

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach copyright legislation



The Planning Professionals

Planning Report

Use and development of the site for a motel

412 - 420 Bellarine Highway, Moolap

AMENDED May 2026

W9, Federal Mills
33-35 Mackey Street
North Geelong VIC 3215

PO Box 7076
Geelong West VIC 3218

info@theplanningprofessionals.com.au

1300 43 88 77

abn 60 143 022 156



*Proudly serving &
celebrating our
clients since 1985*

The Planning Professionals (TPP) retain the ownership and copyright of the contents of this document including, attachments, drawings, plans, formatting, methodology, and all work produced by TPP. This document and any attachment is not to be reproduced in full or in part, unless separately approved by TPP. The client may use this document only for the purpose for which it was prepared. No third party is entitled to use or rely on this document whatsoever. TPP accepts no liability whatsoever for any possible subsequent loss or damage arising from the use of this data or any part thereof.



Introduction

This report has been prepared in support of a planning permit application for the use and development the site as a motel.

The report provides a full assessment of the proposed design against the relevant provisions of state and local planning policy and the Greater Geelong Planning Scheme.

The subject land is known as 412-420 Bellarine Highway Moolap.

The report is accompanied by the following documentation which is provided as part of the planning application:

- Certificate of Title
- Planning drawings prepared by The Planning Professionals
- Land Capability Assessment prepared by

About The Planning Professionals

The Practice celebrated a 40 year anniversary in 2025, having been established in 1985.

During that period the Practice has been rebranded a number of times, but its essential operation and service offerings have remained unchanged.

The Practice team includes Architects and Town Planners, serving the whole of Victoria. The primary focus of the Practice is to assist clients in navigating the planning process - strategic and statutory.



Overview

Address	412 - 420 Bellarine Highway, Moolap
Title	Lot 1 on Title Plan 605685D Volume 08965 Folio 190
Zone	Farming Zone
Overlays	None
Proposal	Use and development of the land as a motel
Land use definition	Motel A 'motel' is defined as: <i>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</i>
Permit Triggers	• Use of the land as a motel in the Farming Zone (Clause 35.07-1) • Building or works in the Farming Zone (Cause 35.07-4) • Alter access to a road in the Transport 2 Zone (Clause 52.29-2)
Relevant Local Provisions	• Clause 15.01-2L Environmentally Sustainable Development • Clause 17.04-1L-02 Tourism in rural areas



1. The site and surrounds

- 1.1. The subject land is located at 412 - 420 Bellarine Highway, Moolap substantially as described by the accompanying plans and submissions and generally below:



Figure 1. Subject land identified in white (Landchecker)



Figure 2. Subject land within surrounding zoning (VicPlan)



The Planning Professionals

- 1.2. The subject land is currently used for residential and small-scale agricultural purposes and is developed with an existing dwelling and a number of associated sheds. The site is not currently used as productive agricultural land.
- 1.3. The site fronts Bellarine Highway to the north and is bound by a funeral home to the west (406–410 Bellarine Highway, Moolap), an aged care facility to the south, and land used for agricultural purposes to the east (422–450 Bellarine Highway, Moolap).
- 1.4. The aged care facility forms part of a larger residential aged care complex known as Bellarine Lakes, which comprises residential and specialised aged care services in conjunction with a country club, golf course and café.
- 1.5. Bellarine Lakes is located on a single parcel measuring approximately 48 hectares and is also located within the Farming Zone.
- 1.6. Vehicle access to the site is provided via a sealed driveway from Bellarine Highway, which services the existing dwelling and sheds.
- 1.7. The site has an area of approximately 2 hectares; however, the proposed motel is to be located within the central-western portion of the site, occupying an area of approximately 850 square metres.
- 1.8. This area is currently undeveloped comprising a maintained grassed area with a number of mature trees. The motel is partly proposed within the rear yard of the existing dwelling.
- 1.9. Further mature trees are scattered throughout and along the perimeter of the site.
- 1.10. The site is enclosed by a low-scale timber residential fence.
- 1.11. The Certificate of Title identifies no encumbrances, caveats or notices, other than a mortgage.
- 1.12. The Title Plan identifies an easement along the eastern boundary of the site. No buildings or works are proposed within or directly adjacent to this easement.
- 1.13. The site is located approximately 260 metres east of the Bellarine Lakes Village and approximately 190 metres south-west of bus stops along Bellarine Highway servicing Routes 32, 56 and 61 in both westbound (towards Geelong) and eastbound (towards the Bellarine Peninsula) directions.
- 1.14. The site is located in Regional Category 1 of the car parking requirement maps.
- 1.15. Nearest dwelling not in the same ownership (1 Masters Way, Moolap) is approximately 140m south west of the site.
- 1.16. The subject land is formally described as :
Lot 1 on Title Plan 605685D
Volume 08965 Folio 190
Address 412-420 Bellarine Highway, Moolap



2. What is proposed?

- 2.1. The proposal seeks approval for the use and development of the land for a motel comprising 12 self-contained cabins located along the western boundary of the site.
- 2.2. Subject to detailed design, each cabin will contain:
 - Space for a double bed
 - A small living area
 - A kitchenette
 - A private ensuite comprising a shower, toilet and basin
 - A private deck and walkway
- 2.3. A cleaner and storage area is proposed to adjoin Unit 12 for the storage of cleaning supplies.
- 2.4. The cabins are single-storey and will incorporate a Colorbond steel roof with a 5-degree pitch, panel and timber cladding, a timber deck, and obscure glazing to the western elevation.
- 2.5. Further detail regarding built form and materiality is provided in the elevations included within the town planning drawings at Appendix 2.
- 2.6. Each cabin will be provided with one dedicated car parking space.
- 2.7. Vehicle access will be via the existing crossover to Bellarine Highway, which currently services the existing dwelling.
- 2.8. A new internal access way is proposed to branch off the existing driveway, providing separate access to the cabins and the dwelling.
- 2.9. A bin storage area is proposed within the eastern portion of the site, adjoining the rear yard of the existing dwelling.
- 2.10. The rear yard of the dwelling will be altered as a result of the proposal.
- 2.11. The cabins are proposed to be setback 3.35m from the western side boundary.
- 2.12. The proposed cabins would be set back approximately 59m from the Bellarine Highway (TRZ land).
- 2.13. Reference should also be made to the drawings prepared by the Planning Professionals which forms part of this planning application. These depict the proposal in more detail.



3. Why is a permit required?

Zoning

- 3.1. The subject land is located in the Farming Zone (FZ) under the Greater Geelong Planning Scheme and is not subject to any overlays.
- 3.2. A planning permit is required to use the site as a motel (Section 2 use).
- 3.3. A planning permit is also required for buildings and works:
 - Associated with a Section 2 use;
 - Within 100m of a TRZ2 land road; and
 - Within 5m of any other boundary.

Overlays

- 3.4. There are no overlays pertaining to the subject site.

Land adjacent to the principal road network

- 3.5. The site is accessible via the Bellarine Highway which is located in the Transport 2 Zone (TRZ2). A permit is also required to create or alter access to a road in a Transport 2 Zone under Clause 52.29-2.
- 3.6. The permit triggers are as follows:
 - Use of the land as a motel in the FZ (Clause 35.07-1)
 - Building and works in the FZ (Clause 35.07-4)
 - Alter access to a road in the Transport 2 Zone (Clause 52.29-2)



4. The Planning Provisions and the Proposal

- 4.1. The Responsible Authority is required to take into account relevant policies contained in the MSS, PPF and the LPPF.
- 4.2. The State planning policies of the PPF are broad in their application; local planning policy informs the proposal in greater detail.
- 4.3. The following section discusses the permit triggers in detail and offers a response to the relevant planning provisions.



SETTLEMENT - Clause 02-03.01

CLAUSE 02.03.01 SETTLEMENT

Strategic directions

- *Direct and contain growth within identified locations across the municipality.*
 - *Maintain the unique township, landscape, tourism, farming and environmental values of the Bellarine Peninsula.*
 - ...
 - *Locate and design urban areas to mitigate the potential impacts of climate change*
 - ...
-

Commentary

1. The site is located outside designated urban areas while remaining in proximity to the Leopold and Whittington townships, maintaining a clear distinction between urban and rural land.
2. The proposal accords with the very general provisions of this policy.



The Planning Professionals

ENVIRONMENTAL RISKS AND AMENITY - Clause 02.03-3

CLAUSE 02.03-3 ENVIRONMENTAL RISKS AND AMENITY

Strategic directions

- *Ensure that land use and development does not aggravate or increase salinity.*
-

Commentary

1. A Land Capability Assessment (Appendix 3) confirms the proposed development can be accommodated without aggravating or increasing salinity.
2. The proposal is consistent with Clause 02.03-3 and will not increase salinity risks on groundwater and surrounding land.



BUILT ENVIRONMENT - Clause 02.03-5

CLAUSE 02.03-5 BUILT ENVIRONMENT AND SUSTAINABILITY

Strategic directions

- *Ensure that development enhances Geelong's sense of place and identity.*
 - *Support the design and provision of healthy, walkable neighbourhoods.*
 - *Encourage environmentally sustainable design in all development.*
 - *Encourage all development to provide high quality urban design and landscaping.*
-

Commentary

1. The subject site is located within a rural setting characterised by low-scale development and landscaped surrounds.
2. The proposal provides short-stay accommodation in a location with access to nearby townships and existing transport infrastructure.
3. The design incorporates prefabricated cabins with durable Colorbond cladding, which has the potential to reduce material waste and construction time, aligning with principles of environmentally sustainable design.
4. The proposed cabins will be designed to meet relevant energy performance standards.
5. The proposal provides a considered design outcome that respects the site's rural context and contributes positively to the quality and presentation of the built environment.
6. The strategies of this policy have been generally met by the design solution.



ECONOMIC DEVELOPMENT - Clause 02.03-7

CLAUSE 02.03-7 TOURISM

Strategic directions

- *Support tourism use and development that:*
 - *Contributes to the economy.*
 - *Respects the landscape character of the area.*
 - *Maintains agricultural productivity in rural areas.*
 - *Does not seek to urbanise rural or coastal areas.*
-

Commentary

1. The proposal provides a modest form of short-stay accommodation that supports the local tourism economy.
2. The development is low-scale and designed to respond to the rural landscape character of the area.
3. The proposal generally accords with the strategic directions of this policy.



SETTLEMENT - Clause 11.01

CLAUSE 11.01-1S SETTLEMENT

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

...

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

...

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

...

Support metropolitan and regional climate change adaption and mitigation measures.

Commentary

1. The proposal provides small-scale short-stay accommodation on an existing residential allotment with direct access from Bellarine Highway, supporting the local tourism economy of the Bellarine Peninsula.
2. The location enables easy access to other parts of Geelong, Portarlington and surrounding destinations across the Bellarine Peninsula.
3. The proposal generally accords with the strategic directions of this policy.



BUILT ENVIRONMENT - Clause 15.01

CLAUSE 15.01-1S URBAN DESIGN

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.

Commentary

1. The proposal adopts a low-scale, single-storey cabin typology, appropriately set back from the Bellarine Highway ensuring it responds appropriately to the rural character and landscape setting of the site.
2. Shared internal walkways and cabin orientation provide passive surveillance across communal areas, supporting safety and legibility within the site.
3. Retention of existing vegetation assist in softening built form and improving the visual presentation of the site when viewed from the Bellarine Highway.
4. It is considered that the proposal generally meets the objective and strategies of this policy.



BUILT ENVIRONMENT - Clause 15.01

CLAUSE 15.01-2S BUILDING DESIGN

Objective

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Improve the energy performance of buildings through siting and design measures that encourage:

- *Passive design responses that minimise the need for heating, cooling and lighting.*
- *On-site renewable energy generation and storage technology.*
- *Use of low embodied energy materials.*

Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.

Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.

Encourage water efficiency and the use of rainwater, stormwater and recycled water.

Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.

Encourage development to retain existing vegetation.

Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Commentary

1. The design response is informed by a comprehensive site analysis, which has guided decisions on siting, scale, massing, and the relationship to the surrounding context.
2. The siting of the cabins within the central-western portion of the site enables development to be contained within a limited footprint while maintaining appropriate setbacks from site boundaries and the TRZ2 interface.
3. The proposed design solution, material usage and palette is consistent with other contemporary development within the area.
4. The layout provides clear and functional access arrangements, including a defined internal access way, dedicated parking spaces and consolidated waste storage areas.
5. The objective and strategies of this policy have been met by the proposed development.



BUILT ENVIRONMENT - Clause 15.01

CLAUSE 15.01-2L ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

Objective

To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

General strategies

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

- *Is consistent with the type and scale of the development.*
- *Responds to site opportunities and constraints.*
- *Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.*

Energy performance strategies

Reduce both energy use and energy peak demand through design measures such as:

- *Building orientation.*
- *Shading to glazed surfaces.*
- *Optimising glazing to exposed surfaces.*
- *Inclusion of or space allocation for renewable technologies.*

Integrated water management strategies

Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.

Encourage the use of alternative water sources, including greywater, rainwater and stormwater.

Incorporate water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

Indoor environment quality

Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.

Reduce indoor air pollutants by encouraging use of materials containing chemicals that have low levels of toxicity.

Minimise noise levels and noise transfer within and between buildings and associated external areas.

Transport strategies

...

Promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management strategies

Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.

Encourage use of durable and reuseable building materials.

...

Urban ecology strategies

Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.

Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy trees.

Encourage the provision of space for productive gardens, particularly in larger residential developments.

Commentary

1. The proposed development will achieve contemporary energy performance standards.
2. The use of prefabricated cabins has the potential to improve environmentally sustainable design outcomes by reducing on-site construction time, minimising material waste, and improving construction quality through controlled manufacturing processes. This approach can reduce energy consumption during construction and operation.
3. It is considered that the proposal generally meets the objective and strategies of this policy.



BUILT ENVIRONMENT - Clause 15.01

CLAUSE 15.01-5S NEIGHBOURHOOD CHARACTER

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

...

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*
-

Commentary

1. The proposal responds to the rural character of the area through a low-scale, single-storey built form.
2. The development is consistent with the character of the adjoining Bellarine Lakes development, which comprises modern, standalone single-storey dwellings set within a landscaped environment.
3. The cabins are sited well back from Bellarine Highway, reducing visual prominence from the road and reinforcing the perception of a setback, landscape-dominated rural interface.
4. The proposal respects the underlying landscape character and maintains a sense of openness appropriate to the locality.



COMMERCIAL DEVELOPMENT - Clause 17.02

CLAUSE 17-02-1S BUSINESS

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

...

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

...

Commentary

1. The proposed development enhances the accessibility of Moolap and the surrounding area by increasing visitation and supporting surrounding businesses such as cafes, shops, and service providers.
2. It is considered that the proposal generally meets the objective and strategies of this policy.



FACILITATING TOURISM - Clause 17.04-1S

CLAUSE 17-04-1S FACILITATING TOURISM

Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

...

Encourage investment that meets demand and supports growth in tourism.

Commentary

1. The proposal provides well-designed, low-scale tourist accommodation that supports the growing demand for visitor stays in Moolap and the surrounding Bellarine region.
2. It is considered that the proposal generally meets the objective and strategies of this policy.



TOURISM IN RURAL AREAS - Clause 17.04-1L-02

CLAUSE 17-04-1L-02 TOURISM IN RURAL AREAS

Objectives

To support tourism development in rural areas that contributes to the growth of the tourism market.

To diversify the range of accommodation types.

To preserve the productive agricultural capacity and environmental qualities of the land.

To ensure the scale of development will complement and respect the rural landscape character of the area.

General strategies

Support tourism uses associated with an agricultural activity on the land.

Discourage tourism uses not associated with an agricultural activity on the land unless:

- *The site is strategically located with respect to an identified tourist route identified in Map 7 of the Bellarine Peninsula Statement of Planning Policy (Victorian Government, 2023) or along the Bellarine Highway.*
- *The site is in a location where there is an existing cluster of non-rural activities.*
- *The use and development will not result in urbanisation of the locality.*
- *The use and its associated development would not unreasonably visually compromise a non-urban break between settlements, a significant view or area identified as being of landscape or environmental significance.*

The circumstances of the use are unique and support site selection in a rural location over an urban location.

Encourage tourist accommodation that provides a connection or access to a tourist facility, tourist attraction or outdoor recreation.

Encourage the diversification of the type of accommodation provided in rural areas and encourage longer term stays.

Agricultural productivity strategies

Support use or development that is consistent with the character and nature of the primary rural land use and will not result in an unreasonable loss of productive agricultural land.

Minimise the proportion of the property used for tourism and ancillary infrastructure and direct it to the area of lowest agricultural quality or where the natural landscape has been modified.

Support tourism uses that will not compromise existing agricultural activity on adjoining land.

Built form strategies

Support development that would not visually compromise a non-urban break between settlements, a significant view or an identified area of landscape or environmental significance.

Design development to be visually recessive and blend into the surrounding landscape and natural environment through architectural treatment, landscaping, materials and colours.

Incorporate environmentally sustainable design features into development.

Design residential hotels or group accommodation to avoid large, single footprint buildings and visually distinguish it from a dwelling.

Provide landscaping areas on site that allow the development to blend with the surrounding rural landscape.

Amenity strategy

Minimise detrimental amenity impacts to neighbouring properties associated with noise, the hours of operation, number of patrons, or vehicular movements resulting from the use.

...

Traffic and services strategies

Set aside areas to allow for adequate on-site car parking to meet the needs of patrons and staff and landscaping.

Support use or development on sites that:

Have access to a constructed or sealed road that is capable of accommodating anticipated traffic levels or has convenient access to a major road.

Have access to all necessary servicing infrastructure.



Commentary

1. The proposal provides well-designed, low-scale tourist accommodation that supports the growing demand for visitor stays in Moolap and the surrounding Bellarine region.
2. The subject site is not currently used for agricultural purposes mainly due to its size of approximately 2ha. Some olives are currently grown on the site but not in sufficient quantities to allow for a commercial operation.
3. The site is one of a number of similar properties on the south side of the Bellarine Highway in this section which are more akin to rural living than farming land and indeed reflect the rural living zone applied to the northern side of the highway.

General strategies

4. The subject site is not located on a tourist route as designated in the Bellarine Peninsula Statement of Planning Policy but is located on the Bellarine Highway.
5. The site is already one of a number of similar properties in this area which form a cluster of non-agricultural uses including dwellings, a place of assembly (church), funeral home, aged care, camping and caravan site, boarding kennels etc.
6. The proposed use for 12 motel rooms is low-scale and does not result in urbanisation of the locality any more than the existing adjoining uses might individually be considered to do so.
7. The motel has been located well into the site offering a generous setback from the road where its low-lying form will not cause visual impacts on the surrounding area when viewed from the public realm.
8. The proposed motel will provide short term accommodation for a variety of tourists visiting the Bellarine area.
9. The subject site offers excellent connectivity to Geelong including the Spirit of Tasmania etc as well as the Bellarine area itself.
10. Whilst a motel use generally attracts short term stays from tourists moving through the region, the proposed use does offer diversification in accommodation type from the nearby camping and caravan parks or bed and breakfast facilities.

Agricultural productivity strategies

11. As already established by this report and assessment against policy the subject site does not currently involved in agricultural production due to the limiting factors of land size.
12. The proposed motel for this site will not compromise the use of any agricultural activities in the surrounding area.

Built form strategies

13. The proposed motel is generously setback from the Bellarine Highway with a low profile that does not constitute or contribute to visual clutter or urban intensification.
14. Environmental sustainable design measures will be implemented as part of the proposal.



The Planning Professionals

15. The motel building present a minimal elevation to the public realm and the proposal is of a very modest scale overall thus ensuring that any impacts are as minimal as possible.
16. The subject site retains sufficient space to retain the existing landscaping; no removal of vegetation is proposed.

Amenity strategy

17. The proposed motel will not create adverse noise, odour or light emission that might impact on the amenity of the surrounding rural area.

...

Traffic and services strategies

18. Appropriate parking and access has been provided for the proposed motel use.
19. The proposed motel will be adequately serviced as expected for such a facility.
20. It is considered that the proposal generally meets the objective and strategies of this policy.



FARMING ZONE - Clause 35.07

CLAUSE 35.07 FARMING ZONE

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Clause 35.07-1 Table of Uses

Section 2 Use

Condition

Section 2 Use	Condition
Any other use not in Section 1 or 3	None

Clause 35.07-4 Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1.
- A building which is within any of the following setbacks:
 - The setback from a Transport Zone 2
 - The setback from any other road or boundary specified in a schedule to this zone.

See below for Schedule requirements

Schedule to Clause 35.07 Farming Zone

1.0 Subdivision and other requirements

Minimum setback from a TRZ2 road is 100 metres.

Minimum setback from any other boundary is 5 metres.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.
- Whether Rural worker accommodation is necessary having regard to:
 - The nature and scale of the agricultural use.
 - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
- The duration of the use of the land for Rural worker accommodation.



The Planning Professionals

Environmental issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Design and siting issues

The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

Whether the use and development will require traffic management measures.

...

Commentary

1. The proposal is supported by the Municipal Planning Strategy and Planning Policy Framework by providing short-term tourist accommodation in a location with good access to Greater Geelong and the Bellarine Peninsula.
2. A Land Capability Assessment which accompanies this application confirms the land is capable of accommodating the development, including on-site effluent disposal, concluding that a rational and sustainable 20/30 standard subsurface irrigation system is appropriate.
3. The proposal is compatible with adjoining and nearby land uses, including the neighbouring aged care facility.
4. The cabins are sited adjacent to the existing dwelling to make efficient use of existing infrastructure, including the driveway and civil connections, and to minimise impacts on surrounding agricultural land.
5. The proposal will not result in the loss of productive agricultural land, as the site is not currently used for agricultural production, and the development will improve the condition and functionality of the land through managed use and landscaping.
6. Access will be provided via the existing crossover and driveway, with a new spur driveway to separate access to the cabins from the dwelling.
7. The development is not expected to generate traffic requiring traffic management measures.



CAR PARKING - Clause 52.06

CLAUSE 52.06 CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-2 Provision of car parking spaces

Before:

- a new use commences; ...

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; ...

Clause 52.06-3 Permit Requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

Clause 52.06-5 Number of car parking spaces required under Table 1

Use

Rate Category 1 (minimum requirement)

Motel

1 to each bedroom

52.06-8 Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences;

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.

Clause 52.06-10 Decision guidelines

Before deciding that a plan prepared under clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.



The Planning Professionals

- *The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.*
 - *The type and size of vehicle likely to use the parking area.*
 - *Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.*
 - *The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.*
 - *Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).*
 - *The relevant standards of clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.*
 - *Any other matter specified in a schedule to the Parking Overlay.*
-

Commentary

1. The plans provide 12 car spaces (one per bedroom) which satisfies the statutory requirement.
2. Car parking is detailed on the site plan provided in the town planning drawings which accompany this application.
3. Vehicle access is from Bellarine Highway via an existing crossover, providing safe and efficient access.
4. The internal layout provides clear and legible circulation, with dedicated car parking spaces associated with each cabin.
5. The layout supports passive surveillance and safe use of parking areas, including during night-time use.
6. The proposed car parking layout is suitable for the type and size of vehicles expected to service the development.
7. The design of car parking spaces are consistent with relevant Australian Standards.



LAND ADJACENT TO A PRINCIPAL ROAD NETWORK - Clause 52.29

Purpose

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

Clause 52.29-1 Application

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

Clause 52.29-2 Permit Requirement

A permit is required to:

- *Create or alter access to:*
 - *A road in a Transport Zone 2.*

Clause 52.29-4 Referral of applications

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

Clause 52.29-6 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
 - *The views of the relevant road authority.*
 - *The effect of the proposal on the operation of the road and on public safety.*
 - *Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.*
-

Commentary

1. No physical alterations are proposed to The Bellarine Highway; however, the existing access way is expected to experience increased traffic as a result of the development.
2. The application complies with the MPS and PPF as outlined in this report.
3. The application is expected to be referred to the Department of Transport and Planning (DTP) for assessment.



DECISION GUIDELINES - Clause 65

CLAUSE 65.01 APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
 - *Any significant effects the environment, including the contamination of land, may have on the use or development.*
 - *The Municipal Planning Strategy and the Planning Policy Framework.*
 - *The purpose of the zone, overlay or other provision.*
 - *Any matter required to be considered in the zone, overlay or other provision.*
 - *The orderly planning of the area.*
 - *The effect on the environment, human health and amenity of the area.*
 - *The proximity of the land to any public land.*
 - *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
 - *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
 - *The extent and character of native vegetation and the likelihood of its destruction.*
 - *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
 - *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
 - *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
 - *The impact the use or development will have on the current and future development and operation of the transport system.*
-

Commentary

1. These considerations are clearly and unambiguously directed at the Responsible Authority, after all the Responsible Authority is the decision making authority, not the permit applicant.
2. It is observed however that many of these provisions are general in nature such as the objectives of planning.
3. The State Planning Policy Framework is broad in its application. Relevant planning policy has been considered.
4. All matters relating to the orderly planning of the zone, and the effect on the amenity of the locality have been considered and demonstrated to be acceptable.
5. Relevant policies contained within the MPS and the PPF have been discussed and considered.
6. It is clear and self evident that the proposal is not in conflict with these policies.



5. Merits of the proposal

- 5.1. Rural areas accommodate a range of uses beyond traditional farming, including tourism and recreation, and local rural economies are increasingly diversifying. The proposed low-scale motel use supports tourism on the Bellarine Peninsula without undermining the primary agricultural role of the Farming Zone.
- 5.2. The proposal is modest in scale and carefully sited adjacent to the existing dwelling, with a limited development footprint that avoids extensive earthworks and does not constrain surrounding agricultural activities.
- 5.3. The land is not currently used for productive agriculture.
- 5.4. A Land Capability Assessment confirms the site can sustainably accommodate effluent disposal of waste water.
- 5.5. The development responds appropriately to its rural context through single-storey, low-scale cabins that minimise visual impact and maintain the open character of the site.
- 5.6. The proposal provides additional short-stay accommodation that supports the local and regional tourism economy, benefiting from direct access to the Bellarine Highway and convenient connections to Geelong, Portarlington and the broader Bellarine Peninsula.
- 5.7. Off-site impacts are minimised through appropriate setbacks, on-site parking provision and retention of existing site features, ensuring surrounding uses are not adversely affected.
- 5.8. The proposal represents a balanced and site-responsive outcome that supports tourism, respects rural character and aligns with the strategic intent of the Planning Scheme.
- 5.9. No built is proposed form over the existing easement, ensuring protection of infrastructure and site functionality
- 5.10. Proposal complies with the car parking requirement under Clause 52.06, with one space provided per bedroom.
- 5.11. Safe and convenient access is provided via the existing Bellarine Highway crossover with separate access to the existing dwelling.



6. Conclusions – should a permit be granted?

- 6.1. The proposal is consistent with planning policy.
- 6.2. The proposal would not result in off-site amenity impacts or cause material detriment to any party.
- 6.3. For these reasons and the reasons contained in the body of this submission it is respectfully submitted that a permit should be granted.