetric lenses	Most common are T2M, T2S, T4S.
Working ambient temperature	-50 - +50°C
Warranty	5 years
IP rating	IP67 (modules & driver compartment)
Service life	≥ 50,000 hours
Composition - lenses	Polycarbonate
Housing/heat sink	Aluminium/steel
Protective coating on housing	Polyester (100µm min)
Fascia covering modules	Stainless Steel (304)
Net weight	7.5kg (Carpark) 8kg (Billboard)
Dimensions (LxWxD) fitting	330 x 330 x 110mm exc bracket.
Product order code - shoe box fixed	FA120T (120W)
- shoe box hinged	FA120L (120W)

NB: Please allow 6-8 weeks for shipping of special order items

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MORNINGTON PENINSULA PLANNING SCHEME

11.03-5S Distinctive areas and landscapes

30/04/2021
VC185

Objective

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

Strategies

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

MORNINGTON PENINSULA PLANNING SCHEME

15.01-1S Urban design

31/07/2018
VC148

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

15.01-1R Urban design - Metropolitan Melbourne

31/07/2018
VC148

Objective

To create a distinctive and liveable city with quality design and amenity.

Strategies

Support the creation of well-designed places that are memorable, distinctive and liveable.

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

Create new boulevards in urban-growth areas and selected existing road corridors across Melbourne.

Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.

MORNINGTON PENINSULA PLANNING SCHEME

15.01-1L Urban design - Mornington Peninsula

22/07/2021
C279morn

Strategies

Avoid signs that protrude above the height of the building, including any parapet.

Give preference to freestanding pole signs over signs attached to buildings.

Encourage signs that relate to the address, business name or type of business conducted on the premises.

Avoid animated signs such as those with flashing or moving lights.

Avoid bunting signs except for use in display yards or as a temporary sign.

Avoid the use of fluorescent or reflective paints that result in visually obtrusive effects.

VICTORIA PLANNING PROVISIONS

33.03
31/07/2018
VC148

INDUSTRIAL 3 ZONE

Shown on the planning scheme map as **IN3Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-1
01/12/2023
VC217

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Convenience shop	
Crop raising	
Grazing animal production	
Home based business	
Informal outdoor recreation	
Mail centre	
Railway	
Service industry	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.

VICTORIA PLANNING PROVISIONS

Use	Condition
	Require a licence under Dangerous Goods (HCDG) Regulations 2016.
Service station	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within an urban growth boundary and in metropolitan Melbourne.
Take away food premises	
Tramway	
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: - The threshold distance, for a purpose listed in the table to Clause 53.10. 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: - Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. - Require a notification under the Occupational Health and Safety Regulations 2017. - Require a licence under the Dangerous Goods (Explosives) Regulations 2011. - Require a licence under the Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: - Transport of materials, goods or commodities to or from the land.

VICTORIA PLANNING PROVISIONS

Use	Condition
	- Appearance of any stored goods or materials. - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) Caretaker's house	
Education centre	Must not be a primary or secondary school.
Industry (other than Automated collection point and Service industry) Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus) Restricted retail premises Retail premises (other than Shop and Take away food premises) Sex services premises - if the Section 1 conditions for a shop are not met Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)

VICTORIA PLANNING PROVISIONS

Use

Cinema based entertainment facility

Hospital

Intensive animal production

Major sports and recreation facility

Motor racing track

Pig farm

Poultry farm

Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Sex services premises and Supermarket) – if the Section 1 conditions are not met

Supermarket – if the section 1 conditions are not met

33.03-2
01/07/2021
VC203

Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

VICTORIA PLANNING PROVISIONS

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

33.03-3
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: — Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. — Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

VICTORIA PLANNING PROVISIONS

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.03-4
01/12/2023
VC217

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
 - The rainwater tank is not located within the building's setback from a street (other than a lane).
 - The rainwater tank is no higher than the existing building on the site.
 - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
 - A waterway, wetland or designated flood plain.
 - A dwelling not in the same ownership.
 - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$1,000,000 where the land is not:	Clause 59.04

VICTORIA PLANNING PROVISIONS

Class of application	Information requirements and decision guidelines
▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for an Adult sex product shop.	

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
 - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.

VICTORIA PLANNING PROVISIONS

- The effect of nearby industries.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.03-5
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.

VICTORIA PLANNING PROVISIONS

52.05
31/07/2018
VC148

SIGNS

Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

52.05-1
31/07/2018
VC148

Application

This clause applies to the development of land for signs.

52.05-2
31/07/2018
VC148

Requirements

Sign categories

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if: ▪ The sign is not within 30 metres of land (not a road) which is in a residential zone.	Clause 59.09

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Class of application	Information requirements and decision guidelines
▪ The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign. ▪ The display area of the sign does not exceed 10 square metres.	

52.05-3
31/07/2018
VC148

Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

52.05-4
31/07/2018
VC148

Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

52.05-5
31/07/2018
VC148

Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

52.05-6
20/01/2022
VC205

Application requirements

An application must be accompanied by the following information, as appropriate:

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.
 - The location and form of existing signage on abutting properties and in the locality.
 - The location of closest traffic control signs.
 - Identification of any view lines or vistas that could be affected by the proposed sign.

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Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
 - A description of the existing character of the area including built form and landscapes.
 - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
 - Any existing identifiable advertising theme in the area.
 - Photo montages or a streetscape perspective of the proposed sign.
 - Level of illumination including:
 - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
 - The dwell and change time for any non-static images.
 - The relationship to any significant or prominent views and vistas.

52.05-7
31/07/2018
VC148

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

52.05-8
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
 - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.

VICTORIA PLANNING PROVISIONS

- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
 - The potential to obscure or compromise important views from the public realm.
 - The potential to dominate the skyline.
 - The potential to impact on the quality of significant public views.
 - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
 - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
 - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
 - The ability to screen unsightly built or other elements.
 - The ability to reduce the number of signs by rationalising or simplifying signs.
 - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
 - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
 - The extent to which the sign displays innovation relative to the host site and host building.
 - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of structures associated with the sign:
 - The extent to which associated structures integrate with the sign.
 - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
 - The impact of glare and illumination on the safety of pedestrians and vehicles.
 - The impact of illumination on the amenity of nearby residents and the amenity of the area.
 - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
 - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
 - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.
- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:
 - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.

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- Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

Major promotion signs

- The effect of the proposed major promotion sign on:
 - Significant streetscapes, buildings and skylines.
 - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
 - Residential areas and heritage places.
 - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
 - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
 - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
 - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
 - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
 - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

52.05-9
31/07/2018
VC148

Mandatory conditions

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

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Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
 - Dazzle or distract drivers due to its colouring.
 - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

52.05-10
26/09/2023
VC246

Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign's display cannot be seen from nearby land.
- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.
- A sign inside a building that cannot generally be seen outside.

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- A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.
- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.
- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.
- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.
- A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
 - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
 - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
 - The sign to be displayed longer than 7 days after the sale date.
- A sign publicising or providing information about Victoria's container deposit scheme under the *Circular Economy (Waste and Recycling) Act 2021*. The sign must be attached to an automated collection point, or a building used for a Container deposit scheme centre. The display area for the sign must not exceed 8 square metres. The sign must not be an animated, floodlit or internally illuminated sign.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the *Flags Act 1953*.

52.05-11
03/02/2022
VC199

Category 1 - Commercial areas

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Business identification sign	
Home based business sign	

VICTORIA PLANNING PROVISIONS

Sign	Condition
Promotion sign	
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

Section 3 - Prohibited

Sign
Nil

52.05-12
03/02/2022
VC199

Category 2 - Office and industrial

Low limitation

Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.
Business identification sign	
Home based business sign	
Pole sign	
Direction sign	Only one to each premises.
Internally illuminated sign	The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

VICTORIA PLANNING PROVISIONS

Section 3 - Prohibited

Sign

Nil

52.05-13
03/02/2022
VC199

Category 3 - High amenity areas

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Above-verandah sign	None specified
Business identification sign	
Electronic sign	The display area must not exceed 3 sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign	None specified
Pole sign	
Promotion sign	The display area must not exceed 3 sqm.
Reflective sign	None specified

Section 3 - Prohibited

Sign

Any sign not in Sections 1 or 2

52.05-14
17/10/2023
VC241

Category 4 - Sensitive areas

Maximum limitation

VICTORIA PLANNING PROVISIONS

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm. This does not apply to a Business identification sign on land used for a Freeway service centre or Service station.
Floodlit sign	Must not be a Promotion sign on land used for an Open sports ground.
Above-verandah sign High-wall sign Internally illuminated sign Pole sign	Must be on land used for a Freeway service centre or Service station.
Electronic sign	Must be on land used for a Freeway service centre or Service station. The display area must not exceed 3 sqm.
Promotion sign	Must be on land used for a Freeway service centre, Service station or Open sports ground. Must promote goods, services, events or matters provided, undertaken or sold on land used for a Freeway service centre or Service station.

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

Coastal Hazard Vulnerability and Risk Assessment Guidelines

Report for Mornington Peninsula Shire Council
May 2024



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Document Status

Version	Doc Type	Reviewed By	Approved By	Date Issued
V01	Draft	CLA	CLA	30/06/2023
V02	Draft	CLA	CLA	09/08/2023
V03	Final Draft	CLA	CLA	04/09/2023
V04	Final	CLA	CLA	19/10/2023
V05	Updated Final	MPSC	CLA	18/03/2024

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Definitions & Glossary

The following definitions and descriptions are provided to ensure clarity and consistency in understanding of key terms used throughout these guidelines. For the assessment of landslide hazards refer to the specific definitions provided in Australian Geomechanics Society (2007a).

Term	Definition
Annual Exceedance Probability (AEP)	Refers to the probability or risk of a flood of a given size occurring or being exceeded in any given year. A 90% AEP flood has a high probability of occurring or being exceeded; it would occur quite often and would be relatively small.
ABSLMP	Refers to the Australian Baseline Sea Level Monitoring Program which has been collecting high quality measured water levels at Portland, Lorne, and Stony Point in Victoria since 1991
Astronomical tide	Water level variations due to the combined effects of the Earth's rotation, the Moon's orbit around the Earth and the Earth's orbit around the Sun.
Australian Height Datum (AHD)	A common national surface level datum approximately corresponding to mean sea level. Introduced in 1971 to eventually supersede all earlier datums.
Average Recurrence Interval (ARI)	Refers to the average time interval between a given flood magnitude occurring or being exceeded. A 10-year ARI flood is expected to be exceeded on average once every 10 years. A 100-year ARI flood is expected to be exceeded on average once every 100 years. The AEP is the ARI expressed as a percentage.
Backshore	The backshore extent landward from the swash limit.
Berm	A coastal berm is a nearly horizontal shore parallel ridge formed on the beach due to the onshore movement of sand by wave action. Berms form at the entrance to estuaries when the catchment flows are insufficient to prevent or limit the onshore movement and disposition of sand by wave action.
Catchment	The area draining to a site. It always relates to a particular location and may include the catchments of tributary streams as well as the main waterway.
Coastline	Means the line of the low water mark off the coast which includes any bay, inlet, estuary and any waters within the ebb and flow of the tide.
Coastal Zone	Refers to a wider area seaward and landward where geological materials and landforms are dominantly shaped by interaction of recent and ongoing marine and terrestrial processes.
Coastal Hazard	A term to collectively describe physical changes and impacts to the natural environment which are significantly driven by coastal or oceanographic processes. VC171 defines Coastal Hazard to mean "an occurrence of an event within coastal Victoria which includes the individual or combined effects of inundation by the sea, the effects of storm tides, river flooding, coastal erosion, landslip and sand drift which adversely affects or may adversely affect human life, property or aspects of the environment."

Coastal Erosion	Coastal erosion is the process of winds, waves and coastal currents shifting sediment away from a localised area of the shoreline.
Estuary	The seaward limit of a drowned valley which receives sediment from both river and marine sources and contains geomorphic and sedimentary conditions influenced by tide, wave and river processes
Flood	Relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or overland runoff before entering a watercourse and/or coastal inundation resulting from elevated sea levels and/or waves overtopping coastline defences.
Flood hazard	Potential risk to life and limb caused by flooding. Flood hazard combines the flood depth and velocity.
Floodplain	Area of land which is subject to inundation by floods, i.e., flood prone land.
Geomorphology	The study of the origin, characteristics, and development of landforms
Intertidal	Pertaining to those areas of land covered by water at high tide, but exposed at low tide, e.g., intertidal habitat. Also called "shore zone"
Inundation	Flooding because of oceanic conditions is often referred to as inundation rather than flooding although the terms are interchangeable. In this guide the term flooding is used in preference to inundation.
Landslide	The movement of a mass of rock, debris, or earth (soil) down a slope.
LiDAR	Spot land surface heights collected via aerial light detection and ranging (LiDAR) survey. The spot heights are converted to a gridded digital elevation model dataset for use in modelling and mapping
MHWS	Mean High Water Springs, i.e., the mean of spring tide water levels over a long period of time.
MSL	Mean Sea Level.
Nearshore	The region of land extending from the backshore to the beginning of the offshore zone.
Nominal protection (NFPL)	flood level Is the minimum level (elevation) requirement for building floors and services (e.g., sewer openings & electrical fittings) and is measured in metres AHD. The NFPL affects the height of floors and building services above the ground surface
Offshore	The zone seaward of where waves interact with the seabed
Precautionary Principle	Where there are threats of serious or irreversible environmental and other damage, lack of full certainty should not be used as a reason for postponing measures to prevent environmental or other degradation.
Risk	Risk is expressed as the combination of the consequences of an event and the associated likelihood of occurrence.
Risk Assessment	Risk Assessment is the overall process of risk identification, risk analysis and risk evaluation.

Risk Management Process	The systematic application of management policies, procedures and practices to the activities of communicating, consulting establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk (ISO 31000: 2018) establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk (ISO 31000: 2018)
Sea Level Rise (SLR)	A permanent increase in the mean sea level above the 1990 mean sea level.
Shoreline	The physical interface of land and sea – typically taken as the 0 m AHD contour for coastal hazard assessment datum purposes. Sea level rise since 1990 should be added to 0 m AHD to give an estimate of the current shoreline datum for assessing coastal erosion.
Shoreline Class	A length of coast with a characteristic appearance in plan and profile and comprised of a limited range of geological materials (DEECA, 2023). Referred to as Shoreline Types in the Western Port Local Coastal Hazard Assessment (Water Technology, 2014).
Shore Zone	Also termed the intertidal zone. Area between the lowest low-water level and the landward limit of swash during storms. On intertidal areas of unconsolidated sediment (boulders, gravel, sand, mud), the shore zone is also referred to as the beachface where sediment moves cross-shore and along-shore in response to wave-induced currents in the swash and backwash. A sub-unit of the shore zone is the supratidal zone—an area landward of direct swash that is impacted by wave splash and occasionally washed by a storm surge. The supratidal zone is the seaward limit of the backshore and overlaps the shore zone. On rocky shores the shore zone is a shore platform.
Spring Tides	Tides with the greatest range in a monthly cycle, which occur when the sun, moon and earth are in alignment (the gravitational effects of the moon and sun act in concert on the ocean).
Storm Surge	The increase in coastal water levels caused by the barometric and wind set-up effects of storms. Barometric set-up refers to the increase in coastal water levels associated with the lower atmospheric pressures' characteristic of storms. Wind set-up refers to the increase in coastal water levels caused by an onshore wind driving water shorewards and piling it up against the coast.
Swash limit (wave runup)	This is the oscillating line marking the limit to which water from a breaking wave extending landward. It defines the wet-dry beach margin and is best recorded by video photography from aerial or fixed ground cameras. Swash is driven by wave height, wavelength, and beach slope while the runup distance is determined largely by beach grain size, wave turbulence, swash-backwash interaction, and infiltration. ¹
Storm tide	Coastal water level produced by the combination of astronomical and meteorological (storm surge) ocean water level forcing
Susceptibility	See Vulnerability

¹ Erikson, et al., (2007) Swash zone characteristics, California, Coastal engineering 2006: proceedings of the 30th international conference: San Diego, California, USA, 3-8 September 2006.

Tidal Planes	A series of water levels that define standard tides, e.g. 'Mean High Water Spring' (MHWS) refers to the average high water level of Spring Tides.
Tidal Prism	The volume of water moving into and out of an estuary or coastal waterway during the tidal cycle.
Tidal Range	The difference between successive high water and low water levels. Tidal range is maximum during Spring Tides and minimum during Neap Tides.
Tidal Waterways	The lower portions of coastal rivers, creeks, lakes, harbours, and ICEs affected by tidal fluctuations.
Topography	A surface which defines the ground level of a chosen area.
Vulnerability	In the coastal context, the susceptibility of people and places along the coast to adverse impacts from coastal hazards. Includes the degree of exposure, and ability to cope with, respond to and adapt to coastal hazards (DEECA, 2023)
Wave Setup	The increase in mean water level due to the presence of waves
Wave runup	See Swash limit above.
Wind Setup	The vertical rise of the water surface above the still water level caused by wind stresses on the water surface.
Wind Shear	The stress exerted on the water's surface by wind blowing over the water. Wind shear causes the water to pile up against downwind shores and generates secondary currents.

Abbreviations

ABSLMP	Australian Baseline Sea Level Monitoring Project
AGS	Australian Geomechanics Society
ARR	Australian Rainfall and Runoff
DELWP	Department of Environment Land Water and Planning
DEECA	Department of Energy Environment and Climate Action
DSE	Victorian Department of Sustainability and Environment
SLR	Sea level rise
VCMP	Victorian Coastal Monitoring Program
WPLCHA	Western Port Local Coastal Hazard Assessment

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1. Introduction

The aim of this guideline is to provide an overview and clarity relating to the purpose, methodology and outcomes of Coastal Hazard Vulnerability and Risk Assessments (CHVRAs).

1.1. About Coastal Hazards

Natural processes such as erosion and inundation continually shape our diverse and dynamic coastline. When these processes may have a negative impact on environmental, cultural, social, and economic values along the coast, we refer to them as coastal hazards. Definitions of coastal erosion, inundation and other coastal hazards vary nationally and for different Victorian locations and types of shorelines.

The coastal hazards being considered within this Guide are:

- Erosion hazards for:
 - Hard rock cliffs with and without a beach,
 - Soft rock cliffs with and without a beach,
 - Low earth scarp, and
 - Sandy shorelines.
- Inundation hazards for:
 - Storm tide inundation, and
 - Permanent inundation.

These coastal hazards and their definitions are consistent with the *Victoria's Resilient Coast - Coastal Hazards Extended Guideline* (DEECA, 2023) which builds upon earlier Victorian guidelines (DELWP, 2012), and align with the work undertaken as part of the Western Port Local Coastal Hazard Assessment (Water Technology, 2014). For flood risks, the approach outlined is consistent with the *Guidelines for Development in Flood Affected Areas* (DELWP, 2019). Additional consideration is also given to factors such as acid sulphate soils which contribute to risks associated with these hazards and must be considered under Clause 12.02-1S of the Mornington Peninsula Planning Scheme, as well as links to detailed geotechnical assessment requirements where landslide risks are identified.

1.2. What is a Coastal Hazard Vulnerability & Risk Assessment?

A Coastal Hazard Vulnerability and Risk Assessment (CHVRA) is the approach for assessing the exposure of a location or property to coastal hazards, the associated likelihood and consequences of exposure, and the risks to life and property. The level of detail within a CHVRA will depend on the scale of the assessment, shoreline class, specific place-based needs, and complexity of the potential risks. The purpose of this guide is to set out the requirements of any CHVRA prepared as part of a development application to the Mornington Peninsula Shire Council, and it is based on the specific needs of Council.

A Coastal Hazard Vulnerability & Risk Assessment (CHVRA) must be prepared by a suitably qualified coastal engineer or coastal processes specialist, with inputs from other specialists such as geotechnical and flood engineers where relevant, using a risk management framework.

The CHVRA must:

- Consider the requirements of the Marine and Coastal Act (2018), the Marine and Coastal Policy (2020), and Victoria's Resilient Coast - Adapting for 2100+ framework, guidelines and support documents.

- Consider factors including sea level rise and its associated natural hazards as set out in the Marine and Coastal Policy March 2020 and Clause 13.01-2S (Coastal inundation and erosion).
- Maintain the health and function of ecosystems and habitats as set out in the Marine and Coastal Policy March 2020 by avoiding disturbance of acid sulfate soils under Clause 12.02-1S (Protection of the marine and coastal environment).
- Consider the implications of coastal processes on the development.
- Consider the implications of the development on existing development and coastal processes and/or inundation.
- Apply the precautionary principle and use best available data in its approach.
- Be consistent with the risk management framework set out in AS 5344-2013: Climate Change Adaptation for Settlements and Infrastructure
- Assess the risk of coastal hazards to the state Sea Level Rise benchmark (+0.8m for 2100).
- Consider the requirements of the DELWP (2019) *Guidelines for Development in Flood Affected Areas*.

Guidance material may change over time, and the most recent and relevant data, information and guidance should be used when undertaking a CHVRA.

Where the CHVRA will be assessing coastal inundation, the application will be referred to Melbourne Water, and there may be additional requirements from them. Advice from Melbourne Water on their requirements including flood levels and finished floor levels should be sought prior to undertaking the work. Melbourne Water's *Interim Development Assessment Principles* provides guidance on their assessment approach for properties affected by coastal inundation.

There are two levels of CHVRA reports, a basic CHVRA and a detailed CHVRA. The requirements for each are described in detail in this document. Where the outcome of a basic CHVRA is that the proposed development is classed as medium risk or higher to life or property then a detailed CHVRA is required, which must:

- Include a peer review prepared by a suitably qualified coastal engineer or coastal processes specialist, as selected in agreement with the Mornington Peninsula Shire Council, and at the applicant's expense.
- Address the outcomes of the peer review.

The overall CHVRA process is summarised in Figure 1.

Without adequate justification (e.g., type of structure proposed), Council is unlikely to support any argument that a CHVRA is not required due to the predicted lifespan of any proposed buildings and works. Life cycle planning approaches must be consistent with the Victorian Marine and Coastal Policy (DELWP, 2020, p.54, Section 11.3).

Council is also unlikely to support an application that relies on protective works and structures (e.g., seawalls) on marine and coastal Crown land as State Government and Crown land managers do not have an obligation to manage marine and coastal Crown land or coastal processes for the primary purpose of protecting private property. This includes provision of structures or works.

Where the CHVRA identifies risk due to coastal hazards, the proponent may propose mitigation measures in accordance with the hierarchy of adaption actions outlined in the Victorian Marine and Coastal Policy (DELWP, 2020) and described in the Victoria's Resilient Coast Guidelines (DEECA, 2023). Any mitigation measures must consider the ability to cope with, respond to and adapt to coastal hazards and help inform a risk-based adaptation management response.

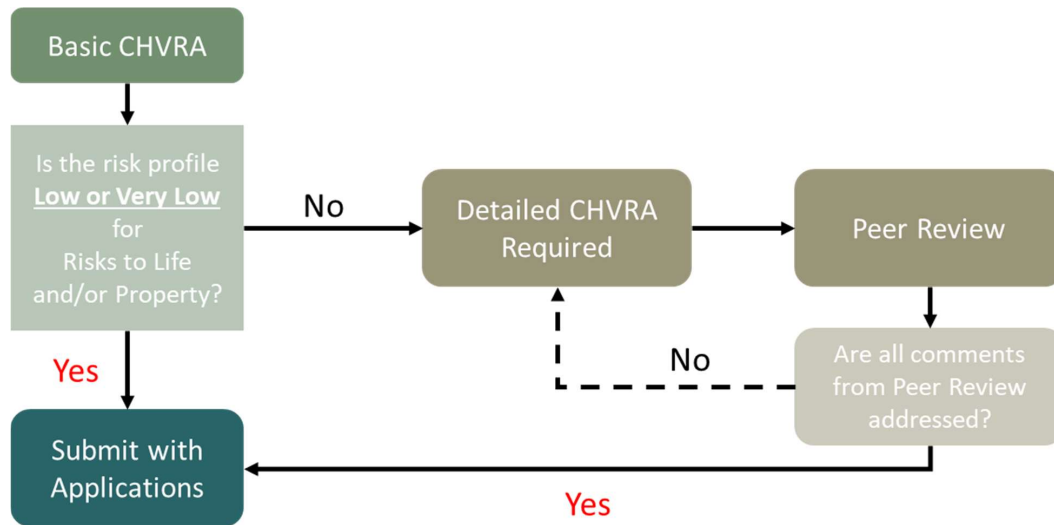


Figure 1 Outline of the CHVRA process

This guidance document focusses on the requirement of CHVRAs within Land Subject to Inundation Overlays (LSIO) and Erosion Management Overlays (EMOs) in the Western Port region. However, if required to prepare a CHVRA as part of a use and/or development planning application, where the subject site/s is not covered by an EMO or LSIO, this guidance document should still be used as a reference.

1.3. What should be covered by a CHVRA?

Mornington Peninsula Shire Council through Amendment C271morn has introduced the requirement for a CHVRA to be provided for planning permit applications for all developments where a property is within the LSIO2-4 and/or EMO6 overlays. Development and works on marine and coastal Crown land will require consent under the Marine and Coastal Act 2018 and where they also need a planning permit the CHVRA requirement will apply. A CHVRA include coastal erosion and inundation assessment. The assessment must address the objectives of the relevant overlay(s) and is prepared at the cost of the applicant.

The Erosion Management Overlay EMO6 requires consideration of potential future coastal erosion and the consequence of that for development. The objectives of EMO6 are:

- To ensure that development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject land or adjoining or nearby land.
- To respond appropriately to the threats of coastal hazards including erosion and landslip and identify at risk areas and plan for sea-level rise of not less than 0.8 metres by 2100.
- To ensure future development is designed and located in response to threats from coastal hazards.

The Land Subject to Inundation Overlay LSIO2-4 requires consideration of potential future coastal inundation and the consequence of that for development. The objectives of LSIO2-4 are:

- To protect land vulnerable to coastal inundation from inappropriate development.
- To identify at risk areas and plan for sea-level rise of not less than 0.8 metres by 2100.
- To plan for projected sea level rises to ensure that the community and assets are not exposed to an unacceptable level of risk associated with the coastal impacts of climate change.
- To ensure new development is designed to respond appropriately to the identified flood hazard.

Section 5 of this Guide sets out the application requirements for a CHVRA considering all the objectives above. There are two levels of erosion focussed CHVRA; a basic assessment, and a detailed assessment which are described further in Table 1. Where the location being assessed is within an LSIO, all basic and detailed assessments should also meet any other specific flood related information and reporting requirements as defined by Melbourne Water.

Table 1 Description of the levels CHVRAs and their general requirements

Level of CHVRA	General Description (see Section 4 and 5 for details)	When is this level of assessment required?
Basic	Assemble relevant data (see Section 4). Desktop review and evaluation of coastal erosion & inundation hazards relevant to the specific shoreline class based on the WPLCHA output or more recent detailed coastal hazard investigations or mapping if available (see Section 5). For instance, Melbourne Water has revised flood levels for Western Port since the WPLCHA was completed and the revised levels are available via flood information requests. For areas outside Western Port including Port Phillip Bay, the best available coastal hazard mapping should be applied, and flood levels requested from Melbourne Water where appropriate. Risk assessment and evaluations including identification of risk treatment requirements and risk re-evaluation (Section 5). If the outcome of the assessment indicates a low level of risk to life or property, and the peer review supports the outcome then a detailed CHVRA is not required. If the outcome of the assessment indicates a medium or above level of risk to life or property and proposed risk treatments cannot reduce this risk to an acceptable level a detailed CHVRA will be required to support any development application.	Applicable to all applications.
Detailed	Same approach as for a basic assessment, plus: Refinement of the coastal hazard exposure estimates based on detailed modelling and analysis applying best practice methods of assessment for the local geomorphology, coastal processes, and oceanographic conditions. All detailed analysis should follow the requirements of the <i>Victoria's Resilient Coast - Coastal Hazards Extended Guideline</i>. The flood levels and floor level requirements as set by of Melbourne Water should also be confirmed. Where risk due to landslides is identified as medium or above the specific hazard analysis and risk assessment approach as outlined in the <i>Guideline for landslide susceptibility, hazard and risk zoning for land use planning</i> (AGS (2007a)) is required.	Where the risk to life or property is medium or above and cannot be reduced through risk treatments.

1.3.1. Melbourne Water Referrals

Melbourne Water is the Referral Authority for flooding, as identified through LSIO2-4 and applications referred to Melbourne Water must meet Melbourne Waters assessment criteria related to floor levels and safety.

1.4. Who Should Prepare a CHVRA?

The CHVRA must be prepared by a specialist with the relevant expertise, such as:

- A suitably qualified coastal specialist, which is a person with:
 - A relevant qualification in coastal engineering, coastal sciences, geomorphology, and significant relevant professional experience (10 years or more); or
 - A relevant engineering qualification (that is civil, environmental, geotechnical engineering) and significant relevant professional experience (10 years or more).

Additional skills may be required such as flood engineering, ecology, or soil science, however their work must be overseen by the coastal specialist.

If the CHVRA identifies erosion risk to people or property because of landslides caused by coastal processes where the risk is medium or above, then a geotechnical hazard and risk assessment report by a suitably qualified geotechnical engineer or engineering geologist with experience in landslide risk assessment is required. This is discussed further in Section 5.

Where risk treatments (often termed "mitigation measures") are proposed that require the physical construction of works, then the assessment, design, and approval of the works would need to be obtained from the relevant qualified professional e.g., a qualified geotechnical engineer for the assessment and design of slope stabilisation works.

1.5. Submission and Approvals

Submission of a CHVRA does not constitute approval of the application because the findings of a CVHRA may warrant substantial changes to a use and/or development, a substantial engineering solution that cannot meet other requirements applicable to the subject site and as identified within the Mornington Peninsula Planning Scheme, or the assessment may find that the proposed use and/or development is not safe to proceed altogether.

Melbourne Water is the determining authority for the LSIO and therefore any application for a property affected by the LSIO will be referred to Melbourne Water for assessment and decision.

2. Geomorphic Setting & Coastal Processes

2.1. Geomorphic Setting

The geomorphic setting relates to the type of shoreline being assessed and includes consideration of the relevant geomorphic processes and shoreline classes. A detailed description of these aspects was completed for all Western Port Bay in the Western Port Local Coastal Hazard Assessment (WPLCHA) by Water Technology in 2014. The recent Victoria's Resilient Coast Coastal Hazards Extended Guideline (Water Technology, 2022) has built upon the 2014 study and adopted many of the same geomorphic terms, however there are slight differences in terminology between the two documents which are summarised in Table 2.

Table 2 Comparison between geomorphic terminology in the WPLCHA and the Coastal Hazard Extended Guideline

Western Ports Local Coastal Hazard Assessment	Coastal Hazards Extended Guideline
Geomorphic sub-cell	Shoreline class
Coastal wetland fringed shorelines	Estuarine environmental/coastal floodplains
Low earth cliff shorelines	Low earth scarp
Hard rock cliff and shore platform	Hard/soft rock cliffs with platform and / or beach
Platform beach and bluff	Hard / soft rock cliffs with platform and / or beach
Sandy spit shorelines	Sandy shorelines
Estuarine and tidal channels	Estuarine environments / coastal floodplains
Not assessed	Engineered shoreline

Information on the geomorphic setting needs to be included within a CHVRA to provide context for the assessment and ensure that the assessment methods applied in determining hazard exposure and risk are the most appropriate for the specific geomorphic setting and shoreline Information from the WPLCHA is suitable for use in the CHVRA, however if high resolution local (site specific) data is available this can be utilised. Where to find such information is discussed in Section 4 and a detailed description of the different shoreline classes is provided in the Coastal Hazards Extended Guideline.

For locations outside of Western Port, the appropriate shoreline class as defined by the Coastal Hazards Extended Guideline should be defined.

If risk treatments are proposed, they must be suitable for the relevant shoreline class at the site and be designed or assessed using the applicable standards or codes.

2.2. Physical Coastal Processes

Physical coastal processes are the mechanisms driving change along the coastline, and include climate variable, winds, wave, currents, and tides. It is important to understand the interactions and cyclical nature of these physical processes. A detailed description of these processes is included in the WPLCHA reporting, including discussion of:

- Climate variables (wind, rainfall)
- Ocean systems (bathymetry, wave and currents, sediment transport)
- Water levels (tide, storm tides, sea-level rise)

A description of these processes is included in the Coastal Hazards Extended Guideline (Water Technology, 2022). The information on physical coastal processes from the WPLCHA is suitable for use in the CHVRA, however if high resolution local (site specific) data is available this can be utilised, particularly where new modelling is being undertaken. Where to find such information is discussed in Section 4 and a detailed description of the different shoreline classes is provided in the Coastal Hazards Extended Guideline.

For locations outside of Western Port the relevant coastal process information should be sourced by the coastal specialist.

3. Coastal Hazard Definitions

As mentioned in Section 1.1, the coastal hazards being considered within this Guide are:

- Erosion hazards:
 - Hard rock cliffs with and without a beach,
 - Soft rock cliffs with and without a beach,
 - Low earth scarp, and
 - Sandy shorelines.
- Inundation hazards:
 - Storm tide inundation, and
 - Permanent inundation.

Each hazard is defined further in the following sections. For locations outside of Western Port checks should be undertaken as to whether other coastal hazards as defined by Victoria's Resilient Coast Adapting to 2100+ framework are applicable and need to be assessed.

3.1. Erosion Hazards

Erosion is the loss of sediment from the shoreline because of terrestrial and coastal processes. The most relevant processes to be considered will be defined by the geomorphic setting and shoreline class for a given location. The following definitions are adopted from the Coastal Hazards Extended Guideline:

- **Short-term erosion (storm bite)** is erosion that occurs on a short-term basis, often during a storm. The shoreline and beach then gradually regain sediment (rebuilt). This category of erosion is relevant to **Sandy** shorelines.
- **Long-term erosion (recession or retreat)** is a continuing movement of the shoreline position in a landward direction, occurring either gradually over many years, or when the shoreline does not recover following a short-term erosion event. This category of erosion is relevant to **Sandy, Low-earth Scarp, Soft and Hard Rock** shoreline classes.

Long-term recession at a rate over and above that which is naturally occurring for some shoreline classes (Sandy, Low-earth Scarp and Soft Rock) is the predicted outcome of sea level rise. This additional category of recession must be incorporated into the CHVRA.

The coastal erosion processes and mechanisms are described further in the Coastal Hazards Extended Guideline. Estimates of the different categories of erosion for the different shoreline classes have been provided as outputs from the WPLCHA and is suitable for use in a basic CHVRA.

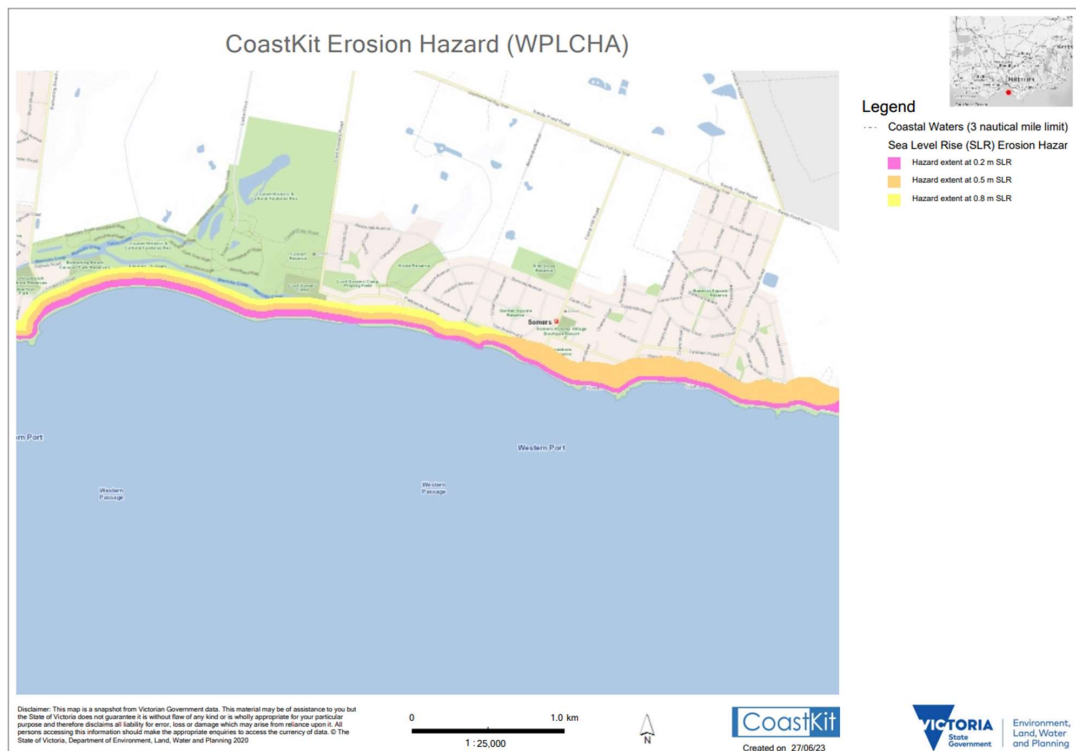


Figure 2 Shoreline erosion estimates based on shoreline classes from the WPLCHA
(accessed via CoastKit <https://mapshare.vic.gov.au/coastkit/>)

If high resolution local (site specific) data is available this can be utilised, and the erosion hazard recalculated. Where to find such information is discussed in Section 4 and a detailed description of the different shoreline classes is provided in the Coastal Hazards Extended Guideline.

Both short-term and long-term coastal erosion processes can potentially trigger or reactivate slope failure processes (e.g., landslides). For soft or hard rock shorelines where the risk rating to people or property is medium or above, a landslide hazard and risk assessment based on AGS (2007a) is required.

3.2. Inundation Hazards

Coastal inundation hazards are typically related to the temporary direct inundation of low-lying land because of overtopping or breaching of dunes, coastal barriers, beach access points or protection works; and/or because of elevated water levels in adjacent waterways from catchment or coastal processes.

- **Storm-tide inundation** is caused by a combination of tides, storm-surges, and high wave action during severe weather events, Figure 3.

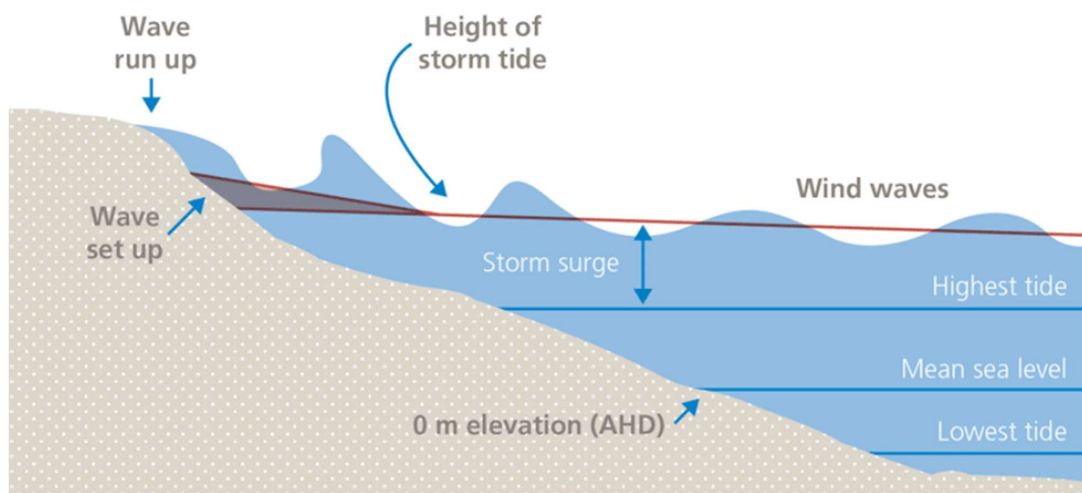


Figure 3 Components of a storm tide event (Source: DELWP)

- **Permanent inundation** occurs when low-lying areas are regularly flooded due to the tide. Although not typically a significant issue under current sea level conditions, this type of inundation is likely to have an increasing level of impact with sea level rise.

The inundation processes and mechanisms are described further in the Coastal Hazards Extended Guideline. Estimates of coastal inundation have been provided as outputs from the WPLCHA and is suitable for use in a basic CHVRA.

Maps of the peak flood depths and velocities for a property and the access routes should be provided where possible. If the property is fronting the coast or could be affected by wave run-up then estimates of wave run-up should be provided and included in the mapping of flood depths.

The assessment of inundation hazards for a basic assessment must include storm tide inundation, while a detailed assessment should consider both storm tide and permanent inundation.

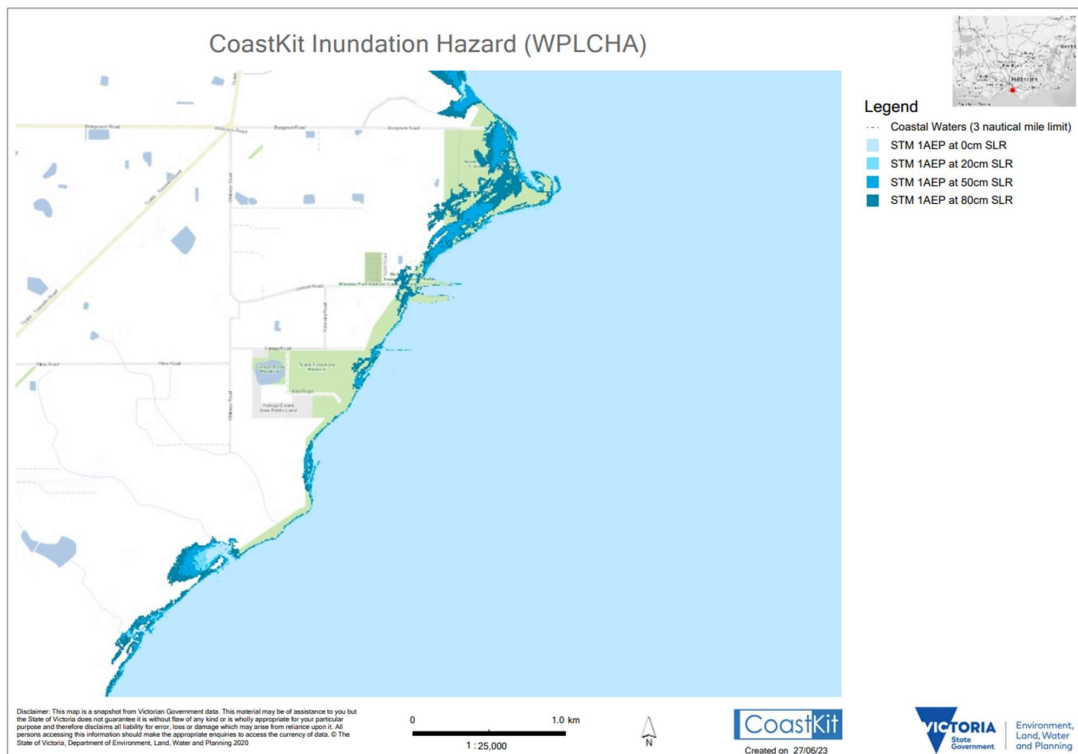


Figure 4 Inundation estimates from the WPLCHA (accessed via CoastKit
<https://mapshare.vic.gov.au/coastkit/>)

3.3. Planning Horizons and Sea Level Rise Scenarios

In line with Victoria's Resilient Coast – Adapting for +2100 guidelines (DEECA, 2023), the best practice approach for CHVRAs is to consider the following planning horizons and sea level rise increments.

Table 3 Recommended planning horizons and sea level rise increments for CHVRAs (from DEECA, 2023)

Period	Time step	Indicative horizon	Sea level rise increment
Baseline	Baseline of historic and current data	Present day	Mean sea level (MSL)
Short term	10 to 25 years	2040	MSL +0.2 m
Medium term	25 to 50 years	2070	MSL +0.5 m
Long Term	50 to 100 years	2100	No less than MSL +0.8 m

Sea level rise increments for consideration within a CHVRA are based on the Marine and Coastal Policy 2020 and future updates to sea level rise benchmarks should be considered when undertaking the assessment.

All applications will be assessed against the state sea level rise benchmark, which is currently +0.8 m for 2100. For flooding, Melbourne Water typically requires that the minimum floor levels are set at 600 mm above the 1% AEP flood event including +0.8m sea level rise by 2100. The tolerability of flooding and any flood risk treatments will only be assessed using the long term (2100) planning horizon.

4. Coastal Hazard Information & Data

4.1. General

All CHVRA's need to consider the following documents:

- Marine and Coastal Act 2018
- Marine and Coastal Policy (DELWP, 2020)
- Marine and Coastal Strategy (DELWP, 2022)
- Victoria's Resilient Coast – Adapting for 2100+ guidelines and supporting documents
- Guidelines for Development in Flood Areas (DELWP, 2019)
- Victorian Floodplain Management Strategy (2016)
- Planning Practice Note 53 (2023) Managing Coastal Hazards and the Coastal Impacts of Climate Change
- Melbourne Water (2023) Sea level Rise Guidelines – Interim Development Assessment Principles
- Mornington Peninsula Planning Strategy and Planning Policy Framework with specific reference to Clause 13.01-1S and 13.01-2S
- Siting and Design Guidelines for Structures on the Victorian Coast (DEWLP, 2020)
- AS 5344-2013: Climate Change Adaptation for Settlements and Infrastructure
- Western Port Local Coastal Hazard Assessment (Water Technology, 2014)
- Mapping outputs from the Western Port Local Coastal Hazard Assessment and subsequent inundation modelling by Melbourne Water)

These documents and guidance material may change over time, and the most recent and relevant information should be used when undertaking a CHVRA.

DEECA has prepared guidelines to support planning and management of Victoria's marine and coastal environment which can be accessed here: [Guidelines \(marineandcoasts.vic.gov.au\)](https://marineandcoasts.vic.gov.au)

The updated Coastal Hazards Extended Guideline (Water Technology, 2022) contains a high-level guide specifically on coastal hazard data and information, including example sources, organisations, databases, and libraries that hold the relevant data. A brief overview of those data sources and information on how to access them is provided in the following sections.

4.2. Coastal Hazard Data

4.2.1. Western Port Local Coastal Hazard Assessment

The main resources for coastal hazard information in Western Port are the Western Port Local Coastal Hazard Assessment (Water Technology, 2014) (WPLCHA) and the subsequent Melbourne Water Planning for Sea Level Rise Guidelines.

The data layers (erosion and inundation hazard extents plus the shoreline classification) can be accessed via CoastKit. CoastKit is the central repository of Victorian marine and coastal scientific projects and datasets and can be accessed at [CoastKit Victoria \(mapshare.vic.gov.au\)](https://mapshare.vic.gov.au). The CoastKit database includes information on shoreline geology, and the erosion and inundation hazard layers from the WPLCHA and the inundation layer from the Melbourne Water guidelines. The database also provides access to the coastal acid sulphate dataset, and other relevant information such as wave height and direction, sediment data, information on coastal protection assets and infrastructure.

The inundation datasets can be downloaded from the Victorian Datashare portal: [Datashare - A search and discovery tool that enables assessment of DELWP's Spatial Data resources. \(maps.vic.gov.au\)](#).

For the Western Port region, the LSIO2-4 layer was derived from the Melbourne Water Planning for Sea Level Rise Guidelines inundation layer (which was based on the WPLCHA inundation layers), while the EMO6 layer was derived from the WPLCHA erosion layers. However, when assessing coastal inundation advice must be sought from Melbourne Water on the most up to date flood levels prior to commencing the work.

4.2.2. Topography and Bathymetry

Topographic and bathymetric data are required to characterise the site and assist with interpretation of coastal processes. State-wide high resolution topographic and bathymetric data is available from DEECA, collected regularly as part of the Co-ordinated Imagery Program (CIP).

Localised and more recent topographic survey data may be available from the Victorian Coastal Monitoring Program (VCMP) Citizen Science Drone Program. The VCMP program captures drone-based photogrammetry (not LiDAR) of beaches across Victoria and the accuracy and quality should be checked for each project.

Link to the VCMP: [Victorian Coastal Monitoring Program \(marineandcoasts.vic.gov.au\)](#)

Localised bathymetric survey may be available from Port Authorities or research agencies and a bathymetric dataset for the Victorian coast including the areas of Bass Strait and Western Port Bay within the Mornington Peninsula Shire is available via the Datashare portal.

For the CHVRA, survey of the property to confirm critical levels and features is recommended for a detailed assessment, however the scope of any survey requirements should be discussed with the consultant undertaking the project.

For flood assessments (i.e., coastal inundation) there are specific requirements for survey and levels of the site, refer to Section 7 for details.

4.2.3. Geomorphic Setting

It is recommended that the geomorphic setting and characterisation of the shoreline from the WPLCHA be adopted for any CHVRA.

Local survey and analysis may be used to further refine the shoreline classes defined for a site if a detailed assessment is being completed.

4.2.4. Oceanographic Data

In general, Victoria's coastal region is influenced by wind and wave forces from the Southern Ocean, and the relatively shallow waters of Bass Strait which limits the degree and direction of waves and storms along the central coastline.

Requirements for oceanographic data will depend on whether any modelling is being undertaken to refine or extend the erosion and inundation extents from those presented in the WPLCHA. Source of data include:

- The Bureau of Meteorology (BOM) Australian Baseline Sea Level Monitoring Program (ABSLMP) and OceanMaps.
- CoastKit Wave Buoy and Statistics and <http://www.vicwaves.com.au/>
- The CSIRO CAWCR Wave Hindcast model can be accessed via the CSIRO Data Access Portal <https://data.csiro.au/collection/csiro:39819>

- VCMP longshore sediment transport modelling (contact: vcmp@delwp.vic.gov.au)

4.2.5. Other Data

Imagery

Imagery is used in the assessment of coastal change. Types of imagery that can be of use include:

- Satellite imagery (e.g., [Digital Earth Australia Map \(ga.gov.au\)](https://ga.gov.au))
- Aerial imagery (e.g., Google Earth, NearMap etc)
- Historic imagery (e.g., [Aerial Photography \(fsdf.org.au\)](https://fsdf.org.au), Victorian State Library)

Sea Level Projections

Sea level projections are estimates of future sea levels based on modelling of a range of future climate change scenarios. Sea level projections are produced periodically by the Intergovernmental Panel on Climate Change (IPCC), which is the United Nations body for assessing the science related to climate change (<https://www.ipcc.ch/>). The IPCC has recently (August 2021) finalised the first part of the Sixth Assessment Report. This is called "Climate Change 2021: The Physical Science Basis, the Working Group I contribution to the Sixth Assessment Report".

The IPCC 6th Assessment Report Sea Level Projection Tool <https://sealevel.nasa.gov/ipcc-ar6-sea-level-projection-tool> provides rate of rise projections for Portland, Lorne, and Stony Point.

Any CHVRA should assess coastal erosion and/or inundation because of sea level rise, up to and including the current State Sea Level Rise Benchmark. The WPLCHA assessed erosion and inundation for the following sea level rise increments (assuming a 0 m AHD baseline): +0.2 m, +0.5 m, +0.8 m. Higher increments of sea level increments can be assessed by extrapolating the results of the previous assessment.

However, the acceptability of any approvals will be based on the +0.8 m sea level rise scenario only.

Coastal Acid Sulphate Soils

Coastal acid sulphate soils (CASS) occur naturally along many parts of Victoria's coastal zone and if disturbed can react with oxygen and produce sulfuric acid. This can adversely affect the environment with impacts such as acidification of water and soil, de-oxygenation of water, poor water quality, dissolution of soil, rock and concrete, and corrosion of metals. Further information can be found here: [Coastal Acid Sulfate Soils | VRO | Agriculture Victoria](#)

Mapping of coastal acid sulphate soils can be viewed on the Coastkit site and the State-wide Coastal Acid Sulphate Soils dataset can be downloaded from the Victorian Datashare portal: [Datashare - A search and discovery tool that enables assessment of DELWP's Spatial Data resources. \(maps.vic.gov.au\)](#).

4.3. Geotechnical Data

Where specialist geotechnical advice is required, additional geotechnical site investigations may be required. These requirements should be discussed with a qualified Geotechnical Engineer.

5. Risk-Based Coastal Hazard Assessment

5.1. What is a Risk-Based Assessment?

The risk management process described in AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines (previously AS/NZS 31000:2009) is one way of achieving a structured approach to the management of risk and is summarised in Figure 5. This is the approach outlined in AS/NZS 5334-2013 “Climate change adaptation for settlements and infrastructure - A risk-based approach”.

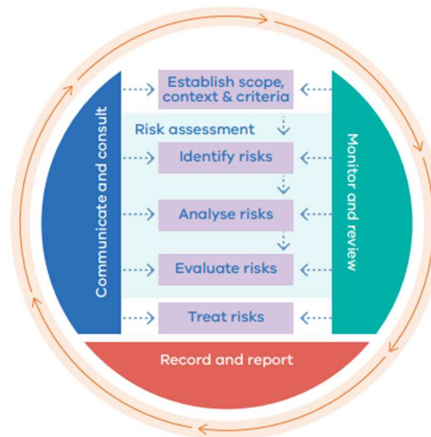


Figure 5 Risk Management Process (taken from DEECA (2023) and adapted from AS/NZS ISO 31000:2018)

In essence and in its simplest form, the risk process involves answering the following questions (adapted from AGS, 2007a):

- What might happen? (Assess exposure to coastal hazards).
- How likely is it? (Assess the probability of occurrence).
- What impact, damage or injury may result? (Assess the consequence of the hazard).
- How important is it? (Assess the significance of the impact in relation to the regulatory criteria and public opinion).
- What can be done about it? (Assess treatment options including management and mitigation options).

The following risk-based framework has been developed to undertake coastal hazard vulnerability and risk assessments.

5.2. The Coastal Risk Framework

Victoria's Resilient Coast - Adapting to 2100+ framework sets out the strategic approach to coastal hazard risk management and adaptation and builds upon the Marine and Coastal Policy (2020) and the earlier Victorian Coastal Hazard Guidelines (2012). Risk assessment was part of the previous Victorian Coastal Hazard Guidelines (DELWP, 2012). The risk framework for CHVRAs is outlined in Figure 6, and comprises the following main elements:

1. Identify the Hazard - starting with defining the geomorphic setting, the coastal drivers and processes of change and the specific requirements of the relevant Overlay (LSIO2-4 or EMO6). Then characterise the specific hazard being considered by the CHVRA - for example, what type of erosion hazard(s) are relevant to the location.
2. Evaluate Exposure to the Hazard - defining the spatial extent of the hazard. It also includes determining when such hazards might occur and/or provides an estimate of the annual probability (i.e., likelihood).
3. Consequence Analysis - determines the level impact of consequence from a hazard assuming it occurs. When undertaking a coastal hazard assessment this includes an estimation of exposure and sensitivity of an element at risk. When combined with adaptive capacity then is then termed vulnerability and is a measure of consequence in broader risk assessment terminology.
4. Risk Estimation - the combination of the likelihood of a particular hazard occurring and the consequence gives an estimate of risk for the asset or people being considered.
5. Risk Evaluation – is the process by which estimates of risk levels are compared against an organisation's criterion for risk acceptance. As such, risk may be deemed either acceptable, tolerable, or unacceptable.
6. Risk Mitigation and Control - is the process of managing the risk through treatment or mitigation actions to achieve one of the following options: avoid the risks, reduce the likelihood, reduce consequences, transfer the risk, or accept the risk. The Marine and Coastal Policy (2020) outlines the hierarchy of adaptation options to consider when looking to mitigate or control coastal risks.

As shown in Figure 6, risk is a measure of likelihood (sometimes termed “probability”) and consequence (sometimes termed “severity”) of an adverse effect to health, property or the environment and is estimated as the product of likelihood and consequences.

For the risk assessment process, the likelihood and consequence are combined to generate a risk classification. Likelihood examines the probability of an inundation or erosion event occurring, as well as its frequency. The consequence ranking constitutes the physical impact of the event to the asset together with its vulnerability and adaptive capacity. Vulnerability may be considered in terms of the type of person at risk from the hazard (e.g., children and the elderly are more vulnerable to flood waters than adults), or the assets (e.g., a small car or light building or more vulnerable to flood waters than a large office block, whether the building is in landslide extent or downslope). Both likelihood and consequence descriptions and how to select an appropriate rating are discussed further in the following sections.

Where an initial risk assessment for a site identifies coastal process triggered landslides as a medium or greater risk, the landslide risk must be further assessed in more detailed in accordance with the ‘Practice Note Guidelines for Landslide Risk Management’, Australian Geomechanics Journal, Vol. 42, No. 1 (B. Walker, W. Davies & G. Wilson, March 2007) quantitative risk assessment procedures for loss of life and either quantitative or qualitative for property loss. Note that the current guidance for landslide risk assessment does not explicitly account for changes in risk levels because of sea level rise and coastal processes. A collaborative approach between the coastal specialist and geotechnical engineer / engineering geologist is required in this instance.

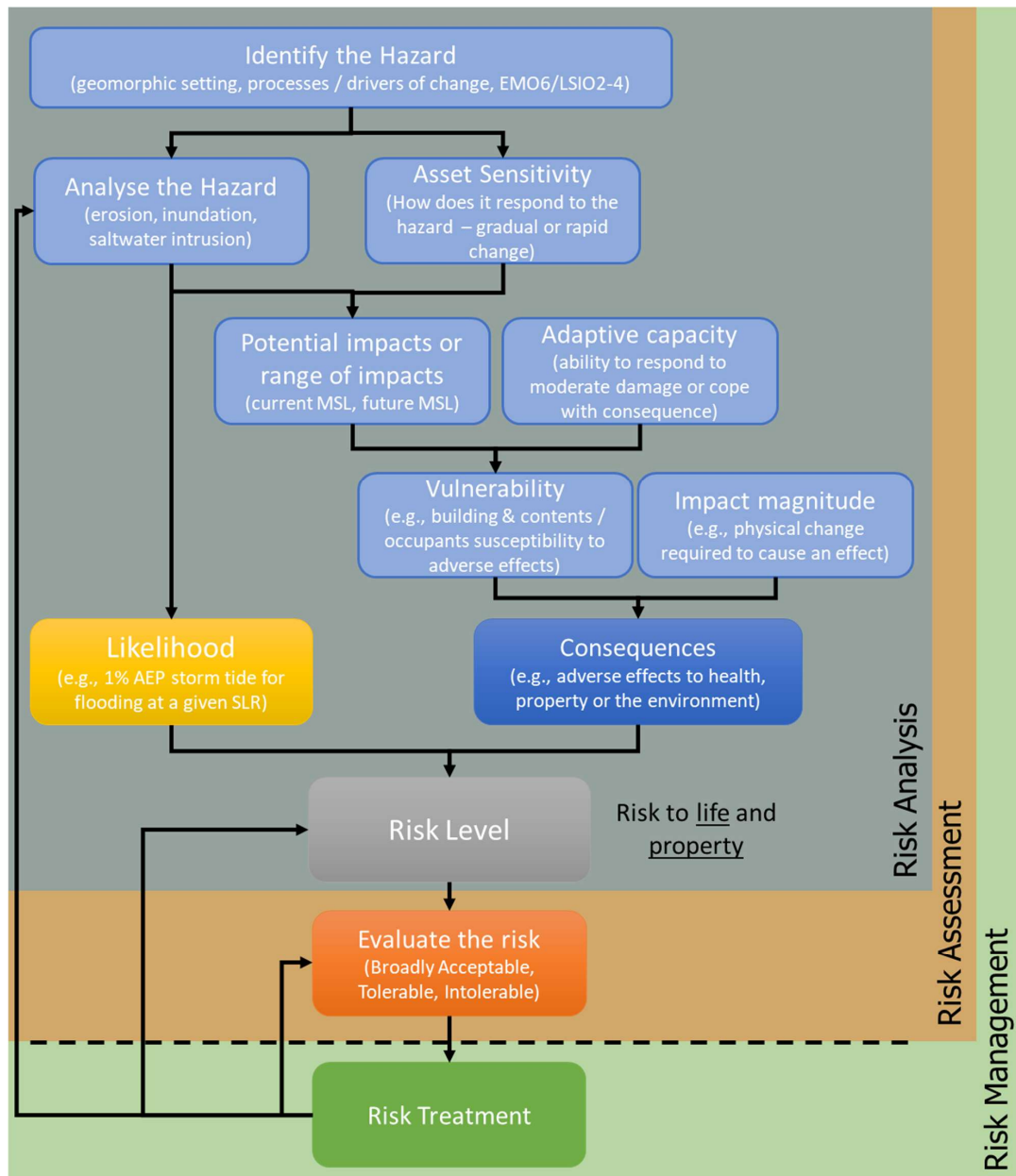


Figure 6. Overview of the risk assessment process for CHVRA

5.2.1. Likelihood Ratings

Likelihood can be defined in several ways for a coastal hazard risk assessment, with different interpretation depending on whether erosion or inundation is being considered. Here we provide recommendations for assigning a likelihood for coastal erosion and inundation hazard risk assessments to allow the CHVRA to accommodate the different drivers for these types of hazards. The likelihood rating description from AS5334-2013 is presented in Table 4 along with the recommended event likelihoods from DEECA (2023) which are broadly relevant to both hazards.

Table 4 Likelihood Rating adapted from AS5334-2013

Likelihood Rating	Descriptor	Recurrent or event risks	Long-term risks	DEECA(2023) Hazard AEP/event
Almost certain	Could occur several times per year	Has happened several times in the past year and in each of the previous 5 years or could occur several times a year	Has a greater than 90% chance of occurring in the identified time period of the risk is not mitigated	MHWS or HAT
Likely	May arise about once per year	Has happened at least once in the past year and in each of the previous 5 years or may arise about once a year	Has a 60-90% chance of occurring in the identified time period if the risk is not mitigated	10% AEP storm tide
Possible	Maybe a couple of times in a generation	Has happened during the past 5 years but not in every year or may arise once in 25 years	Has a 40-60% chance of occurring in the identified time period if the risk is not mitigated	1% AEP storm tide
Unlikely	Maybe once in a generation	May have occurred once in the last 5 years or may arise once in 25 to 50 years	Has a 10-30% chance of occurring in the future if the risk is not mitigated	0.5% AEP storm tide
Rare	Maybe once in a lifetime	Has not occurred in the past 5 years or unlikely to occur during the next 50 years.	May occur in exceptional circumstances, i.e., less than 10% chance of occurring in the identified time period if the risk is not mitigated	0.2% AEP storm tide

Erosion

Coastal erosion is the result of a combination of erosion hazards, some based on a storm event, while others relate to longer term trends in sediment movement. The likelihood of an erosion hazard occurring is therefore the probability that by a certain time when $\underline{X}$ m of sea level rise has occurred, that the erosion hazard may have reached a specific extent.

The current mean sea level erosion hazard is based on the 1% AEP storm tide, and so the likelihood of the erosion hazard occurring is the same as the event, which is defined as Possible (see Table 4). Erosion because of long term (existing) trends is defined as Likely under current and future sea level conditions assuming that current sediment transport regimes and coastal processes are maintained. Erosion because of sea level rise is more uncertain and our understanding of how different shoreline classes respond to this continues and will continue to improve over time.

Within the WPLCHA an evaluation of the shoreline trajectories and uncertainty in predictions of future change was included (refer to the Erosion Hazard Report, R05) and provides a qualitative basis for defining the combined likelihood of erosion for different shoreline classes, Table 5.

Table 5 Qualitative likelihood of coastal erosion within the erosion hazard zones based on shoreline classes

Western Port Local Coastal Hazard Assessment Terminology	Coastal Hazards Extended Guidelines Terminology	Likelihood of Predicted Erosion Occurring
Coastal wetland fringed shorelines	Estuarine environmental / coastal floodplains	Likely
Low earth cliff shorelines	Low earth scarp	Likely
Hard rock cliff and shore platform	Hard / soft rock cliffs with platform and / or beach	Possible
Platform beach and bluff	Hard / soft rock cliffs with platform and / or beach	Possible
Sandy spit shorelines	Sandy shorelines	Possible
Estuarine and tidal channels	Estuarine environments / coastal floodplains	Possible

The likelihood ratings in

Table 5 can be adopted for the relevant shoreline class in a CHVRA. For Western Port, erosion hazard extents have been predicted for current sea level, +0.2 m, +0.5 m, and +0.8 m of sea level rise. The erosion hazard assuming +0.8 m sea level rise must be assessed. The lower sea level rise thresholds can be assessed to understand the change in risk over time, but any planning decisions will be based on the +0.8 m sea level rise assessment.

Probabilistic assessment of erosion hazards provides a quantitative measure of the likelihood of the predicted erosion occurring over the time being considered. If this information is available, it can be used to update the likelihood ratings indicated in

Table 5.

Inundation

The likelihood of inundation occurring is conceptually simpler. Where a 1% AEP storm tide is used to define a hazard (e.g., short-term inundation), this is taken as the event likelihood under any sea level rise scenario. For example, the frequency of a 1% storm tide is the same under current MSL as it is with +0.8 sea level rise, however the magnitude of what constitutes a 1% storm tide will be different (e.g., the 1% AEP storm tide for the south of Western Port currently is 2.1 m, and with +0.8m MSL it will be 2.9 m). A 1% AEP storm tide event is considered to have a Possible likelihood rating. If a 10% AEP storm tide is being assessed, a Likely rating should be adopted. When reviewing a flood assessment, Melbourne Water will only assess the 1% AEP flood event +0.8 m sea level rise scenario.

Permanent inundation hazard is assessed based in regular tidal events, so occurring multiple times per year. In this case, the likelihood rating is Almost Certain.

5.2.2. Consequence Ratings

Consequence ratings are also dependent both on exposure to the hazard, whether erosion or inundation are being considered, and the risk being assessed.

For CHVRAs specific and quantifiable consequences for life (safety) and property (damage) as well as must be evaluated. This aligns the assessment with the Guidelines for Development in Flood Affected Areas (DELWP, 2019) and the AGS (2007a) for landslide risk assessments. Other elements at risk which can be considered where relevant include services (such as water supply, drainage, or electricity supply), roads, and vehicles on roads.

Erosion - Safety and Damage

The following consequence levels for people (Table 6) and property (Table 7) are recommended for coastal erosion risk assessments. These criteria have been adapted from AGS (2007c).

Table 6 Provisional consequences levels for assessing safety to people (adapted from AGS, 2007c)

Consequence Level	Person in Open Space	Person in a Vehicle	Person in a Building	Descriptor
Insignificant				No impact
Minor				No or only minor injury expected
Moderate	If struck by a rockfall	If the vehicle is damaged only	If debris strikes the building only	Loss of life or serious injury not expected
Major	If struck by debris	If the vehicle is partly buried / crushed	If the building is inundated with debris	Loss of life is possible, not expected
Catastrophic	If buried by debris	If the vehicle is buried / crushed	If the building collapses	Loss of life expected

Table 7 Consequence levels for assessing property damage (from AGS, 2007c)

Consequence Level	Descriptor
Insignificant	No damage
Minor	Limited damage to part of the structure, and/or part of the site requiring some reinstatement/stabilisation works
Moderate	Moderate damage to some of the structure, and/or significant part of the site requiring large stabilisation works. Could cause at least one adjacent property minor consequence damage
Major	Extensive damage to most of the structure, and/or extending beyond site boundaries requiring significant stabilisation works. Could cause at least one adjacent property medium consequence damage.
Catastrophic	Structure(s) is completely destroyed and/or large-scale damage requiring major engineering works for stabilisation. Could cause at least one adjacent property major consequence damage.

Flood/Inundation - Safety and Damage

Consequence in terms of flood safety and damage are defined within Australian Rainfall and Runoff (2019) and the DELWP (2019) Guidelines which provide flood hazard thresholds for people which can be interpreted as consequence levels, as shown in Table 8. The consequence level applies when any of the criteria is exceeded. Often the peak velocity of coastal flooding will not be known so where no modelled data is available, we conservatively assume it will be high (i.e., > 2m/s).

Melbourne Water will assess flooding against the DELWP (2019) safety criteria. Where the flood depth exceeds the H2 threshold values as detailed in DELWP (2019) Council will define the flood safety risk as **Not Acceptable**.

Flood damage related consequences are assessed by comparison of the property floor levels with the required finished floor level (FFL) as specified by Melbourne Water. The FFL is a function of the 1% AEP flood event level plus freeboard. Any floor levels set below the FFL as specified by Melbourne Water or less than +0.6m above the 1% AEP flood level at 2100, if no FFL has been specified by Melbourne Water, will be deemed **Not Acceptable**.

Table 8 Flood safety for people & vehicles hazard/vulnerability levels (adapted from Australian Rainfall and Runoff; DELWP, 2019; DPE, 2022)

Consequence Level (hazard / vulnerability classification)	Depth x Velocity (D x V)	Velocity	Depth	Description
H1	≤ 0.3	2.0	0.3	Generally safe for people
H2	≤ 0.6	2.0	0.3	Unsafe for people in small vehicles
H3	≤ 0.6	2.0	0.5	Unsafe for people in vehicles, children, and the elderly
H4	≤ 1.0	2.0	1.2	Unsafe for people in vehicles and people
>H5	≤ 4.0	4.0	4.0	Unsafe for people in vehicles and people.

The DELWP (2019) Guidelines also state that siting of the development is also an important consideration, as the development and access should be located on land with the lowest overall hazard. Importantly *"people attempting to enter or leave a property during a flood should not be endangered by deep or fast-flowing water."*

Therefore, the CHVRA must assess the consequences in relation to both flood safety and damage on the site and for access to the site.

The safety criteria apply to both current and future sea level condition, unless advised differently by Melbourne Water. The Melbourne Water Interim Development Assessment Principles (2023) require that:

- New development should be designed to minimise exposure of people to dangerous floodwaters.
- The 'Flood Safety' principles and assessment criteria in the DELWP Guidelines will be considered for the 2100 1% AEP flood event in the assessment of coastal inundation.
- Where flood depths for the 2100 1% AEP exceed the safety criteria in the DELWP Guidelines, development may not be supported.

The same approach can be adopted for property, such as vehicles and buildings. The building category selected should be relevant to the proposed development. Velocity information is often

not readily available for coastal inundation hazard assessments, and therefore safety is assessed predominantly using the depth hazard criteria and thresholds.

5.2.3. Risk and Risk Tolerance

The likelihood and consequence levels are combined to provide a risk rating, based on the erosion risk matrix in Table 9, and the flood safety risk matrix in Table 10. The flood safety risk matrix differs from the erosion risk matrix to allow for consistency with Melbourne Water's decision guidelines and the DELWP (2019) Guidelines. Flood damages and risks to property are assessed based on the FFL requirements as discussed previously.

Once the risks are quantified, the acceptability level of the risk must be assessed. A description of the tolerability and implications of different risk levels are described in Table 11. Risk must be assessed for each hazard and for both risk to life and property separately (i.e. individual risk to life and risk to property assessments required).

For flood risk assessments, the risk to life must also be assessed separately for areas within the property and for the access to the property (i.e. in total two separate risk to life assessments).

Table 9 Erosion risk matrix (adapted from AS 5334-2013)

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Low	Medium	High	Extreme	Extreme
Likely	Low	Medium	High	Extreme	Extreme
Possible	Low	Low	Medium	High	Extreme
Unlikely	Very Low	Low	Medium	High	High
Rare	Very Low	Very Low	Low	Medium	High

Table 10 Flood safety risk matrix (adapted from AS 5334-2013, DELWP 2019)

Likelihood	Consequences related to Hazard Vulnerability Classification				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Medium	High	High	Extreme	Extreme
Likely	Medium	High	High	Extreme	Extreme
Possible	Medium	High	High	Extreme	Extreme
Unlikely	Low	Medium	High	High	Extreme
Rare	Very Low	Low	Medium	High	High

Table 11 Risk level implications adapted from AGS (2007c)

Risk Level	Tolerability and Implications ²
Extreme	Unacceptable without treatment. Extensive detailed investigation and research, planning and implementation of treatment options are essential to reduce risk to Low.
High	Unacceptable without treatment. Detailed investigation, planning and implementation of treatment options required to reduce risk to Low.
Medium	Unacceptable without treatment. Requires investigation, planning and implementation of treatment options to reduce the risk to Low. Treatment options to reduce to Low risk should be implemented as soon as practicable. Mornington Peninsula Shire Council may accept a medium risk level for Risks to Property for erosion risks only, but this is not acceptable for Risks to Life for either erosion or flooding.
Low	Usually acceptable to Council. Where treatment has been required to reduce the risk to this level, ongoing maintenance is required. Mornington Peninsula Shire Council requires the risk level for Risks to Life to be Low to be acceptable. Melbourne Water will assess the acceptability of flood risks separately to Council and the assessment will be based on the criteria outlined in the DELWP (2019) Guidelines.
Very Low	Acceptable to Council. Mornington Peninsula Shire Council requires the risk level for Risks to Life to be Low to be acceptable. Melbourne Water will assess the acceptability of flood risks separately to Council and the assessment will be based on the criteria outlined in the DELWP (2019) Guidelines.

The erosion risk tolerance levels applicable to the Mornington Peninsula Shire Council are summarised in Table 12 and Table 13.

Table 12 Erosion Risk to Property (damage) tolerance levels for Mornington Peninsula Shire Council

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Acceptable	Tolerable	Not acceptable	Not acceptable	Not acceptable
Likely	Acceptable	Tolerable	Not acceptable	Not acceptable	Not acceptable
Possible	Acceptable	Acceptable	Tolerable	Not acceptable	Not acceptable
Unlikely	Acceptable	Acceptable	Tolerable	Not acceptable	Not acceptable
Rare	Acceptable	Acceptable	Acceptable	Tolerable	Not acceptable

² The implications for a particular situation are to be determined by all Agencies that are party to the risk assessment and may depend on the nature of the property at risk.

Table 13 Erosion Risk to Life (safety) tolerance levels for Mornington Peninsula Shire Council

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Acceptable	Not acceptable	Not acceptable	Not acceptable	Not acceptable
Likely	Acceptable	Not acceptable	Not acceptable	Not acceptable	Not acceptable
Possible	Acceptable	Acceptable	Not acceptable	Not acceptable	Not acceptable
Unlikely	Acceptable	Acceptable	Not acceptable	Not acceptable	Not acceptable
Rare	Acceptable	Acceptable	Acceptable	Not acceptable	Not acceptable

The flood risk tolerance levels applicable to the Mornington Peninsula Shire Council are summarised below:

- Where the flood depth exceeds the H2 threshold values as detailed in DELWP (2019) the flood safety risk will be deemed **Not Acceptable**.
- As stated in Section 5.2.2, any floor levels set below the FFL as specified by Melbourne Water or less than +0.6m above the 1% AEP flood level at 2100 if no FFL has been specified by Melbourne Water, will be deemed **Not Acceptable**.

5.2.4. Other Considerations

In addition, when assessing the acceptability of risk levels, the following additional considerations may also inform whether overall a proposal is acceptable or not:

- The practicality and reliability, over the likely lifetime of a development, of any proposed strategies to minimise or mitigate risks of flooding or erosion damage or safety hazards.
- Whether the development will likely result in persons and property being exposed to unsafe flood depths and velocities.
- Whether the proposed development maintains existing flood storage capacity and flow paths.
- The likely or modelled extent of any likely or modelled impact development on floodwaters, including the specific and cumulative nature and extent of impact on surrounding properties.
- The individual and cumulative cost to the community of the likely tangible and intangible flood damages, over time.
- Whether the proposal appropriately responds to the identified site-specific flood risk to the satisfaction of the relevant floodplain management authority.
- Whether the development and design response manage the flood or erosion risk appropriately.

5.3. Evaluating Erosion Hazard Exposure

For any CHVRA the basic assessment approach for evaluating exposure to coastal erosion hazard(s) is outlined in Figure 7. This desktop level assessment is based on existing information and data, predominantly from the WPLCHA for sites within Western Port. The outcomes are then used to inform the likelihood and consequence ratings for the risk assessment.

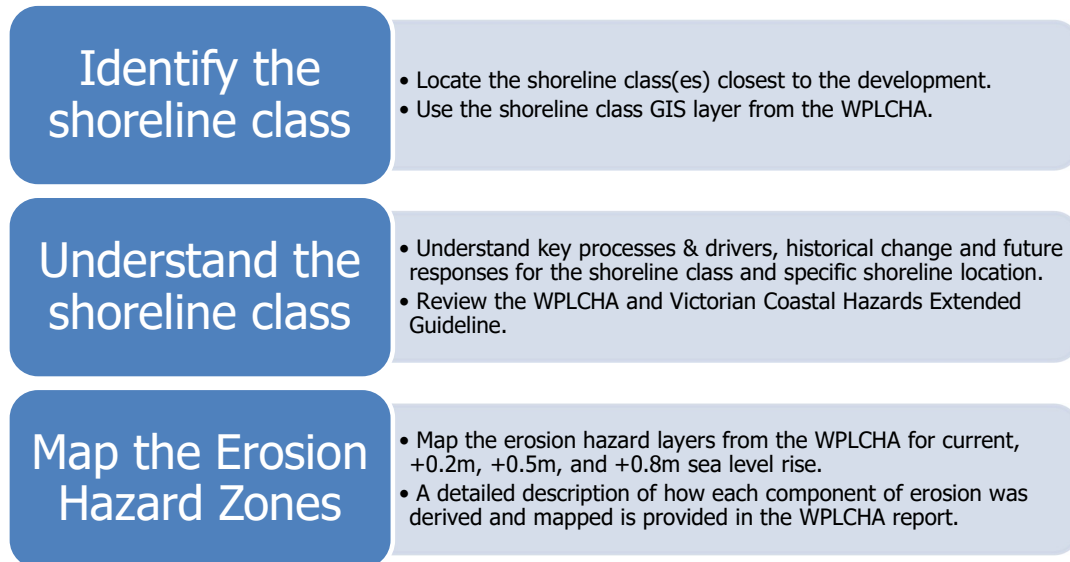


Figure 7 Coastal Erosion Hazard Exposure (Basic Assessment)

Depending on the scale and cost of the proposed development, the exposure to coastal erosion hazards, and the resultant risk rating, the erosion hazard extents and impacts may need to be refined by taking into consideration locally specific information, as described in Table 14.

Recommendations on appropriate assessment approached for detailed coastal erosion assessments is provided in the Victorian Coastal Hazard Extended Guidelines. Any geotechnical assessment must be completed in accordance with the Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning (AGS, 2007)³.

³ <https://landsliderisk.org/resources/guidelines/>

Table 14 Opportunities for refinement of the WPLCHA coastal erosion hazard extents

Shoreline Type / Class	Opportunities to refine the coastal erosion hazard extents
Coastal wetland fringed shorelines (Estuarine environmental / coastal floodplains)	Revised understanding of the response of coastal wetlands to sea level rise.
Low earth cliff (Low earth scarp)	Revised assessment of historic rates of shoreline recession for locality.
Hard rock cliff and shore platform (Hard / soft rock cliffs with platform and / or beach)	Geotechnical assessment of slope stability and landslide potential for the hard rock material (AGS, 2007a). The assessment must assume wave impacts will occur at the cliff toe.
Platform beach and bluff (Hard / soft rock cliffs with platform and / or beach)	Reassessment of the beach response to storm erosion, long term trends and sea level rise. Geotechnical assessment of slope stability and landslide potential for the hard/soft rock material (AGS, 2007a). The assessment must assume wave impacts will occur at the cliff toe.
Sandy spit shorelines (Sandy shorelines)	Reassessment of the beach response to storm erosion, long term trends and sea level rise.
Estuarine and tidal channels (Estuarine environments / coastal floodplains)	Revised understanding of the response of estuarine and tidal channels to sea level rise.

5.3.1. Worked Example 1 - Sandy shoreline

Example 1 is a property located on a section of shoreline classified as sandy in the WPLCHA (Figure 8). A detailed description of this shoreline type is provided in Section 3.7 of the report. These sandy shores typically comprise an offshore sandy bed, backshore migrating sand lobes, and a series of parallel/sub-parallel dune ridge sequence which have formed successively as foredunes behind a prograding sandy beach. The backshores migrating sand lobes are a pronounced feature of sediment transport processes in Western Port and reflect an intermittent transport regime. The main drivers of change on these shorelines are shoreline recession due to sea level rise through equilibrium profile adjustment and the ongoing shoreline variability associated with backshore migrating sand lobes. The predicted coastal erosion hazard extents are shown in Figure 8 and shows that the property is Possible (refer

Table 5) to be exposed to coastal erosion for sea level rise increments of > 0.5 m.

Given the sandy shoreline type and the potential for site disturbance, a check is also completed for the presence of coastal acid sulphate soils (Figure 9) which indicates CASS could be present on the site. Further evaluation of the risk associated with CASS on the proposed development must

be undertaken in accordance with the Victorian Coastal Acid Sulphate Soils Strategy (DSE, 2007) and Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulphate Soils (DSE, 2010).

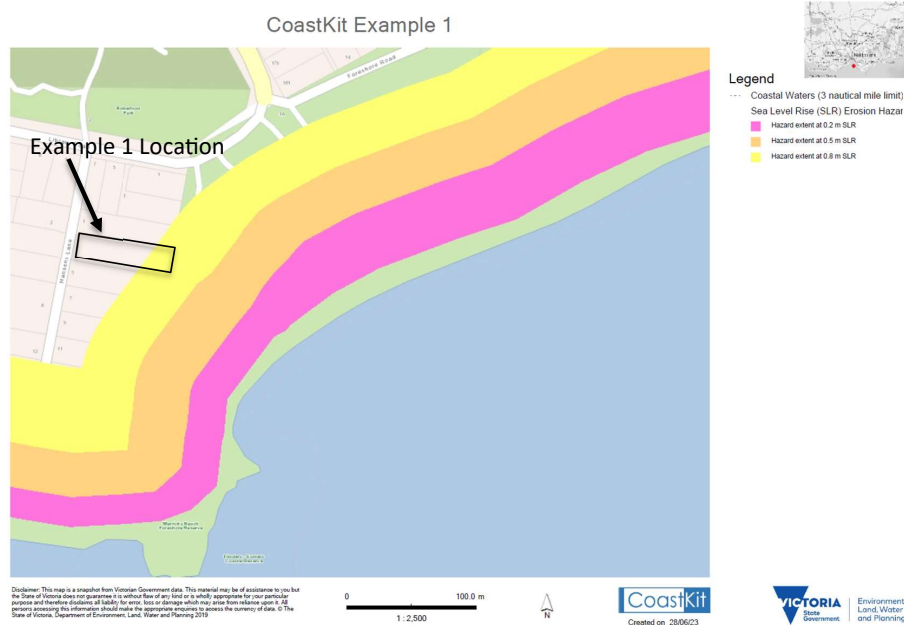


Figure 8 Erosion hazard extents for Example 1 – sandy shoreline

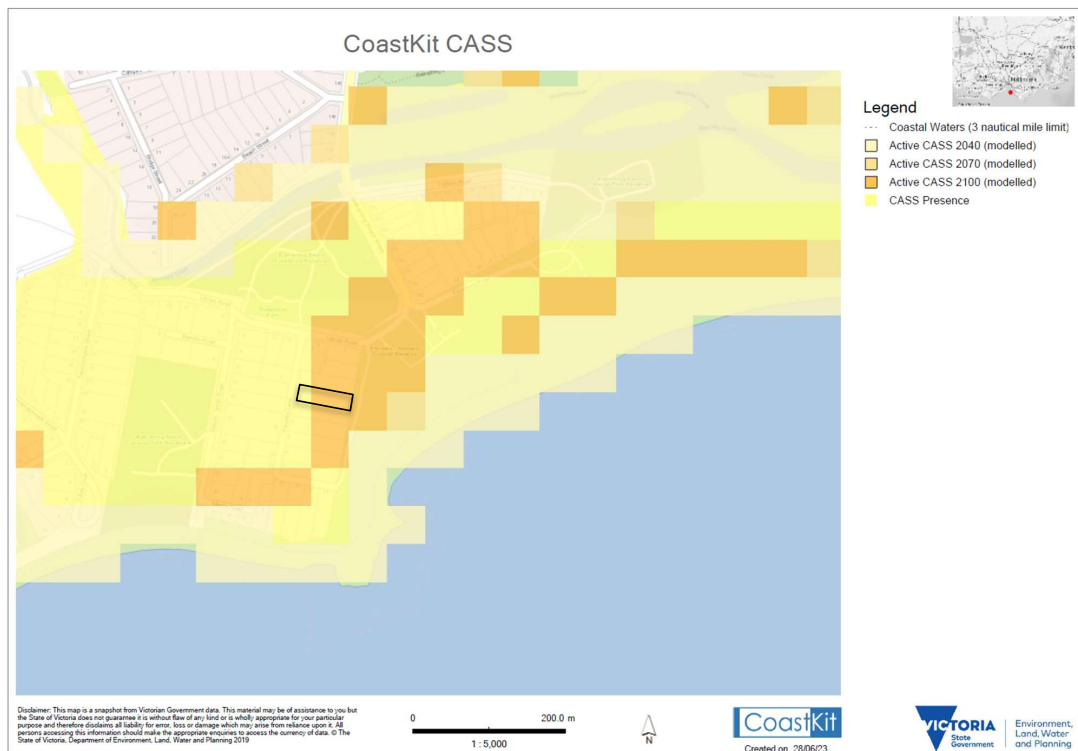


Figure 9 Presence of CASS for the check for the property

5.3.2. Worked Example 2 - Bluff and beach shoreline

Example 2 is a property located on a section of shoreline classified as bluff and beach in the WPLCHA (Figure 10). A detailed description of this shoreline type is provided in Section 3.5 of the report. Important features of these shorelines are the sandy beach sitting upon a rock platform. The beach volume is limited. Behind the beach lie bluffs that are not currently active (i.e., not subject to tidal or wave action), as they are protected from direct marine driven processes by the beach (and sometime a sandy plain) in front. A bluff refers to a "non-active cliff". These bluffs were active marine cliffs in the past when sea levels were higher. The material is highly weathered and potentially erodible should it be subject to marine processes.

As described in the WPLCHA report, the critical control on the extent of the erosion hazard on these shorelines into the future is expected to be related to the width and volume of the sandy platform beach that exists between the sandy shoreline and the toe of the bluff. Where the plain is wide, recession of the sandy shorelines may proceed relatively linearly with sea level rise. However, where the sandy plain is narrow (such as at this location) sea level rise is likely to result in marine influences impacting the toe of the bluffs, then the reflection of wave energy from the bluffs is likely to dramatically increase the rates of potential sand transport in front of the bluff. This scenario is analogous to the frequently observed impact to beaches following the construction of seawalls, where the reflection of wave energy from the seawall results in rapid sediment transport and lowering of the beaches in front of the seawall.

A rapid, non-linear loss of the sandy platform beach fronting the bluffs along these shorelines is possible where sea level rise results in significant reflection of wave action from the base of the

bluffs. Once the sandy shorelines are removed from the toe of the bluff, marine processes could be expected to begin to erode the material comprising the bluff.

Increases in mean sea level will increase the duration over which the platform beach shorelines are exposed to wave action as well enable larger waves to impact these shorelines due to the greater depths available across the shore platforms. The increase in wave energy may potentially both modify the equilibrium beach slope and increase the rates of longshore sediment transport.

Depending on the sea level rise scenario and the initial width of the sandy beach and/or plain, it is considered likely that at some point, marine influences associated with storm tides and wave action will once again interact with the toe of the bluff and would then be expected to reactivate the bluff as a marine cliff. Cliff erosion processes, including mass movements would then dominate further shoreline response to sea level rise along these shorelines. The weather material of which the bluffs comprise is vulnerable to mass movement failures once destabilised.

The predicted coastal erosion hazard extents are shown in Figure 8 and show that it is Possible (refer

Table 5) that the property is exposed to coastal erosion for sea level rise increments of > 0.2 m.

Given the highly weathered and potentially erodible bluff material at the backshore, available topography and aerial imagery was reviewed to assess whether mass movement or landslips are visible within the hazard zone, Figure 11. Given the presence of an erosion scarp, potentially a landslip surface, within the hazard extent close to the property a landslip hazard and risk assessment report would be required if the risk assessment indicates the risk to safety or property is medium or above.

There is no mapped CASS for the property or surrounds.

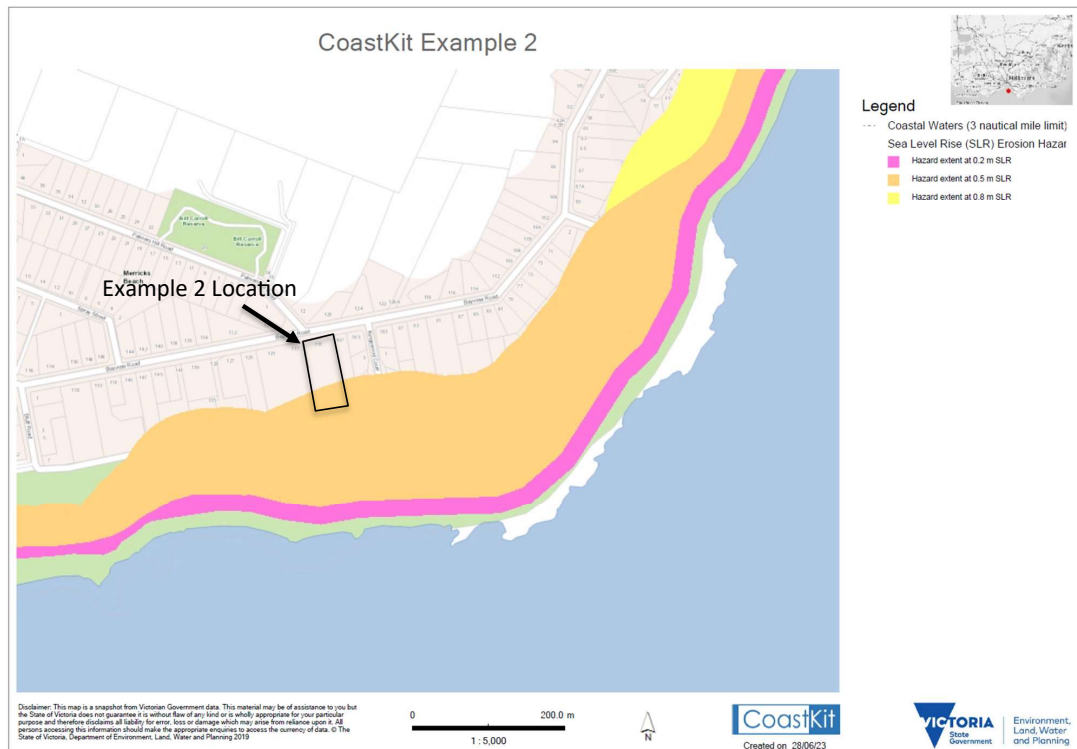


Figure 10 Erosion hazard extents for Example 2 – bluff and beach shoreline



Figure 11 Example of potential landslip feature within coastal hazard zone

5.3.3. Worked Example 3 - Hard rock cliff and shore platform

Example 3 is a property located on a section of shoreline classified as hard rock cliff and shore platform in the WPLCHA (Figure 12). A detailed description of this shoreline type is provided in Section 3.4 of the report.

Important features along the Flinders and Shoreham shoreline where this type is present include a steep tall rock cliff with a very narrow sand and/or gravel beach with fallen rock material at the foot of the slope, overlying a wide rock shore platform. The rock is deeply weathered and/or poorly consolidated material, with some exposure of hard rock material in places.

The rate of slope retreat and profile re-shaping is determined by the accumulation and rate of removal of slope-foot debris by wave action. Cliff recession processes are caused by a combination of the internal structure, joints, fractures and faults of the rocks, rates of sub-aerial weathering and associated mass movements including slumping, cliff falls and landslides and the rates of basal erosion and the removal of collapsed material from the cliff base by the hydraulic action of waves. The rates of change on these shorelines are generally highly episodic and may be associated with extremes of wet and dry climatic conditions and phases of strong wave attack and elevated coastal water levels. The rates of change are also highly variable laterally and vertically based on the resistance and other properties of the rock formations.

Mass movements are the most significant process for assessment of the potential extent of hazards along these shorelines. Increases in mean sea level will increase the duration over which the cliff base is exposed to wave action as well enable larger waves to impact these cliff bases due to the greater depths available across the shore platforms. The increase in wave energy is likely to both increase the rates of hydraulic weathering and abrasion processes on the basal cliff sections and the rates at which slumped material can be removed from the regolith steeped sloped cliff sections.

The rate at which mass movements occur for this shoreline class is not expected to be significantly enhanced by sea level rise over the time frames considered in this assessment. This means the erosion zone is the same for all sea level rise scenarios considered. Essentially, the hazard zone is constant for all sea level rise scenarios and is controlled by the height of the cliff and therefore the potential failure slope surface.

The predicted coastal erosion hazard extent has a Possible likelihood rating (refer

Table 5) that the property is exposed to coastal erosion for current mean sea level and with any future sea level rise.

A landslip hazard and risk assessment report would be required if the risk assessment indicates the risk to safety or property is medium or above for any proposed development within the hazard extent.

Coastal acid sulphate soils are not relevant to this shoreline type.

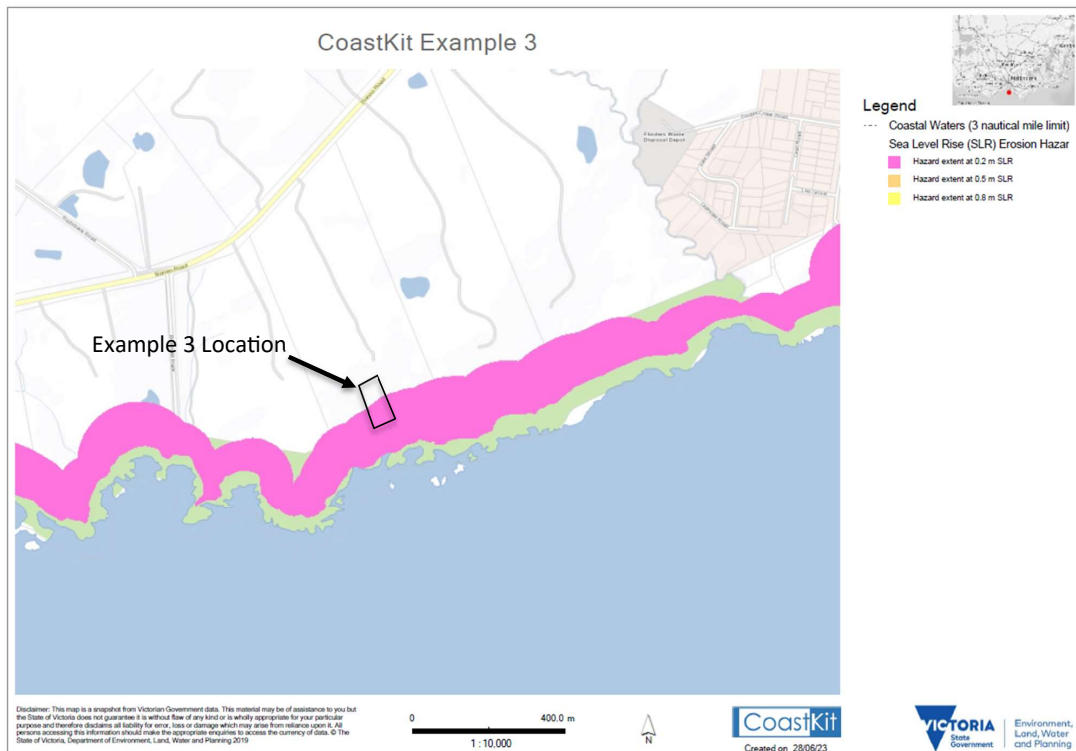


Figure 12 Erosion hazard extents for Example 3 – hard rock cliff and shore platform

5.4. Evaluating Inundation Hazard Exposure

For any CHVRA the basic assessment approach for evaluating exposure to coastal inundation hazard(s) is outlined in Figure 13. This desktop level assessment is based on existing information and data, predominantly from the WPLCHA but advice must be sought from Melbourne Water on the current adopted flood levels and FFL requirements for the location. The outcomes are then used to inform the acceptability of the proposed development.

Depending on the location it may also be relevant for estimates of wave run-up to be provided and considered within the risk assessment process.

Depending on the scale and cost of the proposed development, the exposure to coastal inundation hazards, the resultant risks and acceptability, the inundation hazard extents and impacts may need to be refined by taking into consideration locally specific information. This would involve coastal flood modelling of the property.

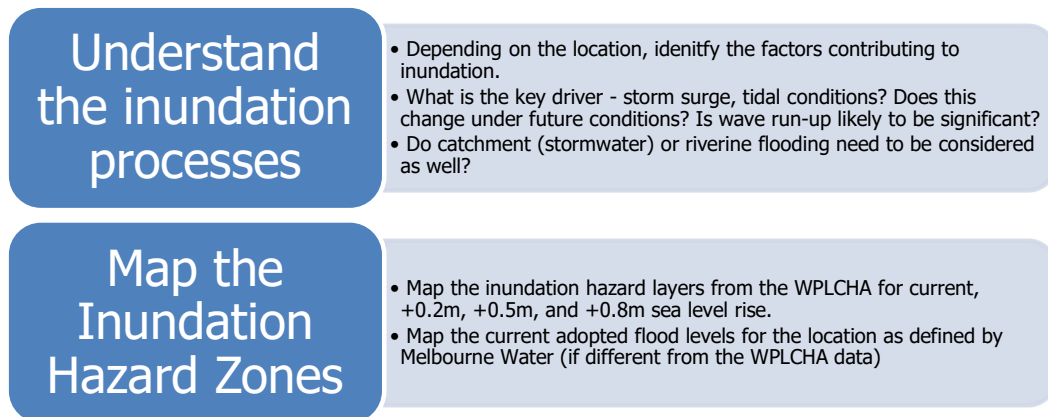


Figure 13 Coastal Inundation Hazard Exposure Assessment (Basic Assessment)

5.4.1. Worked Example 1 - 1% AEP storm tide inundation

The relevant flood levels, extents and FFL requirements should first be confirmed with the Melbourne Water to ensure the most up to date information is included in the assessment. The property in this example is located with the predicted flood extent, Figure 14. The peak storm tide level under existing mean sea level at this location is around 2.2 m AHD.

The predicted inundation hazard extents indicates that the coastal margin of the property is at the level of the 1% AEP storm tide under current mean sea level, and for all increments of sea level rise additional inundation across the property is experienced.

The storm tide levels should be mapped across the property, considering the local topography so that the depth of inundation on the site and for access and egress routes can be assessed.

Wave runup effects should also be considered and estimates of additional inundation as a result of wave runup included by the coastal specialist.

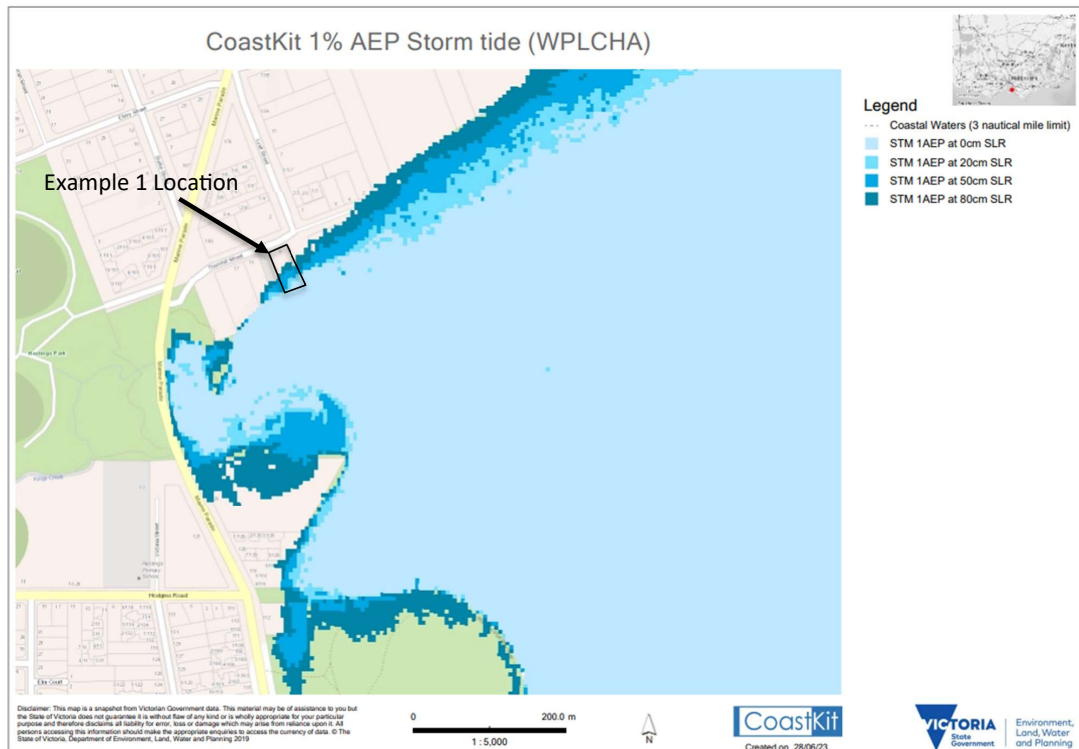


Figure 14 Inundation hazard extents for Example 1

5.5. Additional Considerations

5.5.1. Coastal Acid Sulphate Soils

Where there is erosion and where there is likely to be disturbance of the ground through earthworks, a check must be undertaken for the presence of coastal acid sulphate soils (CASS), Figure 15. This was shown for Worked Example 1 - Sandy Shoreline.

If the presence of CASS is indicated, then further assessment is required. Refer to the Victorian Coastal Acid Sulphate Soils Strategy (DSE, 2009) and Guideline (DSE, 2010) for further information.

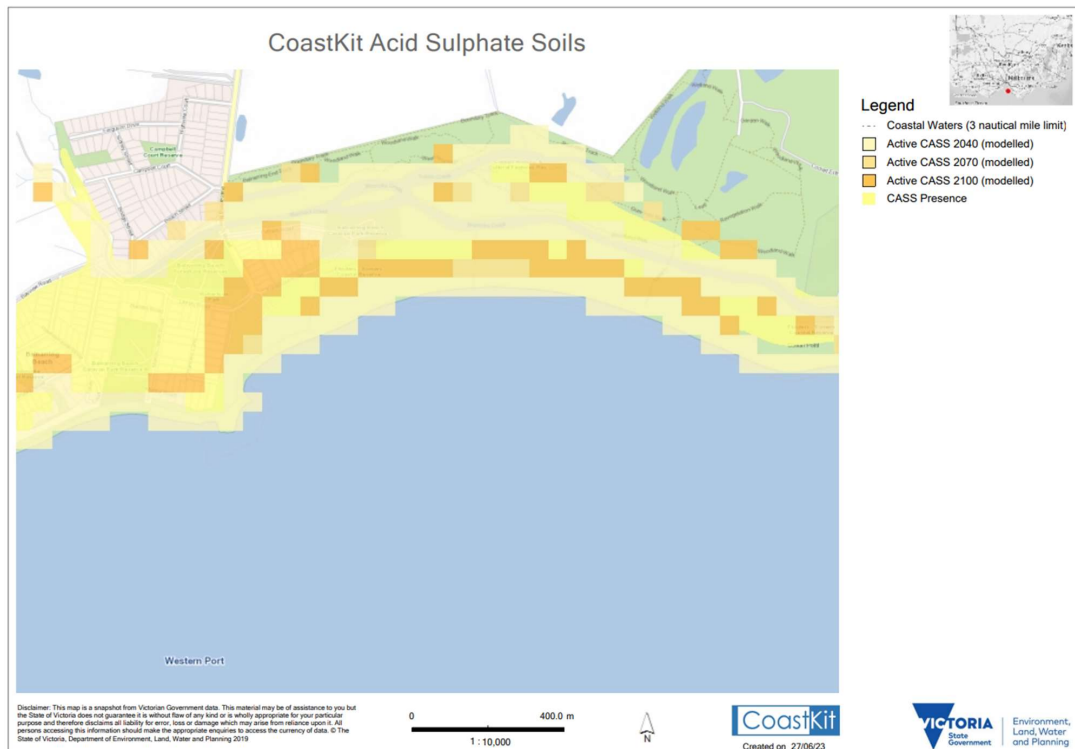


Figure 15 Example of coastal acid sulphate soil mapping

5.5.2. Offsite Impacts and Floodplain Protection

As well as inundation risks to property and people, and inundation focussed CHVRA must consider the remaining key principles of the Guidelines for Development in Flood Affected Areas (DELWP, 2019) which align with the Marine and Coastal Policy (2020).

- **Off-site impacts:** maintain free passage and temporary storage of floodwaters.
- **Floodplain protection:** protect and enhance the social and environmental values and benefits of coastal floodplains.

These aspects are briefly described below can be qualitatively assessed for a basic CHVRA provided the information submitted is sufficient for Melbourne Water to assess it. Further discussion with Melbourne Water on these requirements should be sought.

Off-site impacts

Changes to flood conveyance or flood storage areas can increase the risk of property damage to adjacent properties. Considerations include whether the flood depth or velocities are increased, whether there is a change in flow direction and what is the cumulative impact of lost flood storage. The development should not:

- divert floodwaters to the detriment of any adjoining property.
- increase the flood velocity on any adjoining property.
- increase flood levels on any adjoining property.
- result in a detrimental loss of flood storage.

Further locally specific flood modelling may be required to assess these impacts to the satisfaction of Council and Melbourne Water.

Floodplain protection

Protecting the form and function of coastal floodplains also protects their environmental values and benefits. Developments which may impact on coastal floodplains should:

- Maintain or improve floodplain conditions.
- Allow access to maintain coastal vegetation.
- Maintain or improve water quality.
- Maintain the natural function of floodplains in storing and conveying floodwater.
- Retain or improve significant vistas or landscapes within the coastal zone.

Further locally specific flood modelling may be required to assess these impacts to the satisfaction of Council and Melbourne Water.

5.6. Evaluating Risk

Using the results of the hazard exposure assessments, the risk posed to the proposed development by coastal hazards can then be analysed, Figure 6.

Based on the CHVRA risk assessment framework outlined in Section 5.2, the main steps are:

- Consequence Analysis - determines the level impact of consequence from a hazard assuming it occurs. When undertaking coastal hazard assessment this includes an estimation of exposure and sensitivity of an element at risk. When combined with adaptive capacity then is then termed vulnerability and is a measure of consequence in broader risk assessment terminology. Consequence ratings were presented in Section 5.2.2.
- Risk Estimation - the combination of the likelihood of a particular hazard occurring and the consequence gives an estimate of risk for the asset or people being considered. The recommended erosion risk matrix was presented in Table 9. Flood risks are based on exceedance of specific consequence thresholds, as discussed in Section 5.2.2 and 5.2.3.
- Risk Evaluation – is the process by which estimates of risk levels are compared against an organisation's criterion for risk acceptance. As such, risk may be deemed either acceptable, tolerable, or unacceptable. Table 12 and Table 13 outline the erosion risk tolerance levels to be utilised for the CHVRA assessment. As discussed previously, flood risks are based on exceedance of specific consequence thresholds, as discussed in Section 5.2.2 and 5.2.3. Any flood levels, velocities, or VxD that exceed the relevant thresholds are considered Not Acceptable.

Each of these elements must be assessed for impacts on life (safety) and property (damage). Impacts on the environment should be included where relevant or required and separate risk matrices must be developed for each aspect assessed.

An example of a risk analysis and assessment for erosion hazards is presented in Section 5.6.1 while an assessment for inundations hazards is outlined in Section 5.6.2. In both examples consequences for life and property are assessed separately, and the worst case is used to give the overall consequence rating for the risk assessment process. Separate risk assessment matrices should also be provided. The overall acceptability of a proposal will be assessed on the risks to life and property under the +0.8m sea level rise scenario.

5.6.1. Coastal Erosion Risk Analysis and Assessment

As an example of how this may be applied, we can revisit the case of a single dwelling residential development along a sandy shoreline like in the previous example (see Section 5.3.1). Exposure to coastal erosion has been assessed and mapped for sea level increments up to +0.8 m, and the potential extent and consequences extrapolated for a sea level rise increment of +1.4 m. In Figure 16 we have indicated the location of a proposed dwelling and the consequence ratings for each sea level increment.

To assess risk, we look at the potential consequences of erosion in terms of the safety of the occupants and damage to the building. We assume the building and its contents are highly vulnerability to damage or loss as a result of coastal erosion - for example, the foundations are not piled and could be readily undermined. Any occupants could be injured or killed if they are present either in the building or on the erosion affected portion of the property when the erosion occurs.

In the example,

- Under current mean sea level, the erosion hazard has yet to impact the edge of the property with no damage expected to the building and the occupants or their access / egress = Insignificant consequence rating.
- Then, with +0.5m of sea level rise the erosion hazard impacts have moved closer to the property but there is still no direct impact = Insignificant consequence rating.
- By +0.8m of sea level rise the erosion extent has reached the proposed dwelling footprint, with a portion of the dwelling within the footprint and the potential for collapse which would affect both the dwelling and the occupants = Major consequence rating.

Based on the sandy shoreline class, the likelihood rating of erosion being within the predicted hazard zones for each sea level rise increment is given a **Possible** likelihood rating.



Figure 16 Example of consequence assessment for coastal erosion incorporating vulnerability and increasing impact magnitude

The resultant risk matrix ratings for the different sea level scenarios are then presented in Table 15 along with the risk tolerability rating. The risk ratings show that:

- The risks are Low and therefore broadly acceptable under current mean sea level and for sea level rise to +0.5m.
- Beyond +0.5 m of sea level rise, the risk is increased to **High** and risk treatment measures are required to reduce the risk to Low for risk to life (safety) or Medium for risk to property (damage) which are the acceptable levels for Mornington Peninsula Shire Council.

Table 15 Example risk ratings and tolerability for different sea level scenarios

Impact	Consequence Ratings		Consequence (combined)	Likelihood	Risk Level	Risk Tolerance
	Safety	Damage				
+0.8	Major	Moderate	Major	Possible	High	Tolerable
+0.5	Insignificant	Insignificant	Insignificant	Possible	Low	Broadly Acceptable
Current	Insignificant	Insignificant	Insignificant	Possible	Low	Broadly Acceptable

5.6.2. Inundation Risk Analysis and Assessment

As an example of how this may be applied, in Figure 17 we have a single dwelling residential development located near the coastline. Exposure to coastal inundation has been assessed (see Section 5.4.1) and mapped.

To assess flood risk, we look at the potential consequences of inundation in terms of safety of the occupants and damage to the building. The vulnerability of the occupants is considered within the flood hazard / vulnerability thresholds, where we compare the flood depths, velocities and VxD results to the relevant criteria when assessing risks to life, and to the FFL requirements for risks to property.

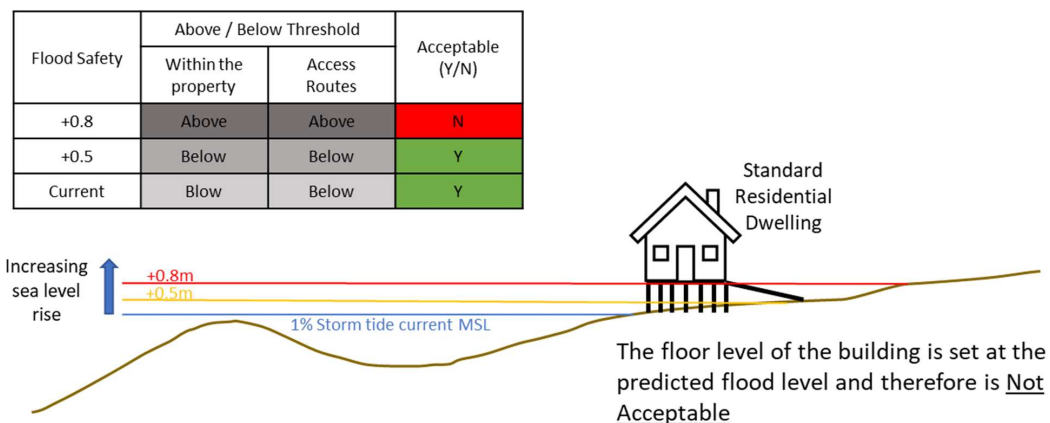


Figure 17. Example of assessment for coastal flooding incorporating vulnerability and increasing impact magnitude for flood safety

In the example,

- Under current mean sea level, the 1% AEP storm tide impacts the edge of the property but there is no damage to the building and if the occupants and access / egress is not impacted and flood depths on the property are below the relevant safety threshold (see
- Table 8).
- Then, with +0.5m of sea level rise the flooding limits the access and egress options but depths are below the relevant safety thresholds (see
- Table 8). The floor level is > 0.6m above the predicted flood level.
- By +0.8m of sea level rise the flooding requires the occupants to pass through deep water = exceeds the threshold for safety and has reached the floor level (no longer meets the FFL requirements).
- The effect of wave run-up has not been explicitly considered given the distance from the shoreline.

The resultant flood risk assessment is as follows:

- The risks are broadly acceptable under current mean sea level.
- With +0.5 m of sea level rise, the risk is increased but below the relevant threshold values and therefore acceptable.
- **However, for +0.8 m of sea level rise scenario, upon which the flood risk is assessed, the risks are intolerable and risk treatment measures must be implemented or the risk eliminated to reduce the risk to an acceptable level.**

To complete the coastal inundation risk assessment, the following additional aspects should also be assessed and documented in the reporting.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on floodplain and coastal including wetlands, natural habitat, shoreline stability, erosion, water quality and sites of scientific significance.

5.7. Risk Treatment and Re-Evaluation

The overarching principle for coastal risk management is to ensure that new development will be located, designed, and protected from potential coastal hazards to the extent practicable and that future management arrangements will ensure ongoing risk minimisation.

Feasible methods for treating the coastal hazard risks must be identified and discussed where the risk level is Medium or above or Above the relevant flood hazard thresholds. The risk rating/acceptability is then re-evaluated based on the adoption of one/some/all the feasible methods. As mentioned previously, only Low or Very Low risk ratings are acceptable to Mornington Peninsula Shire Council.

As coastal erosion and inundation hazards will increase for foreshore areas with increasing sea level rise, a precautionary approach to future development aligns with the Coast and Marine Policy (2020) hierarchy of adaptation actions, namely (Figure 18):

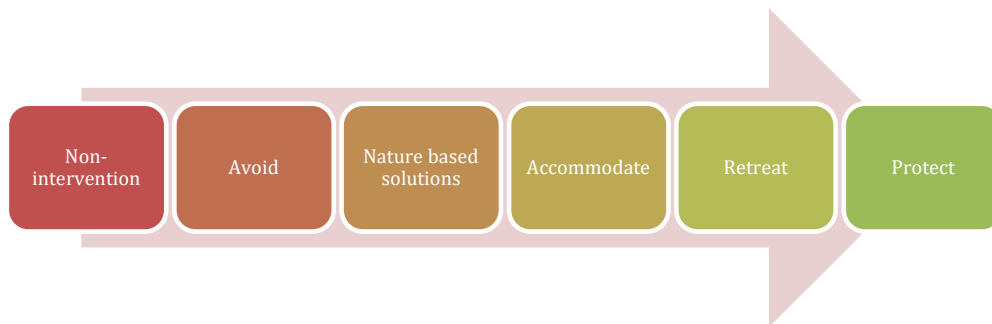


Figure 18 Hierarchy of adaptation options (Marine and Coastal Policy, 2020)

Description of adaptation options
1. Non-intervention. 2. Avoid (includes relocation of the proposed development/works or revised form of the development to be outside the hazard extent). 3. Nature-base methods (includes for example dune protection, beach nourishment, sand fencing. Typically, not as relevant for small scale developments). 4. Accommodate (for example, flood resilience design principles). 5. Retreat (relates to alterations or changes to existing development only, whereby the works will result in the development no longer being within the hazard extent or at risk from the hazard e.g., relocation. Like "Avoid" in this context, the consequence is reduced). 6. Protect (includes for example meeting the freeboard and floor level requirements of Melbourne Water, resilient flood design, and physical works such as slope stabilisation measures. These actions aim to reduce the likelihood and/or consequence of the coastal hazard).

All risk treatment measures will need to be evaluated according to this hierarchy with details provided as to how and why each element of the hierarchy has been considered with clear justification for any options proposed.

Useful resources for identifying risk treatment methods includes the following:

- Under the Victoria' Resilient Coast program, a Compendium of Adaptation Measures (BMT WBM, 2023) has been developed and provides a useful reference.
- AGS (2000) Australian Geomechanics Society "Landslide Risk Management Concepts and Guidelines" Australian Geomechanics, Vol35 No1 March 2000 pp49-92, and reprinted in Vol37 No2 May 2002.
- Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors) Australian Rainfall and Runoff: A Guide to Flood Estimation, © Commonwealth of Australia (Geoscience Australia), 2019
- Melbourne Water Sea Level Rise Guidelines - Interim Development Assessment Principles

Inclusion of adaptation options does not constitute acceptance of the option by Council (or Melbourne Water). The appropriateness of any adaptation actions proposed must consider the scale of the action, any reliance on third parties (e.g. Council infrastructure), and whether the action is likely to be acceptable under relevant regulations or Approvals processes (e.g. Building Regulations).

The acceptability to Council of different risk treatments will depend on whether the hierarchy of adaptation options has been considered, as well as factors such as:

- The practicality and reliability over the likely lifetime of the development.

- Any impacts on erosion or floodwaters including the specific and cumulative nature and extent of impacts on surrounding properties.
- Any residual risk that remains.
- Whether there is an individual or cumulative cost to the property or community over time.

Any works to protect a private property must occur on the property and be shown to **not** have any impact on adjoining land. Works proposed on Council or Crown land will not be considered acceptable.

Any proposed flooding related adaptation actions must be acceptable to Melbourne Water.

The CHVRA report must clearly document how the proposed risk treatment lowers the risk to an acceptable level and addresses the factors above and any additional factors that may be identified by Council or the relevant Referral Authority.

5.7.1. Erosion Example Revisited

With +0.8 m of sea level rise at 2100 being the adopted planning horizon, the coastal erosion risk rating for the property in the previous example is in the "Generally Intolerable" range and the proposed development would not be supported. Risk treatment options to mitigate the risk and move it into the acceptable range could include:

- Move the dwelling footprint outside the mapped +0.8 m erosion hazard zone. The minimum distance for setback beyond the erosion hazard zone can be calculated based estimating the zone of reduced foundation capacity (refer to the concept described in Neilsen et al, 1992; also detailed in Department of Environment Climate Change and Water NSW, 2010).
- Use of piled foundations based on resilient design principles.

However, when reporting on risk treatment options the hierarchy of options must be considered, reviewed, evaluated, and reported with clear justification as to why a specific option is proposed. The risk ratings must then be re-evaluated to determine whether the risk treatments have reduced the risk to the tolerable or acceptable region, Figure 19 and Table 16. If we assume that the proposal is revised, and the building footprint is now located at the minimum required setback for stability for +0.8 m sea level rise the risk level for +0.8 m sea level rise is now Low, which is "broadly acceptable".

Table 16 Example re-evaluated risk ratings and tolerability for different sea level scenarios

Impact	Consequence Ratings		Consequence (combined)	Likelihood	Risk Level (with treatment)	Risk Tolerance
	Safety	Damage				
+0.8	Minor	Minor	Minor	Possible	Low	Broadly Acceptable
+0.5	Insignificant	Insignificant	Insignificant	Possible	Low	Broadly Acceptable
Current	Insignificant	Insignificant	Insignificant	Possible	Low	Broadly Acceptable

The submission should provide an assessment of the setback requirements considering foundation capacity, which may require the involvement of a qualified geotechnical engineer.



Figure 19 Revised development layout to “avoid” the erosion hazard

5.7.2. Inundation Example Revisited

As +0.8 m of sea level rise at 2100 is the adopted planning horizon, then the coastal inundation risk rating for the property in the previous example is Not Acceptable and the proposed development / redevelopment would not be supported. Risk treatment options to mitigate the risk and move it into the acceptable range could include:

- The dwelling must be designed and constructed to meet the structural building requirements of buildings in flood prone areas. This includes resilient building principles to minimise exposure to wave forces and resistance to scour where the dwelling is sited on sandy or erosion prone materials.
- The finished floor level (FFL) is set at the elevation of the 1% AEP storm tide at 2100, plus +0.6m freeboard or as advised by Melbourne Water.
- Safe access and egress must be provided to and from the dwelling based on the 1% AEP storm tide level at 2100.

The risk must then be re-evaluated to determine whether the risk treatments have reduced the risk below the relevant thresholds. If the safety thresholds cannot be met, then the risk would remain intolerable, and the development would not be supported. In this instance, the risk rating for the +0.8 m sea level rise conditions is likely to remain Not Acceptable due to the lack of feasible options to manage the safety risk to life and the proposed development would not be supported.

6. Peer Reviews

The purpose of the peer review is to provide Council confidence in the technical work being undertaken for and the outputs of the CHVRA process. A peer review is only required for a detailed CHVRA and all the comments provided by the peer reviewer must be addressed.

The Peer Reviewer must be a suitably qualified coastal specialist, as described in Section 1.4 who is independent of the consultant who prepared the CHVRA. Their role is to (DELWP, 2017):

- Assess methods and assumptions used to deliver the outputs.
- Assess the quality of the outputs in relation to their intended end use.
- Check that the outputs meet the requirements of these CHVRA guidelines.

The peer reviewer will review the work detailed in the CHVRA report and provide feedback on its quality, accuracy, and appropriateness. The feedback may include suggestions for improvements, corrections, or recommendations for further work.

A peer review should be considered as a constructive process to assist Council in approving an application which is supported by a CHVRA report. It may also assist the coastal specialist preparing the CHVRA in ensuring that all matters, especially the justification of expert judgement, are adequately addressed. A peer review should assist rather than hinder the CHVRA process.

Peer reviewers are obliged to maintain confidentiality of the review including the contents of the CHVRA report and other documentation supplied.

Generally, the peer review process can have several outcomes:

- The CHVRA adequately documents the erosion and/or inundation risks and supports the outcomes, including any risk treatments and risk re-evaluation proposed.
- Although the CHVRA outcomes including risk treatment and re-evaluation appear to be acceptable, it is not adequately supported by the evaluation. In this case it should be relatively straightforward for the coastal specialist to satisfy the requirements of the reviewer.
- The CHVRA has fundamental flaws, or the wrong analysis has been adopted. In such cases, the analysis needs to be repeated in whole or part before the acceptability of the outcomes can be determined.

The report from the reviewer needs to be explicit and constructive in its approach so that any of the deficiencies in the CHVRA analysis and reporting can be readily addressed.

As detailed in

[Figure 1](#), the comments from the Peer Review must be addressed and the updated CHVRA re-submitted to the peer reviewer for final approval before submission to Council.

7. Further Submission Requirements

In addition to the analysis outlined in the proceeding sections of these Guidelines, the following information must be submitted together with or as part of the CHVRA report particularly where the site is within the LSIO2-4 to assist with the referral process to Melbourne Water:

- An existing conditions survey plan taken by or under the direction and supervision of a licensed land surveyor showing boundaries and dimensions of the site, showing the layout and location of existing building and works with all relevant ground and floor levels to Australian Height Datum (AHD).
- A development plan which includes:
 - layout and location of proposed building and works including all relevant dimensions of the site.
 - proposed finished natural surface levels, building floor levels, building entry points and basement ramps to Australian Height Datum (AHD).
 - proposed overland flow paths to ensure overland flow paths are maintained.
- Cross section elevations and section drawings (1:50 or 1:20) to Australian Height Datum (AHD). The cross-section elevations and section drawings are to include survey levels of the site including building floors, building entry points, basement ramps and ground levels along access and egress routes within the property boundary and within LSIO2-4, flow paths for the passage of overland flows to Australian Height Datum (AHD). The elevations and section drawings must clearly show the Annual Exceedance Probability (AEP) Flood Level and the Nominated Flood Protection Level (NFPL) as determined by the floodplain management authority; and
- A written Flood Risk Statement which must include the following:
 - A flood assessment of the site which includes reference to the Design Flood Event (1% AEP) and other flood characteristics, including velocities and depths of flooding on the site and access routes, overland flood paths and the duration of flooding; and
 - A written description of the design response which demonstrates how the proposed development responds to the flood characteristics which affect the site and surrounds, including an assessment against the four objectives as defined in the Guidelines for Development in Flood Affected Areas (the Department of Environment, Land, Water and Planning, 2019).

All submissions must consider the requirements of the Building Regulations, and all relevant coastal and floodplain policy and standards.

8. References

- AGS (2007a) Guideline for landslide susceptibility, hazard and risk zoning for land use planning, Australian Geomechanics, Vol. 42, No. 1
- AGS (2007b) Commentary on Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning 2007, Australian Geomechanics, Vol. 42, No. 1
- AGS (2007c) Practice Note Guidelines for Landslide Risk Management 2007, Australian Geomechanics, Vol. 42, No. 1
- AGS (2007d) Commentary on Guideline for Landslide Risk Management 2007, Australian Geomechanics, Vol. 42, No. 1
- AGS (2007e) The Australian Geoguides for Slope Management and Maintenance, Australian Geomechanics, Vol. 42, No. 1
- Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors) Australian Rainfall and Runoff: A Guide to Flood Estimation, © Commonwealth of Australia (Geoscience Australia), 2019
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- DEECA (2023). Victoria's Resilient Coast - Adapting for 2100+, Department of Energy, Environment and Climate Action, State of Victoria
- DELWP (2016). Victorian Floodplain Management Strategy, Department of Environment Land Water and Planning, State of Victoria
- DELWP (2017). Guidelines for Development a Coastal Hazard Assessment, Department of Environment Land Water and Planning, State of Victoria
- DELWP (2019). Guidelines for Development in Flood Areas, Department of Environment Land Water and Planning, State of Victoria
- DELWP (2020) Siting and Design Guidelines for Structures on the Victorian Coast, Department of Environment Land Water and Planning, State of Victoria
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- DSE (2010). Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soils, Victorian Department of Sustainability and Environment
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- Nielsen AF, Lord DB and Poulos HG (1992) Dune stability considerations for building foundations, Civil Engineering Transactions of the Institute of Engineers Australia, CE34(2) June, 167–74.
- Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes, 2015
- Planning Practice Note 53: Managing Coastal Hazards and the Coastal Impacts of Climate Change, 2015
- Water Technology (2022). Victoria's Resilient Coast Coastal Hazards Extended Guideline, Report prepared for the Department of Energy, Environment and Climate Action