CITY OF GREATER GEELONG

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 8 December 2015

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 7.00p.m.

COUNCIL:

Cr. D. Lyons *Mayor*	(G21 Geelong Regional Alliance, Finance, Governance, Regional Cities)
Cr. T. Ansett *(Windermere)*	(Heritage, Rural Communities)
Cr. L. Ellis *(Coryule)*	(Coastal Communities, Infrastructure, Parks and Gardens, Climate Change)
Cr. J. Farrell *(Beangala)*	(Community Safety, Youth, Women in Community Life, Finance)
Cr. K. Fisher *(Corio)*	(Community Development, Tourism)
Cr. B. Harwood *(Kardinia)*	(Enterprise Geelong, Primary Industries)
Cr. M. Heagney *(Brownbill)*	(Central Geelong, Planning)
Cr. J. Irvine *(Austin)*	(Sport and Recreation)
Cr. E. Kontelj *(Cowie)*	(Aboriginal Affairs, Multicultural Affairs, Finance)
Cr. R. Macdonald *(Cheetham)*	(Major Projects, Knowledge Economy & Education, Veteran Affairs)
Cr. P. Murrihy *(Kildare)*	
Cr. R. Nelson *(Deakin)*	(Major Events)
Cr. A. Richards *(Buckley)*	(Environment & Sustainability, Transport, Arts & Culture, Climate Change)

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4. MANAGING DEVELOPMENT IN RURAL AREAS - PLANNING POLICY REVIEW

Portfolio: **Planning – Cr Heagney**
Source: **Planning and Tourism - Planning Strategy**
General Manager: **Peter Bettess**
Index Reference: **Project - Non rural uses in rural areas policy review**

Purpose

This report seeks approval from Council to adopt the findings and recommendations of the *Managing Development in Rural Areas Planning Policy Review* and to give them statutory effect by including them in the Greater Geelong Planning Scheme.

Summary

- In 2013 the State Government changed the rules on the types of development that can occur in rural areas.
- The reformed rural zones have generally relaxed the number of uses that can be considered in the Farming and Rural Conservation zones. Changes relate to some accommodation, retail, industry, schools and community uses. Prior to the zone changes many of these uses were prohibited.
- Council needs to respond to changes made by the State Government as there is a policy gap and Statutory Planning require guidance to assess planning permit applications.
- It is recommended to amend the Greater Geelong Planning Scheme *Clause 22.06: Tourism and Function Centre Development in Rural Areas*. Much of the existing Clause 22.06 is proposed to be retained, including the overall objectives to protect productive agricultural land. It is considered important, however, to continue to recognise that there are opportunities to enhance the tourism industry in rural areas where compatible with agricultural activity and rural landscape character.
- Tourism development forecasts prepared by Urban Enterprises for both the *Greater Geelong and the Bellarine Tourism Development Strategy* and *Non Rural Uses in Rural Areas Policy Review* show projected growth in the Geelong rural tourism sector to 2030. This includes demand of between 330 to 550 accommodation rooms or caravan sites in rural Geelong.
- The requirement in Clause 22.06 that uses "will be ancillary to and associated with an existing farming activity on the property" should be retained. The *Victorian Competition and Efficiency Commission's enquiry into Victoria's tourism industry* supported the unlocking of tourism development, particularly in rural areas of Victoria where limited tourism and population growth is occurring. This is not the case in Geelong where the tourism sector continues to grow and significant demand is projected to 2030. Removing the requirement would risk allowing uncontrolled development, resulting in over development that impacts on rural landscape character and the role of non urban settlement breaks. The recommended approach promotes the adopted Council policy in the *Rural Land Use Strategy (2007)* and the *Bellarine Peninsula Localised Planning Statement (2014)*.
- Some flexibility is recommended for Clause 22.06 to allow a consideration test for when some uses may be considered by Council outside of the 'associated with' test. This recognises that there may be some locations that would support additional tourist development, or the impacts on the rural area are diminished.

- Design controls are recommended to manage camping and caravan parks to ensure they cater for the tourism market only. Camping and caravan parks that result in long term or permanent housing accommodation risk resulting in quasi urban extension or urban extensions by stealth. Council should write to the State Government to outline its concerns on the definition of camping and caravan parks in the Victorian Planning Provisions.
- It is recommended that a new Local Planning Policy be prepared for the Greater Geelong Planning Scheme for *Discretionary Uses in Rural Areas,* which discourages the encroachment of non-agricultural uses into rural areas, other than tourism or accommodation land uses. These uses should be directed to urban areas where there is an appropriate level of municipal infrastructure services and better transport connectivity, as supported by State and local policy.
- Community engagement was held from 10 July until 7 August 2015 and feedback was sought on the issues around managing growth in rural areas. The response rate was low, but overall the responses were generally supportive of the Council position. Victorian Farmers Federation expressed a strong concern for allowing even more flexibility in rural areas.
- It is noted that the Minister for Planning and Minister for Regional Development have set up an *Animal Industry Advisory Committee* to examine how the planning system can better support Victorian farmers. This process will focus on the definition of intense animal husbandry. The Department of Environment, Land, Water and Planning has advised that Council should continue with this local policy review.

Cr Heagney moved, Cr Ellis seconded -

That Council:

1) adopt the recommendations of the *Managing Development in Rural Areas Planning Policy Review – Final Report*, (Appendix 3) including changes to the Local Planning policy of the Greater Geelong Planning Scheme:

a) amend Clause 22.06: Tourism and Function Centre Development in Rural Areas (Appendix 1); and

b) prepare a new Clause 22.64: Discretionary Uses in Rural Areas (Appendix 2).

2) seek authorisation from the Minister for Planning to prepare a planning scheme amendment to implement the recommendations of the review into the Greater Geelong Planning Scheme; and

3) write to the Minister of Planning to outline its concerns on the definition of camping and caravan parks in the Victorian Planning Provisions.

Carried.

Background

In 2013 the State Government changed the rules on the types of development that can occur in rural areas through *Victoria Planning Provisions and Planning Schemes by Amendment VC103* (5 September 2013).

Principally the reforms sought to provide flexibility for farmers and land owners, support business, encourage tourism and provide greater flexibility of land uses. The reformed rural zones have generally relaxed the number of uses that can be considered in the rural zones and reduced many of the conditions that have previously been required to be met.

Changes relate to some accommodation, retail, industry, schools and community uses. Prior to the zone changes many of these uses were prohibited (see Table 1.). These uses are still not able to occur as of right, but it is now possible to apply to Council for a planning permit to be considered on its merits.

Table 1. Discretionary land uses that are no longer prohibited in the Farming and Rural Conservation zones.

Land Use	FZ	RCZ
Camping & caravan park	✓	×
Group accommodation	✓1	✓
Residential hotel	✓1	✓
Restaurant	✓1	✓
Landscape gardening supplies	✓	✓
Trade supplies	✓	×
Market	✓	×
Industry	✓	×
Warehouse	✓	×†
Primary & secondary school	✓	✓
Place of assembly	✓2	×

[1] Was prohibited, but there was the potential to consider if also associated with a rural use on the site.
[2] Was prohibited, but there was the potential to consider if the function was used a maximum of 10 days in a year.
[†] Prohibited, other than freezing and cool storage

Council needs to respond to the changes made by the State Government under VC103 because they impact on how the zones are applied and managed through the Greater Geelong Planning Scheme. A key challenge is to ensure that discretionary uses can be effectively managed to avoid the proliferation of accommodation buildings and development that could substantially impact on rural landscape character and the productive capacity of the land.

The Planning Scheme currently manages tourism development in rural areas through a Local Planning Policy (LPP) for *Tourism Development in Rural Areas* (Clause 22.06). Due to changes brought about by Amendment VC103 there is the potential for a number of permit applications to be received for the new discretionary uses. At present there is a gap in the LPP to guide this decision making process.

The scope for the review included:

- Preparation of a policy position for the non-agricultural land uses that have been made discretionary in the rural zones, having regard to the differences between rural areas in the north and on the Bellarine Peninsula.
- To determine the current and future needs of tourist accommodation in rural areas based on research and analysis of trends and likely demands.
- Development of appropriate planning controls and application requirements, including locational and siting design criteria for discretionary land uses.
- Preparation or amendment of the LPP to implement the findings of the review.
- Consult with stakeholders during the project.

The following was not included in the review:

- Changes to the policy for managing the construction of houses and residential subdivision in rural areas.
- The Rural Living Zone.

The Rural Land Use Strategy

The *Rural Land Use Strategy (2007)* recognises that rural areas are highly valued by the Geelong community and help with the continued economic prosperity, liveability and amenity of the whole municipality. Geelong's rural areas cover a range of agricultural practices and production, as well as having a diversity of natural, environmental and scenic assets of significance. Compared to other areas of rural Victoria agriculture is generally smaller scale and on smaller landholdings; particularly on the Bellarine.

Many people wish to live in and visit the rural area where they can appreciate these features. Tourism continues to be an important aspect of the Geelong economy and continues to grow. The right type of accommodation is therefore needed to support the tourism experience. This is important to encourage people to stay for more than just a day trip.

The RLUS sets the vision and directions for rural land use management and are implemented by the Planning Scheme. The strategy recognises the importance of managing development to avoid a proliferation of buildings or overdevelopment. This could lead to the breakup of land and threaten the ability to be able to use it for farming. It could also impact on rural landscape character and the importance of non urban breaks between settlements.

The principles in the RLUs are also recognised in the *Bellarine Peninsula Localised Planning Statement (LPS)*, which was adopted by Council in 2014. This document also outlines the pressure for growth and change that is being experienced by the Bellarine Peninsula and sets strategies to ensure the key attributes of the area are preserved.

The strategy and key directions of the Rural Land Use Strategy are not being reviewed.

Discussion

Consultant advice

To support Council in the analysis of LPP Urban Enterprise (UE) consultants were commissioned to provide expert advice and background research on:

1. The analysis of existing and future economic conditions for tourism accommodation in Greater Geelong rural areas;
2. In principle advice on the types of industry uses suitable for rural areas; and
3. Recommend high level siting and design planning guidance for discretionary uses.

UE delivered a completed report in June 2015 *Non Rural Uses in rural Areas Policy Review* and is summarised in the *Managing Development in Rural Areas Planning Policy Review – Final Report* (**Appendix 3).** Urban Enterprise was also commissioned by Tourism Greater Geelong and the Bellarine to prepare the Tourism Development Strategy for the region.

Overview of changes to the LPP.

It is recommended that the Local Planning Policy be amended as follows, as provided in:

- Amend Clause 22.06: Tourism and Function Centre Development in Rural Areas **(Appendix 1)**
- Prepare a new Clause 22.64: Discretionary Uses in Rural Areas **(Appendix 2)**
- **Appendix 3** the *Managing Development in Rural Areas Planning Policy Review – Final Report* provides a detailed summary of the policy options considered for the amended 22.06 and new Clause 22; including a tracked change version of Clause 22.06.

Much of the existing Clause 22.06 policy is to be retained, including the overall objectives to protect productive agricultural land. It is important to continue to recognise that there are opportunities to enhance the tourism industry in rural areas.

Managing demand and growth in Rural Areas.

In 2012 Victorian Competition and Efficiency Commission's enquiry into Victoria's tourism industry promoted the unlocking of tourism development in Victorian and led to VC103. However, this is considered more appropriate to rural areas that are more isolated and have limited tourism and population growth occurring. This is not the case for Geelong where the tourism sector continues to grow and significant demand is projected to 2030. There is also anecdotal evidence of demand through pre-application enquires through Statutory planning since the 2013 changes.

The Reformed Zones Ministerial Advisory Committee, in their Rural Zones Report for VC103, made recommendations that the 'associated with' test should be retained for accommodation uses. This recommendation was not accepted by the previous State Planning Minister. However, the present Planning Minister may have a different opinion on how flexible rural zones should be. This is in the context of the Minister for Planning and Minister for Regional Development setting up an *Animal Industry Advisory Committee* to examine how the planning system can better support Victorian farmers. This process will focus on the definition of intense animal husbandry. The Department of Environment, Land, Water and Planning has advised that Council should continue with this local policy review.

A key consideration is how to manage the growth of tourism demand, particularly in response to the changes that were brought about by VC103. Most of this tourism growth is directed to Central Geelong and other townships where there is existing capacity and a settlement strategy that caters for future growth. However, tourism development forecasts from UE show that there is a demand of between 330 to 550 accommodation rooms or caravan sites in rural Geelong to 2030.

For Geelong the existing Clause 22.06 requires that tourism uses "will be ancillary to and associated with an existing farming activity on the property", for example accommodation at a winery. This is based on the RLUS and community expectations. For Geelong this policy requirement continues to be an important mechanism for managing development in rural areas and should be retained. Removing the requirement would risk allowing uncontrolled and over development, which could lead to the fragmentation of land and the ability to use it for farming. While this does not meet with the expectations of VC103, Geelong is considered to be unique and warrants the continuance of this policy position.

The 'associated with' test recognises Council's existing policy in the RLUS and LPS. Virtually no objections were received from community against this approach. Further, Victoria Farmers Federation has expressed a strong concern for allowing even more flexibility in rural areas. This could lead to loss of agricultural land, fragmentation of existing holdings, threats to the Right to Farm, lack of infrastructure to support tourist development and development in inappropriate areas.

The amended policy position also recognises the advice from UE that highlighted there is currently a limited diversity of accommodation typologies available in rural areas. Currently the focus is on the family market based on camping and caravan parks. There is a need to expand on this market to improve the accommodation offer to increase overnight stays and attract people from further afield.

Some flexibility is recommended for Clause 22.06 to allow a consideration test for when some uses may be considered by Council outside of the 'associated with' test. This recognises that there may be some locations that would support additional tourist development, or the impacts on the rural area are diminished. For instance, in strategic tourist sites on identified tourist areas, or where there is already a cluster of some tourist development. It also considers the establishment of one off developments if the circumstances of the use provide justification to support the use in a rural area over an urban location. All other requirements of the policy will still need to be met, such as appropriate siting and design.

During the internal workshops the identification of specific clusters for development was raised. This concentrates development in one area by rezoning land as Rural Activity. It can also take demand away from other areas. This approach has been taken by both the Bass Strait in the *Bass Strait Rural Land Use Strategy* and Corangamite in Amendment C30.

At Bass Strait and Corangamite the establishment of Rural Activity clusters is seeking to promote economic growth and attract tourism investment. As noted earlier, this is not an issue for Geelong. If Council provided clusters for development it is likely that there would still be demand in other rural areas, which could perpetuate growth pressures on the rural area. Further, to identify sites and recommend clusters would be a significant change of policy for Council. This would also be prescriptive and it is considered appropriate to allow an element of flexibility in the policy approach noted above to allow case by case assessments to be made.

Camping and caravan parks

Clause 22.06 sets out design controls to manage camping and caravan parks to ensure they cater for the tourism market only. Camping and caravan parks that result in long term or permanent housing accommodation risk resulting in quasi urban extension or urban extensions by stealth. Not only does this risk the City's settlement strategy it can also lead to social problems due to the sites catering for low income and disadvantaged members of the community that are isolated from services.

Restricting the establishment of camping and caravan parks for permanent residency is a complex issue as this is controlled by the legislation set out in the Residential Tenancies Act, 1997. Under S518 of the act it is not possible to limit the duration of residency in a caravan park via a planning scheme or permit. Based on research of Planning Panel and other VCAT decisions, particularly for Mornington Shire, it is possible to control design and how the camping and caravan parks are designed. This is the basis for the policy developed.

It is recommended that Council write to the State Government to outline its concerns with the definition of camping and caravan parks in the Victorian Planning Provisions. As a result of the Residential Tenancies Act councils are unable to differentiate between permanent camping and tourist camping.

Summary of other changes to Clause 22.06:

- Continue to avoid uses that are sensitive to noise, dust and odour impacts that are produced from farming; as well as not allowing uses that themselves could impact on the operation of farming.
- Manage the scale of development and ensure that development does not resemble a scale that would be expected in an urban area.
- Clarify how to manage the design, appearance and location of buildings so these blend into the rural landscape.

- Provide advice on the type of design that would be expected for a residential hotel and group accommodation in a rural area (i.e. avoid large footprint buildings).
- Make sure the right level of services are provided and that roads are capable of handling traffic volumes for a development.
- Provide application requirements for development, including specific management plans that may be required for uses such as camping grounds and function centres and other accommodation.
- Restructure of the policy for clarity and better ease of use.

New Clause for Discretionary Uses in Rural Areas

State and local policy generally does not provide for non-agricultural uses in rural areas. In particular Clause 21.07-5 (Rural Areas) of the LPPF seeks to minimise non agricultural uses in rural areas. These uses should be directed to urban areas where there is an appropriate level of municipal infrastructure services and good transport connectivity. To ensure that development is planned in the right locations an adequate supply of land is zoned for industrial, commercial and community purposes in urban areas. This is part of the Council settlement strategy.

It is considered that the encroachment of non-agricultural uses into rural areas should be discouraged. Further, non-agricultural uses that would attract significant numbers of visitors, accommodate large numbers of people or generate significant volumes of traffic and car parking demand are generally incompatible with farming activities and are not appropriate in the rural area.

It is acknowledged that there may be some circumstances where a use may be more suited to the rural area than an urban location. For example:

- Materials recycling or green waste recycling;
- Aquaculture processing uses close to aquaculture extraction;
- A rural produce market;
- An adventure school that requires large areas of open land;
- Some rural industry uses; and
- Sports and leisure uses that may be nature based or forestry related

To reflect this the policy recognises that there may be unique circumstances when a use may be appropriate in a rural area and supports the local rural population, provided that it can be demonstrated that options to consider the use in an urban location have been exhausted. Similar to Clause 22.06 the use would need to show that it would not impact on the productive capacity of rural land, existing agricultural activity or rural landscape character. The policy does not apply to agricultural, tourism or accommodation land uses.

Environmental Implications

The review retains support for the preservation of the productive capacity of land. It also recognises the need to protect rural landscape character and the diversity of natural, environmental and scenic assets of significance.

Financial Implications

This review recommends that Council prepare a planning scheme amendment to incorporate Local Planning Policy into the Greater Geelong Planning Scheme. The costs associated with this amendment process will be met by Council through the existing planning scheme amendment budget allocation.

Policy/Legal/Statutory Implications

The review and recommended Local Planning Policy is consistent with the Rural Land Use Strategy (2007).

It is also consistent with the State Planning Policy implementing the objectives and strategies of Clause 11 *Settlement, 12 Environmental and landscape values, 13 Environmental Risks, 14. Natural Resource Management, 17 Economic Development and 19 Community Infrastructure.*

The amendment is also consistent with the Local Planning Policy Framework; in particular *Clause 21.05 Natural Environment,* which protects coastal development. Clause 21.07 *Economic Development and Employment* seeks to protect productive agricultural land and minimise non farming land uses. It is acknowledged that some tourism development can be supported where this contributes to the economy and it respects rural landscape character.

Alignment to City Plan

The review supports the *Growing our Economy* and *Sustainable Built and Natural Environment* strategic directions of City Plan. The recommendations of the review seek to retain rural productivity and to support and grow the tourism economy provided that the impacts are appropriately managed and rural landscape character can be maintain.

Officer Direct or Indirect Interest

No Council officers have any direct or indirect interest, in accordance with section 80(c) of the Local Government Act 1989, in the matter to which this report relates.

Risk Assessment

There are minimal risks to Council in adopting the recommendations of this review and implementing them through a planning scheme amendment process. The community and stakeholders will be given an opportunity to comment on the proposed Local Planning Policy changes as part of the planning scheme amendment process.

Social Considerations

Social considerations were considered as part of the Rural Land Use Strategy when this was prepared in 2007. The recommended policy approach seeks to retain farmers ability to use land for productive purposes. It also promotes the security of the local food and produce market.

Human Rights Charter

The proposal does not impact on any human rights and responsibilities set out in the Charter. Planning legislation ensures an open community consultation process occur enabling people to freely express their views on an Amendment and if necessary, obtain a fair hearing before an Independent Panel.

Consultation and Communication

Key stakeholders were engaged throughout the project. This included internal engagement and workshops with other relevant Council Departments, including Statutory Planning, Strategic Implementation, Enterprise Geelong and Tourism Greater Geelong and the Bellarine.

To test the policy positions, consultation on the principles of the policy was held from 10 July until 7 August 2015. The engagement sought input from the community on the issues around managing growth in rural areas that were formulated from the issues identified from council and UE research. Engagement involved:

- Advertisements placed in Geelong and Bellarine newspapers. Consultation brochures were made available at the Customer Service Centres for Corio, 100 Brougham Street Geelong, Drysdale and Ocean Grove; and the Lara Community Centre.
- Direct consultation to a range of stakeholders, including farming groups, tourism business operators and community groups, Geelong G21 Agri Business Forum and the City of Greater Geelong Farming Advisory Committee.
- Placed on the Geelong Australia website with access to an online form to submit comments.

The response rate was low with only 12 responses received. Website statistics revealed that over 100 people accessed the consultation website.

- Overall the responses were generally supportive of the Council position, although there were a number of concerns raised by respondents.
- Only the response from St Quentin was fundamentally opposed to the Council approach in that it is too restrictive of development. Some expressed concerns that the approach may allow for too much development or flexibility.
- Some, including Victoria Farmers Federation expressed a strong concern for allowing even more flexibility in rural areas and the potential impacts on the right to farm and the threat to agricultural operations.

Appendix 3 the *Managing Development in Rural Areas Planning Policy Review – Final Report* has included a summary of the responses received.

Further consultation will occur during the Planning Scheme Amendment process.

APPENDIX 1. Amended Clause 22.06: Tourism and Function Centre Development in Rural Areas.

22.06 TOURISM AND FUNCTION CENTRE DEVELOPMENT IN RURAL AREAS

28/01/2010 C129(Part 1)

This policy applies to all land zoned Farming and Rural Conservation.

Policy Basis

The rural areas of Geelong and its many attractions are highly valued for their contribution to the economy, liveability and amenity of the whole municipality. Tourism is a key part of the economy of Greater Geelong, in particular on the Bellarine Peninsula.

Growth of the tourism economy is expected across Geelong to 2030. Most of this tourism growth is directed to Central Geelong and other townships where there is existing capacity and a settlement strategy that caters for future growth.

There are opportunities to enhance the tourism industry in rural areas through well designed developments that are associated with the farming or rural use of the land. Tourism development forecasts show that there is a demand of between 330 to 550 accommodation rooms or caravan sites in rural Geelong to 2030. Camping and caravan parks currently are traditionally the most common form of accommodation in the rural areas of Geelong with a focus on the family market. There is a need to expand the type of accommodation provided in rural areas to improve the market offer and encourage longer stays. This includes farm stays, accommodation associated with wineries and golf courses, nature based accommodation and integrated resort accommodation that is dispersed across the rural area.

Tourism development within the rural areas must be carefully managed and designed so that it does not compromise the rural landscape character or existing agricultural activities that are part of the economy and tourism attraction of the area.

In some circumstances function centres and restaurants may also be considered as tourism ventures, particularly when co-located or associated with other tourism activity. Camping and caravan parks that result in long term or permanent housing accommodation risk resulting ad hoc urban extensions. This undermines the settlement strategy and can also lead to poor social outcomes and community connectivity. Camping and caravan parks should be designed to cater for the tourism market.

Objective

- To support tourism development in rural areas that contributes to the growth of the tourism market.
- To expand the diversity of accommodation typologies available across the rural area to address an identified demand and disperse growth.
- To preserve the productive agricultural capacity of the land and where possible enhance the environmental condition of the land.
- To ensure the scale of development will complement and respect the rural landscape character of the area;
- To ensure development will not result in the urbanisation of the area;
- To ensure a mix of accommodation options are provided in camping and caravan parks.

Policy

It is policy that the responsible authority will support the use and development of rural land for tourism and function centre uses where:

Preferred location

- The use will be associated with an existing agricultural activity on the property.
- Uses not associated with agriculture may be supported by the responsible authority where the following are met:

- It is demonstrated that the circumstances of the use are unique and support site selection in a rural location over an urban location.
- The site is strategically located with respect to an identified tourist route, such as the tourist route identified in the Bellarine Peninsula Localised Planning Statement or along the Bellarine Highway. Preference will be given to areas where there is already a cluster of non-rural activities and additional development will not result in urbanisation.
- The use and its associated development would not unreasonably visually compromise a non-urban break between settlements, a significant view or area identified for landscape significance or environmental significance.
- Where appropriate, the use will address a regionally recognised demand identified in a tourism development strategy.

- Tourist accommodation provides a connection or access to a tourist facility, tourist attraction or outdoor recreation.

Impacts on agricultural productivity

- The use and development will not be out of balance with, nor change the character and nature of the primary rural land use, or result in an unreasonable loss of productive agricultural land.
- The proportion of the property used for tourism and ancillary infrastructure is minimised, and is directed to the area of lowest agricultural quality or where the natural landscape has been modified.
- Existing agricultural activity on adjoining land will not be compromised.

Design and siting

- Buildings and structures are designed and sited to not be visually dominant and can blend into the surrounding landscape and natural environment. Visual impacts should be mitigated or minimised through appropriate design, landscaping, materials and colours.
- Buildings incorporate a high design standard with environmentally sustainable design features.
- The design of a residential hotel and group accommodation avoids large, single footprint buildings and is distinguishable from a typical residential building.

Amenity

- Neighbouring properties are protected from unacceptable disturbance associated with the hours of operation, number of patrons, or vehicular movements resulting from the use.

Traffic and Services

- Adequate area is set aside for on site car parking and landscaping.
- The site has access to an appropriately constructed or sealed road that is capable of accommodating anticipated traffic levels or has convenient access to a major road.
- The site has access to all necessary servicing infrastructure. Where infrastructure is required or needs upgrading the applicant will meet all costs.

Camping and caravan park design

In addition to the above policy, a camping and caravan park must also meet the following:

- A camping and caravan park will include a mix of-tourist accommodation site types and visitor facilities including:
  - Sites for caravans, motor homes or tents;
  - Sites with unregisterable movable dwellings;
  - Sites for caravans with rigid annexes;
  - Sites with cabins;
  - Lodge accommodation;
  - Ablution blocks;
  - Communal and recreation facilities; or
  - Facilities that allow for public pre-booked or walk up bookings.
- The layout and design of the camping and caravan park will have the appearance of a camping and caravan park rather than a residential village or subdivision (restricted access, permanent constructed roads, larger building footprints, higher building densities, the provision of

individual carports/ garages, building design that resembles a holiday cabin rather than a permanent residence).

Application Requirements

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

- A description of the proposal, including a site context report; hours and days of operation; number of staff and visitors or patrons; type and number of accommodation buildings, units or camping sites; or a description of how a camping and caravan park is to be established and operate as a tourist park,
- A land management plan outlining measures to address agricultural production and environmental protection, including pest plants and animals and erosion of the land; as well as fencing off remnant vegetation, revegetating strategic areas to develop wildlife corridors and along waterways.
- A management plan outlining, the following as appropriate:
  - The mechanisms to be put in place to ensure onsite and offsite amenity is maintained on an ongoing basis, including onsite caretaker arrangements;
  - Onsite and offsite traffic management
  - Litter and waste effluent management;
  - Staffing and staff training procedures;
  - Requirement and procedure to inform adjoining residents of when a function or event is to be held; or
  - The requirement for the provision of an onsite manager for the duration of a function or event and the complaints procedure;
- A landscape plan, including a landscape character assessment for site and building design with an outline of the impact on the rural landscape.
- An acoustic report outlining noise impacts and noise mitigation measures, including set up and set down for functions and events.
- A traffic report.

Decision guidelines

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

- If the use is ancillary to or associated with an existing farming activity on the site
- If a rural location is required in favour of an urban location
- The proximity and access to tourism features and infrastructure.
- Potential impacts on the rural landscape character of the area.
- How the land use is consistent with tourism strategies for the area and promotes the regional tourism economy and expands accommodation typologies.
- The mix and type of accommodation provided.
- The potential impact the use will have on neighbouring properties, including agricultural operations.
- If the proposal will maintain and/or improve the productive capacity or environmental condition of the site.

References

City of Greater Geelong Rural Land Use Strategy, *City of Greater Geelong, 2007.*

Managing Development in Rural Area, Planning Policy Review, City of Greater Geelong, 2015.

APPENDIX 2. New Section 22.64. Discretionary uses in Rural Areas.

22.64 DISCRETIONARY USES IN RURAL AREAS

This policy applies to the consideration of use and development applications within the Farming and Rural Conservation Zones. This policy does not apply to agricultural, tourism, function centre or accommodation land uses.

Policy Basis

The rural areas of Geelong and its many attractions are highly valued for their contribution to the economy, liveability and amenity of the whole municipality.

Non agricultural uses in rural areas must be carefully managed to ensure that the ongoing use of land for agriculture is supported and the rural landscape character of the rural area is preserved.

Non-agricultural uses that would attract a significant numbers of visitors, accommodate large numbers of people or generate significant volumes of traffic and car parking demand are generally incompatible with farming activities and are not appropriate in the rural area. These uses should be directed to urban areas where there is an appropriate level of municipal infrastructure services and good transport connectivity. To ensure that development is planned in the right locations an adequate supply of land is zoned for industrial, commercial and community purposes in urban areas. The encroachment of non-agricultural uses into rural areas is discouraged and should only be considered when the use or development cannot be catered for in an urban area and there are unique circumstances to justify a rural location.

Objective

- To discourage discretionary non-agricultural uses in rural areas that could reasonably be located in an urban zone.
- To discourage discretionary non-agricultural uses in rural areas that attract a significant number of visitors to a site or are necessary to service the urban community.
- To preserve the productive agricultural capacity of the land and where possible enhance the environmental condition of the land.
- To maintain the unique rural landscape character of rural areas.

Policy

It is policy that the responsible authority would only support an application for a discretionary non-agricultural use where the following can be met:

- The use requires a rural location and it can be demonstrated that all urban location options have been fully exhausted.
- The use is of an appropriate scale to support the local rural population.
- The use will not result in an unreasonable loss of productive agricultural land.
- Existing agricultural activity on adjoining land will not be compromised.
- The scale of the development will complement and respect the rural landscape character.
- Buildings and structures are designed and sited to not be visually dominant and can blend into the surrounding landscape and natural environment. Visual impacts should be mitigated or minimised through appropriate design, landscaping, materials and colours.
- The site has access to an appropriately constructed or sealed road that is capable of accommodating anticipated traffic levels or has convenient access to a major road.
- The site has access to all necessary servicing infrastructure. Where infrastructure is required or needs upgrading the applicant will meet all costs.

- The environmental condition of the land could be enhanced by fencing off remnant vegetation and revegetating strategic areas to develop wildlife corridors and along waterways.

References

City of Greater Geelong Rural Land Use Strategy, City of Greater Geelong, 2007.

Managing Development in Rural Area, Planning Policy Review, City of Greater Geelong, 2015.

APPENDIX 3 –Managing Development in Rural Areas Planning Policy Review – Final Report (2015)

Managing Development in Rural Areas

PLANNING POLICY REVIEW

Final Report – September 2015

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CITY OF GREATER GEELONG

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EXECUTIVE SUMMARY

Introduction

In 2013 the State Government changed the rules on the types of development that can occur in rural areas through *Victoria Planning Provisions and Planning Schemes by Amendment VC103* (5 September 2013). Principally the reforms sought to provide flexibility for farmers and land owners, support business, encourage tourism and provide greater flexibility of land uses. A number of changes were made to both the Farming (FZ) and Rural Conservation (RCZ) zones.

This review focuses on the types of land uses that are applied through the zones and whether they are as of right, only allowed through a permit application (discretionary), or prohibited. Prior to the zone changes many of these uses were prohibited (Table 1). These uses are still not able to occur as of right, but it is now possible to apply to Council for a planning permit to be considered on its merits.

The *Greater Geelong Planning Scheme* currently manages tourism development in rural areas through a Local Planning Policy (LPP) for *Tourism Development in Rural Areas* (Clause 22.06). Due to changes brought about by Amendment VC103 there is the potential for a number of permit applications to be received for the new discretionary uses. At present there is a gap in the LPP to guide this decision making process. Council should prepare new local policy(ies) and review existing policies to address the changes introduced by VC103. **The scope of the review is provided on Pg 2**. The scope does not consider any changes to the policy for managing the construction of houses and residential subdivision in rural areas, or review policy for the Rural Living Zone.

Table 1. Discretionary land uses that are no longer prohibited in the FZ and RCZ.

Land Use	FZ	RCZ
Camping & caravan park	✓	×
Group accommodation	✓1	✓
Residential hotel	✓1	✓
Restaurant	✓1	✓
Landscape gardening supplies	✓	✓
Trade supplies	✓	×
Market	✓	×
Industry	✓	×
Warehouse	✓	×†
Primary & secondary school	✓	✓
Place of assembly	✓2	×

[1] *Was prohibited, but there was the potential to consider if also associated with a rural use on the site.*
[2] *Was prohibited, but there was the potential to consider if the function was used a maximum of 10 days in a year.*
[†] *Prohibited, other than freezing and cool storage*

The Rural Land Use Strategy

The *Rural Land Use Strategy (2007)* sets the vision and directions for rural land use management and are implemented by the Planning Scheme. The strategy recognises the importance of managing development to avoid a proliferation of buildings or overdevelopment. This could lead to the breakup of land and threaten the ability to be able to use it for farming. It could also impact on rural landscape character and the importance of non urban breaks between settlements.

Many people wish to live in and visit the rural area where they can appreciate the features of the area. Tourism continues to be an important aspect of the Geelong economy and continues to grow. The right type of accommodation is therefore needed to support the tourism experience. This is important to encourage people to stay for more than just a day trip.

The strategy and key directions of the Rural Land Use Strategy are not being reviewed.

Background Advice – Urban Enterprise

To support Council in the analysis of LPP to address the VC103 chances Urban Enterprise (UE) were commissioned to provide expert advice and background research. A summary of the UE findings are provided below.

1. The analysis of existing and future economic conditions for tourism accommodation in Greater Geelong rural areas.

   UE identified a growth projection for tourism across Geelong to 2030. This will in turn influence growth and need in tourism development and accommodation. UE provided a low to high projection estimation of tourist accommodation need to 2030. This was determined through a gap analysis and based on assumptions made by calculating needs for all of Geelong (urban and rural) and using a methodology of rural demand indicators to assess the amount of growth that could be attributed to rural areas.

   Visitation to Geelong and the Bellarine is expected to grow significantly over the next 15 years. To cater for this growth and the existing demand, Urban Enterprise undertook tourism development forecasts for accommodation to 2030. These show a demand in rural areas of between 330 to 550 accommodation sites/units on the Bellarine and 2 to 4 rooms in northern Geelong (Table 6). This represents around 22% of accommodation growth across the region.

   UE provided guidance on the typologies of accommodation mix anticipated in specific rural areas based on gaps in the market and industry consultation. This also takes consideration of development viability (i.e. expected room needs) and benchmarking with other similar markets.

   A summary of findings for the Tourism Profile is set out on pg 14 of this report.

2. In principle advice on the types of industry uses suitable for rural areas.

   Due to industrial and warehouse proposals being changed from prohibited to discretionary in the rural area advice was sought from UE on the types of applications that may now be expected in these areas and whether there is any demand in the business community. UE analysed business start up data in rural areas and historic permit information; as well as consulted with the business industry. The key findings were:

   - There has been minimal commercial and industrial development in rural zones over the past 15 years. Commercial uses are generally connected to the agricultural industry. The lack of development reflects the zone provision constraints prior to VC103.
   - Aquaculture is considered an emerging industry in the region with three permits for new aquaculture facilities granted.

   UE were not able to provide any evidence of specific needs in rural areas. UE did provide some high level recommendations for Council to consider such as the drivers for business development in rural areas; and potential location based recommendations and implications **(pg 19)**.

3. Recommend high level siting and design planning guidance for discretionary uses.

   UE were asked to provide options on high level siting design criteria to assist the preparation of LPP for discretionary uses, including for:

   - accommodation (camping and caravan park, group accommodation, residential hotel);
   - tourism activities (place of assembly, including function centre, conference centre, art gallery and museum, and restaurant); and
   - commercial (industry, warehouse, landscape garden supplies, market).

UE were able to outline an extensive range of criteria that could be considered by Council and has been used to benchmark and inform the LPP detailed in Section 5 **(See Appendix 2)**. Key themes for the advice includes:

- Location and context
- Design and built form
- Access
- Additional detail for camping and caravan parks including: facilities; topography, drainage, soils and vegetation; coastal or fire constraints; visual impact; internal design; amenity; and services.

Consultation

To test the policy positions, consultation on the principles of the policy was held from 10 July until 7 August 2015. The engagement sought input from the community on the issues around managing growth in rural areas that were formulated from the issues identified from council and UE research.

The response rate was low with only 12 responses received. Website statistics revealed that over 100 people accessed the consultation website.

- Overall the responses were generally supportive of the Council position, although there were a number of concerns raised by respondents.
- Only the response from St Quentin was fundamentally opposed to the Council approach in that it is too restrictive of development.
- Some, including Victoria Farmers Federation expressed a strong concern for allowing even more flexibility in rural areas and the potential impacts on the right to farm and the threat to agricultural operations.

Overview of changes to the LPP.

Local Planning Policy be amended as follows:

- **Amend Clause 22.06: Tourism and Function Centre Development in Rural Areas**
- **Prepare a new Clause 22 Policy: Discretionary Uses in Rural Areas**

Summary of amendments to Clause 22.06

Clause 22.06: Tourism and Function Centre Development in Rural Areas

Retain basis of existing policy

- **Much of the existing policy directions are to be retained, including the overall objectives to protect productive agricultural land and rural landscape character, including maintaining non-urban settlement breaks.**
- **Continue to support tourism development, but continue to require that most development only occurs when the property also has an existing agricultural use on the site (an 'in conjunction' / 'associated with' test). For example at a winery.**
  - **Some flexibility is proposed for the policy to allow consideration or sequential test for when some uses may be considered by Council outside of the 'in conjunction' / 'associated with' test.**
- **Continue to avoid uses that are sensitive to noise, dust and odour impacts that are produced from farming; as well as not allowing uses that themselves could impact on the operation of farming.**

New and amended policy

- **Restructure of the policy for clarity and better ease of use.**
  - **Amend policy basis to reflect changes to the remainder Clause 22.06.**
  - **Add to Objectives.**
  - **Layout changed to be similar to existing Clause 22.01, including the addition of sub headings to direct user to the relevant parts of the policy.**
  - **Remove unnecessary text or create consistency of terminology.**
- **Encourage expansion of the types of tourist accommodation available in rural areas to meet what is needed by the tourism market.**
- **Manage the scale of development and ensure that development does not resemble a scale that would be expected in an urban area.**
- **Clarify how to manage the design, appearance and location of buildings so these blend into the rural landscape.**
  - **Provide advice on the type of design that would be expected for a residential hotel and group accommodation in a rural area (i.e. avoid large footprint buildings).**
- **Make sure the right level of services are provided and that roads are capable of handling traffic volumes for a development.**
- **Include design and location measures that discourage permanent resident camping and caravan parks in the rural area.**
- **Provide application requirements for development, including specific management plans that may be required for uses such as camping grounds and function centres and other accommodation.**

A track changes version of the amended Clause 22.06 in included in Annex 4

Managing demand and growth in Rural Areas.

In 2012 Victorian Competition and Efficiency Commission's enquiry into Victoria's tourism industry promoted the unlocking of tourism development in Victorian and led to VC103. However, this is considered more appropriate to rural areas that are more isolated and have limited tourism and population growth occurring. This is not the case for Geelong where the tourism sector continues to grow and significant demand is projected to 2030.

A key consideration is how to manage the growth of tourism demand, particularly in response to the changes that were brought about by VC103. Most of this tourism growth is directed to Central Geelong and other townships where there is existing capacity and a settlement strategy that caters for future growth.

For Geelong the existing Clause 22.06 requires that tourism uses "will be ancillary to and associated with an existing farming activity on the property"; for example accommodation at a winery. This is based on the RLUS and community expectations. For Geelong this policy requirement continues to be an important mechanism for managing development in rural areas and should be retained. Removing the requirement would risk allowing uncontrolled and over development, which could lead to the fragmentation of land and the ability to use it for farming. While this does not meet with the expectations of VC103, Geelong is considered to be unique and warrants the continuance of this policy position. The 'associated with' test recognises Council's existing policy in the RLUS and LPS.

Some flexibility is recommended for Clause 22.06 to allow a consideration test for when some uses may be considered by Council outside of the 'associated with' test. This recognises that there may be some locations that would support additional tourist development, or the impacts on the rural area are diminished. For instance, in strategic tourist sites on identified tourist areas, or where there is already a cluster of some tourist development. It also considers the establishment of one off developments if the circumstances of the use provide justification to support the use in a rural area over an urban location. All other requirements of the policy will still need to be met, such as appropriate siting and design.

The amended policy position also recognises the advice from UE that highlighted there is currently a limited diversity of accommodation typologies available in rural areas. Currently the focus is on the family market based on camping and caravan parks. There is a need to expand on this market to improve the accommodation offer to increase overnight stays and attract people from further afield.

Camping and caravan parks

Clause 22.06 sets out design controls to manage camping and caravan parks to ensure they cater for the tourism market only. Camping and caravan parks that result in long term or permanent housing accommodation risk resulting in quasi urban extension or urban extensions by stealth. Not only does this risk the City's settlement strategy it can also lead to social problems due to the sites catering for low income and disadvantaged members of the community that are isolated from services.

Based on research of Planning Panel and other VCAT decisions, particularly for Mornington Shire, it is possible to control design and how the camping and caravan parks are designed. **Advice on expected design for camping and caravan parks is provided on pg 37.**

New clause for discretionary uses in rural areas

Clause 22 Policy: Discretionary Uses in Rural Areas

Summary of policy

- **Discourage uses such as industry, trade supplies retail, markets, schools and most community uses that could reasonably be provided in urban areas; and**
- **Discourage discretionary non-agricultural uses in rural areas that attract a significant number of visitors to a site or are necessary to service the urban community.**
  - **These should generally occur in an urban area where there is better transport accessibility and connection to services and other community facilities.**
  - **An adequate supply of land is already planned for these uses through urban zones.**
- **Allow an exception for uses that cannot be catered for in an urban area and there are unique circumstances as well as:**
  - **Development is of a scale to support the local population**
  - **Development will not result in an unreasonable loss of productive agricultural land**
  - **Existing agricultural activity on adjoining land will not be compromised.**
  - **The scale of development complements and respects the rural landscape character. Development is not visually dominant and impacts can be mitigated.**
  - **The site is appropriately serviced by roads and other infrastructure.**

The policy does not apply to agriculture, tourism or accommodation uses.

State and local policy generally does not provide for non-agricultural uses in rural areas. In particular Clause 21.07-5 (Rural Areas) of the LPPF seeks to minimise non agricultural uses in rural areas. These uses should be directed to urban areas where there is an appropriate level of municipal infrastructure services and good transport connectivity. To ensure that development is planned in the right locations an adequate supply of land is zoned for industrial, commercial and community purposes in urban areas. This is part of the Council settlement strategy. The encroachment of non-agricultural uses into rural areas should be discouraged.

It is acknowledged that there may be some circumstances where a use may be more suited to the rural area than an urban location. This is reflected in the policy where the use supports the local rural population and it can be demonstrated that options to consider the use in an urban location have been exhausted. Similar to Clause 22.06 the use would need to show that it would not impact on the productive capacity of rural land, existing agricultural activity or rural landscape character. The policy does not apply to agricultural, tourism or accommodation land uses.

1. INTRODUCTION

In 2013 the State Government changed the rules on the types of development that can occur in rural areas through *Victoria Planning Provisions and Planning Schemes by Amendment VC103* (5 September 2013). The changes were made to the rural zones to allow for:

- more flexibility for farmers and land owners;
- greater support for business,
- encouragement for tourism; and
- greater flexibility of land uses.

A number of changes were made to both the Farming (FZ) and Rural Conservation (RCZ) zones (Figure 1). This review focuses on the types of land uses that are applied through the zones and whether they are as of right, only allowed through a permit application (discretionary), or prohibited. Under VC103 a number of uses were changed from being prohibited to discretionary this changed the nature of what can potentially occur in these zones. Discretionary use changes relate to some accommodation, retail, industry, schools and community uses.

A detailed summary of the changes made to the zones is provided in Section 2.

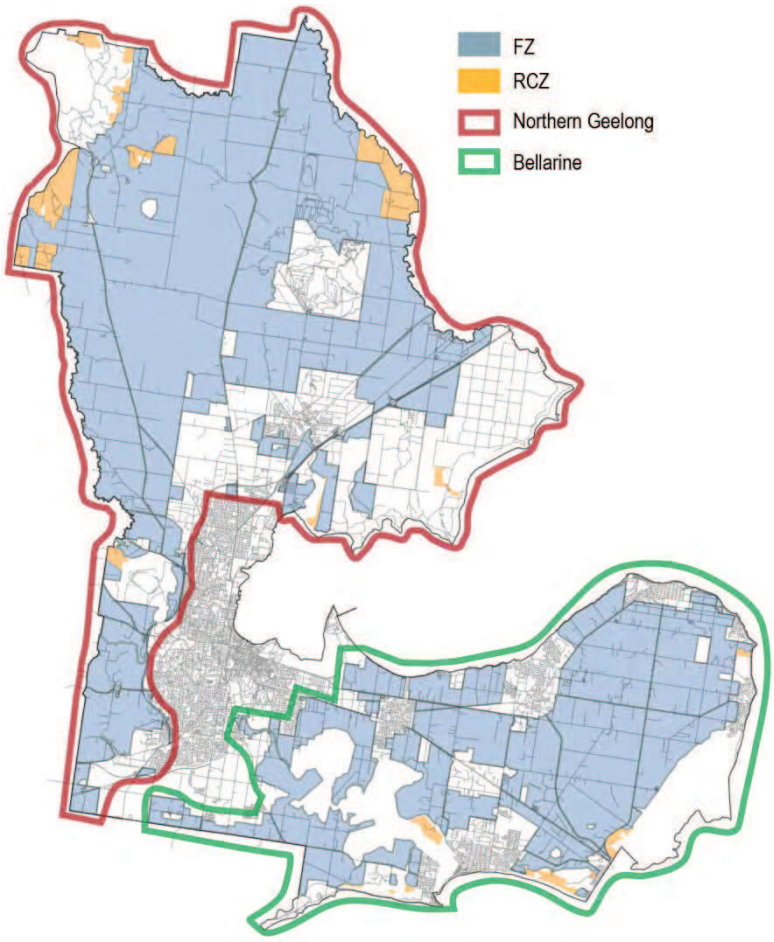

Figure 1. The Farming and Rural Conservation zones for the Geelong rural area.

The need for a review

The Local Planning Policy Framework (LPPF) of the Greater Geelong Planning Scheme sets out a series of Local Planning Policies (LPP) that give Council the ability to state its intentions on a planning issue or a specific area. The LPPs guide decision making on planning permit applications and help the community understand how Council will consider a proposal. The Planning Scheme includes a LPP for *Tourism Development in Rural Areas* (Clause 22.06). Due to changes brought about by Amendment VC103 there is the potential for a number of permit applications to be received for the new discretionary uses. At present there is a gap in the LPP to guide this decision making process. Council should prepare new local policy(ies) and review existing policies to address the changes introduced by VC103.

The scope for the review includes:

- Consideration for how the discretionary uses can be effectively managed to avoid the proliferation of accommodation buildings and development that could substantially impact on rural character and the productive capacity of the land. The review will assess the outcomes of Amendment VC103 and recommend what amendments and/ or further policy is needed.
- Preparation of a policy position for the non-rural land uses that have been made discretionary in the rural zones, having regard to the differences between rural areas in the north and on the Bellarine Peninsula.
- Determination of the current and future needs of tourist accommodation in rural areas based on research and analysis of trends and likely demands.
- Development of appropriate planning controls and application requirements, including locational and siting design criteria for discretionary land uses.
- Preparation of LPP/ amended LPP to implement the findings of the review.
- Consultion with stakeholders during the project, including Councillor and stakeholder engagement.

What is not included in the review:

- The review does not consider the subdivision or development of land for residential purposes. This is managed through *Clause 22.05: Agriculture, Rural Dwellings and subdivision*.
- The Rural Living Zone makes up part of the rural area, but is not included in this review; neither is the related *Clause 22.04 Discretionary Uses in Rural Living and Low Density Residential Areas*.
- Changes to the way agricultural uses are allowed for and applied under the FZ and RCZ.
- Changes or a review of the existing Rural Land Use Strategy(2007)

2. POLICY BASIS

Introduction

The following section provides a summary of the State and local policy that is relevant to the current review and has an influence on the amendment to LPP.

Amendment VC103

The reformed rural zones were introduced into the Victoria Planning Provisions and planning schemes by Amendment VC103, gazetted on 5 September 2013.

The reformed rural zones have generally relaxed the number of uses that can be considered in the rural zones and reduced many of the conditions previously required to be met. Principle changes are to:

- **provide flexibility for farmers** by allowing for the sale of farm produce without the need for a planning permit and removing restrictions on the sale of processed produce. For example, an olive farmer can sell bottled olive oil to complement the sale of fresh olives;
- **support business** by removing the prohibitions on complementary business uses, such as landscape gardening supplies;
- **encourage tourism** by reducing or removing permit limitations in the Farming Zone and Rural Conservation Zone relating to tourism uses, enabling applications to be considered on their merits; and
- **provide greater flexibility** for councils to consider previously prohibited land uses, reflecting the government's election commitment to permit schools in urban fringe and rural areas.

Changes to the existing Farming Zone include:

- a new purpose statement promoting the retention of employment and population to support existing rural communities;
- reducing the restrictions for alterations and extensions to dwellings and farm buildings;
- removing the requirement for a mandatory section 173 agreement which restricts future subdivision after an initial subdivision is approved;
- making less uses prohibited and more uses discretionary including some accommodation, retail and commercial uses;
- removing the prohibition on group accommodation, landscape gardening supplies, market, trade supplies, warehouse, industry and primary and secondary schools;
- increasing the threshold for persons that can be accommodated in a bed and breakfast from six to 10 without a permit;
- removing the 'in conjunction' within agriculture requirement which restricts uses such as group accommodation, residential hotel and restaurant;
- removing other conditions which restrict uses such as group accommodation, place of assembly, store and transfer station; and
- removing permit requirements for uses such as primary produce sales, rural industry and rural store.

A number of the changes to the Farming Zone have been also carried over to the Rural Conservation Zone; although the changes to the land uses are less extensive. Key changes that have not been carried over include:

- Removing the permit requirements for Primary Produce Sales, Rural Industry and Rural Store; and

- Camping and caravan park, Industry, Warehouses and Leisure and Recreation uses have not been made discretionary uses and remain prohibited.

A summary of the key changes that have been made discretionary under VC103 in the FZ and RCZ are outlined in Table 1.

Table 1: Land uses made discretionary in the FZ and RCZ.

Use	**Farming Zone**	**Rural Conservation Zone.**
Accommodation – Permit required (previously prohibited)		
Camping & caravan park	✓	×
Group accommodation[1]	✓	✓
Residential hotel[1]	✓	✓
Retail Premises - (previously prohibited)		
Landscape gardening supplies.	✓	✓
Trade supplies	✓	×
Restaurant[1]	✓	✓
Market – *unless a community market*	✓	×
Industry – Permit required (previously prohibited other than transfer station)		
Industry	✓	×
Warehouse - Permit required (previously prohibited)		
Warehouse	✓	Freezing and cool storage only
Education Centre - Permit required (previously prohibited)		
Primary school, secondary school	✓	✓
Place of assembly – Permit required (other than amusement parlour, night club, carnival & circus).		
Place of assembly[2]	✓	×
Leisure and Recreation – Permit required (previously prohibited)		
Motor sport.	✓	×
Not specifically listed/ other use - Permit required (Previously prohibited).		
Earth and energy resources	✓	✓
Pleasure boat facility	✓	✓
Transport terminal	✓	×
Display home	✓	✓
Helicopter landing	✓	✓
Hospital	✓	✓
Natural systems	✓	✓
Research centre	✓	✓
Service station	✓	✓
Saleyard	✓	✓
Veterinary centres	✓	✓

Notes:
1. Was prohibited, but there was the potential to consider if also associated with a rural use on the site.
2. Was prohibited, but there was the potential to consider if the facility was used a maximum of 10 days in a year.

Rural Land Use Strategy (2007). (RLUS)

Rural areas are highly valued by the Geelong community and help with the continued economic prosperity, liveability and amenity of the whole municipality.

The RLUS sets out that there is around 55,000 hectares of land farmed at a commercial level across Geelong by around 300 producers. Geelong's rural areas cover a range of agricultural practices, such as animal grazing and production, dairy and poultry; vegetable, grain and flower growing; intensive horticulture in greenhouses and hydroponics; viticulture; and horse and dog breeding. Compared to other areas of rural Victoria agriculture is generally smaller scale and on smaller landholdings; particularly on the Bellarine.

Most of the rural land around the municipality is of Class 3, or moderate agricultural quality. Better quality land of class 2 (high agricultural quality) can be found on the northern side of the Bellarine Peninsula, and around Lara.

Geelong has a diversity of natural, environmental and scenic assets of significance, with:

- over 100 waterways and wetlands, some of which are recognised internationally;
- rocky reefs, sandy beaches and steep cliff faces in coastal areas;
- the Brisbane Ranges National Park and You Yangs Regional Park; and
- unspoilt rural areas, with their long sweeping views of rural land use against a backdrop of coastal areas.

Many people wish to live in and visit the rural area where they can appreciate these features.

The RLUS emphasises that the city's "unspoilt" rural areas can be quickly eroded by poor, out of character tourism developments. It seeks to ensure that the predominant use of the land be retained for agriculture. Preserving and enhancing the productive capacity of the land, the rural farmed landscape and environmental condition of rural areas are key aspects of the policy. Maintaining a distinct separation between urban and rural areas with clearly defined urban areas is of particular importance.

The strategy recognises that other uses need to be accommodated in rural areas through the application of definitive policy and locational and siting criteria. Tourism is recognised as an important part of the Geelong economy, which has a strong interrelationship to rural character, amenity and the coastal environment. The current policy provides for tourism and accommodation uses to be ancillary to or associated with farming activities. Large scale tourism is only supported through a planning scheme amendment process for uses that are not suited to an urban area, there is an identified regional demand and a number of other requirements are met.

The RLUS was implemented in the local planning policy through amendment C129 (Part 1) and is primarily recognised through the following clauses:

1. Municipal Strategic Statement – Clause 21.07-05 – Rural areas.
   Clause 21.07-06 – Tourism in rural areas

2. Local Planning Policies:
   Clause 22.04 – Discretionary uses in rural living and low density residential areas.
   Clause 22.05 – Agriculture, rural dwellings and subdivision.
   Clause 22.06 – Tourism development in rural areas.
   Clause 22.07 – Racing dog keeping and racing dog training.

The Bellarine Peninsula Localised Planning Statement (LPS) (September 2014)

The LPS was adopted by Council in September 2014, but is yet to be formally incorporated into the Greater Geelong Planning Scheme by the Planning Minister.

The LPS recognises the Bellarine Peninsula as a highly valued area with a strong economic base linked to agribusiness and lifestyle that, combined with the proximity to Melbourne, is coming under more pressure for growth and change. Key objectives and strategies of the LPS are to:

- protect and enhance the rural and coastal environment and scenic qualities of key landscape features and maintain non-urban breaks;
- support the ongoing use of rural land for agriculture and to preserve the open farmed landscape, including discouraging intensive agriculture activities or industry that would have an adverse impact on the rural landscape;
- preserve and maintain the ecology of environmentally significant coast, wetland and vegetated areas; and
- support and encourage diverse and sustainable tourism as a key economic activity in rural areas where it complements and respects the farmed rural landscape, does not impact on existing farming activities and contributes to the local economy.

Victorian Coastal Strategy 2014

The Victorian Coastal Strategy 2014 (VCS) provides critical policy direction for development in coastal areas. The Strategy is implemented through the 'Hierarchy of Principles' and is included in the State Planning Policy Framework to guide planning and decision making:

4. Ensure the protection of significant environmental and cultural values;
5. Undertake integrated planning and provide clear direction for the future;
6. Ensure the sustainable use of natural coastal resources; and
7. Ensure development on the coast is located within existing, modified and resilient environments where the demand for development and any impacts and managed sustainably (only when the above principles have been considered and addressed).

The VCS considers the consequences of changes to rural zones. The need for quality tourist development matched to demand and market need is acknowledged, however, strong policy support still exists for maintaining non-urban breaks between coastal settlements, avoiding linear urban sprawl along the coastal edge and into the hinterland; and ensuring best practice sustainable building and design.

Decision criteria for siting new tourism developments include the following:

1. Coastal recreation and tourism developments are sustainable and equitable, and respond to an identified demand
2. Private land is the preferred location for new tourism developments on the coast
3. Plans for visitor and tourist developments outside settlements must take into account:
    a. Significant landscapes, ensuring that developments do not compromise the broader ‘open space’ characteristics of the coast;
    b. Protection of non-urban breaks between settlements and their significant values including areas of environmental and heritage sensitivity;
    c. Ensuring that tourism developments do not become new settlements or create linear coastal development;
    d. Impact on agricultural productivity of the area;
    e. Sensitive areas to be protected from damage and the introduction of pests and weeds;
    f. Best practice ecologically sustainable building and design standards to address overall impacts including waste, access, services, traffic (including cumulative impacts) and economic benefits.

Direction is provided for Councils and regional bodies to undertake strategic planning to identify opportunities and preferred locations for such visitor and tourist facilities and infrastructure. This includes planning for a range of markets including emerging mass type/scale as well as more 'boutique' eco-tourism opportunities.

Planning Scheme Policy – State and Local

A summary of the key policy directions of the Greater Geelong Planning Scheme are set out in tables 2 – 4, including the SPPF, LPPF and rural zone purpose statement.

Table 2. State Planning Policy Framework (SPPF)

11. Settlement
11.05 Regional Development. • 11.05-03. Rural Productivity. To manage land use change and development in rural areas to promote agriculture and rural production. (Prevent inappropriate urban) • 11.05-05. Coastal Settlement. Avoid linear urban sprawl. Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas. **11.07 Geelong (G21) regional growth**. • 11.07-3. Connected Communities. Maintain settlement breaks between towns and a significant break with Melbourne. • 11.07-05. Agricultural Productivity. To secure food, water and energy resources. Support new opportunities for farming and protect and enhance farming and natural assets. Protect critical agricultural land by focussing development to existing township areas and directing growth to towns which provide rural services. • 11.07-07. A diversified economy. To build the region's economy. Support diversity in the region's economy that builds on its competitive strengths, including tourism and agricultural land resources and economic, social and natural assets.
12. Environmental and landscape values
12.02 Coastal Areas • 12.02-1. Protection of coastal areas. To recognise and enhance the value of the coastal areas to the community and ensure sustainable use of natural coastal resources. • 12.02-2. Appropriate development of coastal areas. To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values. • 12.02-4. Coastal tourism. To encourage suitably located and designed coastal and marine tourism opportunities. Ensure tourism developments demonstrate a tourist accommodation need and support a nature based approach within non-urban areas. Ensure developments are of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural visual, environmental and coastal character. **12.04 Significant environments and landscapes** • 12.04-2 Landscapes. To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.
13. Environmental Risks
13.04 Noise and air. • 13.03-1 and 13.03-2. Noise abatement. Air quality. To assist the control of noise effects on sensitive land uses. To assist the protection and improvement of air quality.
14. Natural Resource Management
14.01 Agriculture • 14.01-1. Protection of agricultural land. To protect productive farmland which is of strategic significance in the local or regional context. Protect from unplanned loss. Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors. • In considering a proposal to subdivide or develop agricultural land, the following factors must be

considered:

- The desirability and impacts of removing the land from primary production, given its agricultural productivity.
- The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- The compatibility between the proposed or likely development and the existing uses of the surrounding land.
- Assessment of the land capability.

- 14.01-2.Sustainable agricultural land use. To encourage sustainable agricultural land use. Support effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.

17. Economic Development

17.01 Commercial

- 17.01-1. Business. Locate commercial facilities in existing or planned activity centres.

17.02 Industry

- 17.02-1. Industrial land development. To ensure availability of land for industry.
- 17.02-1. Design of industrial development. Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards. Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

17.03 Tourism

17.03-1. Facilitating tourism.

- To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.
- Encourage the development of a range of well designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport and are compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.

19. Community Infrastructure

19.01 Community Infrastructure

19.01-2. Education facilities

- Locate primary education facilities to maximise access by walking and cycling.
- Locate secondary and tertiary education facilities in areas which are highly accessible to public transport.
- In planning for the location of education facilities, consideration should be given to demographic trends, the existing and future demand requirements and the integration of facilities into communities.
- Ensure areas near to education facilities, adjoining streets and accessways are designed to encourage safe bicycle and pedestrian access.
- Develop libraries as community based learning centres.
- 19.02-3. Cultural facilities. Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres, at Principal and Major Activity Centres.

Table 3. Municipal Strategic Statement and Local Planning Policy Context. Key policy relating to this review are underlined for emphasis.

21.05: Natural Environment
21.05-4. Coastal Environments. • Focus urban coastal development within existing urban settlements. • Prevent lineal urban sprawl along the coast.
21.07: Economic Development and Employment
21.07-2. Industry. • Focus new industrial development around major transport routes and infrastructure assets. • Ensure all industrial development is appropriately serviced by road, drainage, water, sewerage and telecommunications infrastructure • Direct materials recycling industries to locations that minimise land use conflicts and impacts on the amenity of surrounding areas.
21.07-3 Retail • To facilitate the development of vibrant and viable retail activity centres in accordance with the Geelong Retail Activity Centre Hierarchy included at Clause 21.07-8. *(Influence)* • To ensure all major retail developments, and out of centre developments, provide a clear net community benefit. *(Objective)* • Direct restricted retail (bulky goods) use and development to Central Geelong, the nominated homemaker precinct at Waurn Ponds, the Corio homemaker precinct subject to appropriate re-zoning and other homemaker precincts and activity centres as detailed in Clause 21.07-8. *(Strategy)*
21.07-4. Economic growth sectors. • Support the development of seafood and aquaculture industries in appropriate locations, particularly in North Geelong, Portarlington and Avalon. • Support the development of food, horticulture and viticulture industries in appropriate locations, particularly on the Bellarine Peninsula.
21.07-5. Rural Areas Objectives • To support the use of the northern, western and southern rural areas for productive agriculture. • To ensure that rural areas provide an attractive setting through the preservation of a farmed rural landscape. • To protect and enhance the Bellarine Peninsula as a productive rural area with highly significant landscapes based on farming and environmental features. Strategies • Maintain rural land in large and productive parcels, in accordance with the schedules to the farming zones. • Minimise non farming land uses in rural areas. • Ensure that any non farming land uses will not compromise farming activity in the area. • Ensure development in rural areas respects the farmed landscape character, particularly significant landscapes identified through the Coastal Spaces Landscape Assessment Study. • Ensure that new dwellings do not compromise the productive potential of land and are associated with the productive agricultural use of the land. • Encourage agricultural development with export potential and specifically encourage aquaculture

and horticulture activities in the rural areas around Avalon Airport.
21.07-6 Tourism in rural areas Objectives • To support tourism development in rural areas that respects the open farmed landscape of the area, and contributes to the economy. Strategies • Within the Bellarine Peninsula rural areas, support appropriately scaled, high quality, landscape responsive tourism uses that are subservient and complimentary to their rural landscape and environmental setting and are associated with agricultural activity on the land. • In all other rural areas support tourism uses and developments in the Farming Zone that are associated with agricultural activity on the land. • Support a limited number of larger scale rural based tourism development within rural areas that require rezoning. • Direct major accommodation facilities to urban areas.
21.14. The Bellarine Peninsula Objectives • To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements. Strategies • Protect rural and coastal environments from inappropriate urban encroachment. • Ensure that development outside of settlement boundaries (as shown in the Structure Plan maps included in this clause) does not compromise the rural, environmental and landscape values of the non-urban breaks or longer term growth opportunities. • Direct bulky goods retailing and industrial development to existing and future areas as identified in Structure Plan maps included in this clause.

Table 4 Purpose of the Farming Zone and Rural Conservation Zone.

Farming Zone
Purpose • To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • To provide for the use of land for agriculture. • To 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.
Rural Conservation Zone
Purpose • To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • To conserve the values specified in a schedule to this zone. • To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

- To protect and enhance natural resources and the biodiversity of the area.
- To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
- To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
- To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

General comments on SPPF

- There were no changes made to the SPPF under VC103 that would have an implication for the Greater Geelong rural area.

- The recommendations made in *Rural Zones Report, Reformed Zones Ministerial Advisory Committee* prior to VC103 sought a strategy be added to Clause 11.05-1 for 'regional settlement networks' to 'Retain population and employment in rural areas to support rural communities." The final planning scheme adopted by the Planning Minister did not include this statement in the SPPF; however was incorporated into the Farming Zone purpose statement.

  The purpose statement for the Farming Zone seeks to require the retention of employment and population to support rural communities. This is likely to have greater relevance to more isolated rural areas in Victoria. Most rural areas in Geelong would be no more than 30 minutes drive of the Geelong urban area and townships. Some areas of Geelong are planned to support large increases of housing as well as employment growth in identified growth areas over the next 25 years. This includes the Bellarine Peninsula townships or Ocean Grove, Drysdale/ Clifton Springs and Leopold. As such there is not the loss of population that is occurring in the more isolated rural areas across Victoria where VC103 is seeking to retain and promote employment growth. This change to the purpose statement is therefore not considered to have an influence on Geelong and the current review.

- The protection of coastal landscapes and biodiversity is well established through the MSS and SPPF and informed by the Victorian Coastal Strategy.

Tourism uses and rural areas

- There is a clear policy direction set out in the MSS for supporting tourism uses in rural areas through Clause 21.07-6, which addresses tourism development for both the 'Bellarine Peninsula rural areas' and 'other rural areas'.

- A distinction is made in the policy between the 'Bellarine Peninsula rural areas' and 'other rural areas'. Essentially the policy requires landscape characteristics on the Bellarine Peninsula to be taken into account. This should be broadened to includes the assessment of landscape characteristics in all rural areas. There should be no distinction in the MSS as landscapes that are important in other areas (i.e. You Yangs, Brisbane Ranges).

  These changes, including changes for consistency are set out in the tracked changes version of Clause 21.07 in Appendix 1.

Place of assembly

There are no direct policies relating to places of assembly for rural areas. Under the SPFF (19.02) the policy is to create opportunities for communities to access social and cultural infrastructure. All social and cultural infrastructure is generally directed to activity centres or should be located where there are identified gaps and need.

Industry land and warehouses.

There is limited or no policy outcomes for the provision of standalone industry land within rural areas; either in support or not. Only Clause 21.07-4 which relates to the development of primary industry including seafood and aquaculture; as well as food, horticulture and viticulture.

Overall the focus for industry strategy and policy is to provide adequate supply that is appropriately located and essentially directed to industrial areas where the conflicts and amenity impacts can be managed.

Retail / trade supplies / landscape gardening supplies

There is no specific policy to support standalone retail units in rural areas. The strategy and policy generally directs retail to Central Geelong and other centres to reflect the centre hierarchy. Under Clause 21.07-3 out of centre developments are to provide a clear net community benefit and bulky goods are to be directed to Central Geelong or nominated homemaker precincts.

Clause 21.14 for the Bellarine Peninsula directs bulky retail and industrial land uses to the key areas as identified in structure plans.

Leisure and recreation

There are no direct policies relating to leisure and recreation for rural areas (other than conservation areas/ national parks etc).

Under the SPPF (11.03) and the MSS (21.08) the policy is essentially to ensure that for open space provision, a diverse and integrated network of open space is available to cater for all within the community and address areas of undersupply.

Education

Providing for education facilities in rural areas appears to be at odds with the SPPF for education, where this seeks to locate facilities near to pedestrian and cycling networks and have consideration of demographics and future demand.

3. BACKGROUND ADVICE – URBAN ENTERPRISE

Introduction

Urban Enterprise (UE) were commissioned by Council to provide expert advice and background research to support the preparation of planning policy to address the VC103 changes. Advice was sought on the following three deliverable areas:

1. Analysis of existing and future economic conditions for tourism accommodation in Greater Geelong rural areas;
2. Provide in principle advice on the types of industry uses suitable for rural areas; and
3. Recommend high level siting and design planning guidance for discretionary uses.

Urban Enterprise were also commissioned by Tourism Greater Geelong and The Bellarine (TGG&B) to review the Great Ocean Road Destination Management Plan and prepare a *Tourism Development Strategy (TDS)* for the Greater Geelong and the Bellarine Region (City of Greater Geelong, Borough of Queenscliffe and part of Golden Plains Shire). With UE undertaking both projects this allowed the projects to be run concurrently with background information and consultation being able to draw on both projects to thereby result in a better outcome.

The methodology employed by UE included consultation and workshops to allow them to better understand rural development drivers and opportunities. The following consultation was employed:

- CoGG Strategic and Statutory Planning Teams and Enterprise Geelong Officers;
- Tourism Greater Geelong and Bellarine;
- Key commercial and tourism business operators and investors operating in Geelong's rural areas

UE delivered a completed report in June 2015 *Non Rural Uses in rural Areas Policy Review*. A summary of each of the outputs is provided below. These have been used to develop the policy outcomes set out in Section 5.

Output 1. Analysis of existing and future economic conditions for tourism accommodation in Greater Geelong rural areas;

UE were required to research and analyse the trends and likely demand for tourism accommodation uses in rural areas; having regard to current demand and the future potential demand within urban or township areas and using the *Great Ocean Road Destination Management Plan* as a starting point.

The detail contained within the Great Ocean Road Destination Management Plan is too high level and broad brush to provide useful data for the rural policy review. Likewise, the emerging TDS breaks the tourism markets into six sub regions across the three local authorities. This is not specific enough to allow Council to distinguish between urban and rural tourism markets and specific types of accommodation in those areas UE were asked to:

- Quantify whether there is a shortfall or latent demand for tourism accommodation uses by type.
- Quantify the amount and type of accommodation needed to meet future demand for tourism activities in rural areas.
- Provide location specific data and a comparison between northern rural and southern/ Bellarine rural areas of the city.
- Provide justification of accommodation uses needed in rural areas (as a preference to urban or township areas).

During the course of the project it was found that there is a lack of data available to a specific local level to quantify the extent of latent demand. In part this was due to there being a limited base to start off with in terms of an existing market. Previous development was also noted as being potentially constrained by PreVC103 restrictions in rural areas. There is doubt about the ability to single out constraints of the previous zone given that there has been the opportunity to establish accommodation 'in conjunction' with agriculture (including wineries). There is likely to be a range of reasons that may influence development including commercial viability and influence of seasonality, a lack of a local market being located a distance from major centres and the influence of similar competition markets and desirability (i.e. Mornington). Future development is predicted to change the desirability for investment.

UE identified a growth projection for tourism across Geelong to 2030, this will in turn influence growth and need in tourism development and accommodation. UE provided a low to high projection estimation of tourist accommodation need to 2030. This was determined through a gap analysis and based on assumptions made by calculating needs for all of Geelong (urban and rural) and using a methodology of rural demand indicators to assess the amount of growth that could be attributed to rural areas.

UE also provided guidance on the typologies of accommodation mix anticipated in specific rural areas based on gaps in the market and industry consultation. This also takes consideration of development viability (i.e. expected room needs) and benchmarking with other similar markets.

Overall the lack of specific latent demand and location data has influenced how the LPP can be formulated and this is further outlined in Section 4. A summary of the UE findings are set out below.

Summary of findings for the Tourism Profile

The Greater Geelong and Bellarine Peninsula Region is an important and unique tourism destination, attracting a diverse type of visitors across Victoria, interstate and international markets. Accordingly the tourism sector is an important contributor to Greater Geelong economy. The natural and rural amenity of the City is a key driver for tourism. The rural areas provide tourism experiences in natural settings, food and wine and accommodation that leverages off both the natural systems and agribusiness strengths of the City.

Overall the Greater Geelong and the Bellarine Region attracts around 5 million visitors annually; and Greater Geelong over three quarters of this visitation (4,226,368). Table 5 provides an estimation for the number and type of visitors annually to the Bellarine Peninsula and Northern Geelong areas (including urban)[1]. This equates to 37% and 4% of the visitation to Greater Geelong.

Table 5. Visitation to Northern Geelong and Bellarine 2014

	Bellarine Peninsula	Northern Geelong
Number of Visitors Staying in Holiday Homes	459,375	-
Number of Visitors Staying in Paid Accommodation	440,177	2,669
Number of Visitors Staying with Friends and Family	155,824	18,620
Total Number of Overnight Visitors	1,055,376	21,289
Total Number of Daytrip Visitors	494,278	135,988
Total Number of Visitors	**1,549,654**	**157,277**

[1] Visitation has been estimated by the Urban Enterprise Population and Visitor Estimator model (PAVE).

Key aspects of the tourism profile for Greater Geelong include:

- In 2014 there were 4,308 jobs due to the direct impact of tourist spending, which contributes 4.5% of the total employment for Geelong.
- The Geelong urban area drives more than one half of total visitation to the region, however, most of these visitors are day-trippers.
- Visitation to Geelong is strongly weighted to visiting friends and family and business compared to the Bellarine Peninsula which has a higher proportion of people visiting for holiday leisure.
- The Bellarine Peninsula attracts significantly more overnight visitors, or around two thirds of overnight visitors to the region.
- A large proportion of overnight visitation is generated by people staying in holiday homes or staying with friends and family.
- Wineries are the most significant tourism attraction in rural areas. There are 17 wineries in the rural areas which provide some form of tourism facilities (cellar door, restaurant, accommodation and/or function centre). 11 wineries provide a restaurant and or function centre. Only two wineries currently provide accommodation.
- Other tourism attractions or facilities include Fairy Park Anakie, Jirrahlingha Koala Sanctuary, A Maze n Games, the BARN function centre and Hotshots Paintball Anakie.
- Some major tourism uses are located within rural areas, but not in a farming or rural conservation zone. This includes Adventure Park Geelong (CDZ3), Thirteenth Beach Golf Course (CDZ1) and Flying Brick Cidery (RLZ).
- There is minimal provision of tourist accommodation in rural areas with the Big 4 Bellarine Holiday Park, Marcus Hill the only significant accommodation establishment[2]. Existing accommodation supply in rural areas include 6 self contained rooms, 66 cabins and 70 camping/ caravan sites.
- There are a limited number of farm gates with Tuckerberry Hill berry farm, Advanced Mussels and Drysdale Cheese being the major experiences.
- Camping grounds also operate on Crown Land in Portarlington, Indented Head and St Leonards, which are managed by the Bellarine Bayside Foreshore Committee of Management; and at Barwon Heads and Ocean Grove, which are managed by the Barwon Coast Committee of Management.
- Demand for accommodation in rural areas is expected to be driven by:
  - The emerging tourist product offer in the rural areas including a number of large tourism facilities which drive visitor dispersal from townships;
  - Increasing popularity of rural based activities (e.g. nature-based, outdoor recreation, food and wine experiences); and
  - Shifting accommodation preferences of key visitor markets for rural settings and immersive nature experiences.

Location drivers for rural tourism development

- Views (particularly ocean views).
- Rural setting and character
- Linkage with a rural industry or natural system (e.g. winery, mussel farm or koala sanctuary)
- Highway location (particularly Bellarine Highway)
- Large space requirements

[2] Swan Bay Caravan Park, Collendina Caravan Park and Pelican Shores Estate are located in the Farming Zone, but offer little or no short term holiday accommodation. Pelican Shores is effectively a residential subdivision.

Future accommodation Estimates

Visitation to Geelong and the Bellarine is expected to grow significantly over the next 15 years. To cater for this growth and the existing demand, Urban Enterprise undertook tourism development forecasts for accommodation to 2030. These show a demand of between 330 to 550 accommodation sites/units on the Bellarine and 2 to 4 rooms in northern Geelong (Table 6) in rural areas. This represents around 22% of accommodation growth across the region. Table 7 sets out where there are gaps and opportunities for accommodation typologies across the rural area. This provides an indicative scale for the accommodation typology, The appropriate scale and design will need to be considered through the planning permit process.

Tourism growth is estimated as low, medium or high:

- Low – This method is based on historical growth rates of 1.2% pa, which is approximately 20% growth to 2030. Historical growth rates are considered to be relatively low
- Medium – This method utilises Tourism Victoria's forecasts for Victoria. The expected growth of international visitation is 4.7% pa and domestic growth of 1.3% pa, which is approximately 25% growth to 2030.
- High – This method assumes that as the population grows, Geelong and the Bellarine's market share would remain the same and would therefore grow in line with population growth of 33% to 2030.

Table 6. Rural accommodation needs to 2030 for Bellarine and Northern Geelong.

	Bellarine			Northern Geelong		
	Low	Med	High	Low	Med	High
Visitor growth 2015-2030	88,080	110,697	147,210	535	671	892
Supportable Rooms (at 60% occupancy[3])	**665**	**+824**	**+1,096**	**+4**	**+5**	**+7**
Rural rooms (at 50%[4])	**330**	**+400**	**+550**	**+2**	**+3**	**+4**

The future growth rates will be impacted by demand and business viability as well as planning and servicing requirements:

- Demand would be influenced by seasonality of the tourism market, a lack of a local market or desirability in the market in terms of competing markets (i.e. Mornington).
- Planning requirements in terms of conforming to rural character and landscaping costs, or the type of land use and development restrictions that are in place for the zones.
- Cost of servicing (i.e. sewerage treatment, upgrading roads), land banking, commercial rate requirements and operating costs can also have an impact.

[3] Average length of stay per visitor of 3.3 nights; average of 1.7 visitors per room; and average room occupancy of 60% across the year.
[4] Based on the key indicators for rural accommodation demand identified and the accommodation gap analysis undertaken for the Tourism Development Strategy, the portion of growth anticipated to occur in rural areas is approximately 50% of all future accommodation growth.

Table 7. Gaps and opportunities to expand accommodation typologies for the rural tourism accommodation market.

Type	Description	Need (# additional establishments to 2030)	Indicative capacity (per establishment)
Caravan and Camping Ground/Tourist Park	There is already a large provision of this accommodation type across the region, however, the Geelong and Bellarine TDS identified an opportunity for an additional quality or branded tourist park in the northern Bellarine.	1-2	40-80 cabins / 60-120 sites
Integrated Resort	An integrated tourist resort which includes quality hotel style or self-contained accommodation as well as a number of other uses such as restaurant, conference centre, recreation, and spa and wellness. The only example of this on the Bellarine would be the 13th Beach Golf Resort or the BIG 4 Beacon Resort (Queenscliff).	1	80 - 120 rooms
Quality Farm Stay	Given the agricultural strengths of the region, quality farmstay accommodation is a key gap. The growing food and wine tourism market in the Bellarine is well matched with this accommodation type.	2-4	3-5 rooms
Golf Course	Golf is an emerging, high yielding market for the region and there is opportunity for other golf clubs to develop accommodation (only Thirteenth Beach Golf Club currently offers accommodation).	1	30 rooms
Wineries	There are a number of large, well known wineries which already have significant tourism uses (e.g. cellar door, restaurant, events and functions). The development of ancillary accommodation would be a natural step in their growing tourism position.	2-4	5-25 rooms
Nature-based	There are areas of the City with significant landscape and environmental value that would be suited to nature-based accommodation in nearby rural or rural conservation zones provided impacts can be appropriately managed or mitigated: -Brisbane Ranges; -You Yangs; -Lake Conneware; -Swan Bay; and -Appropriate coastal locations.	2-4	10-20 rooms

Table 8. Examples of Group Accommodation and Residential Hotel Typologies

Hotel	Description	Rooms
Lindenderry, Red Hill	**Winery Accommodation** Set within a winery, the facility includes a regionally renowned restaurant, function spaces, and recreational facilities.	40
The Lake House, Daylesford	**Residential Hotel set into the rural landscape** Built around the regionally renowned restaurant, the Lake House includes a day spa and other recreational facilities.	35
RACV Resort, Inverloch	**Integrated Resort** Provides a mixture of accommodation options including hotel rooms, villas, and camping sites. Provides a range of other facilities including conference centre, recreation and spa.	98*
The Odd Frog, Bright	**Nature Based Group Accommodation** Five architecturally designed studios set amongst 10 acres of native bushland.	5

Output 2. Provide in principle advice on the types of industry uses suitable for rural areas.

High level advice was sought from UE to identify whether there were any specific types of industrial and warehouse uses that may, in principle, be suited to rural areas or have circumstances that would deem them appropriate in a rural location rather than an urban location. Examples may include a green waste recycling/ green waste to energy facility, or marine/ aquaculture processing. Due to industrial and warehouse proposals being previously prohibited in the rural area, officers were interested in obtaining advice on the types of applications that may now be expected and whether there is any demand in the business community. Overall this would assist officers in determining what, if any, policy may need to be developed to manage these types of uses.

UE analysed business start up data in rural areas and historic permit information, as well as consulted with the business industry. The key findings were:

- There has been minimal commercial and industrial development in rural zones over the past 15 years. Commercial uses are generally connected to the agricultural industry. The lack of development reflects the zone provision constraints prior to VC103.
- Aquaculture is considered an emerging industry in the region with three permits for new aquaculture facilities granted.

- Tourism related development attracted the highest number of permits demonstrating the growing tourism profile of the region *[analysed in output 1]*.

Overall UE were not able to provide any evidence of specific needs in rural areas. UE did provide some high level recommendations for Council to consider such as the drivers for business development in rural areas; and potential location based recommendations and implications. These are set out below. How this influences policy is discussed further in Section 4. It is noted that UE provided a location distinction between the Bellarine Peninsula and Northern Geelong; however this distinction is not carried over to the policy.

Key drivers for business development in rural areas

Based on the analysis of businesses in rural areas, development trends, and discussions with businesses, the key drivers of business development in rural areas includes the following:

- **Coastal location.** Aquaculture is identified as an emerging industry in the region.
- **Land value.** Compared with Commercial and Industrial land, land in rural zones is generally cheaper.
- **Distance from sensitive uses.** Agricultural or industrial processing may require buffers from residential and often sensitive uses (e.g. broiler farm).
- **Highway exposure**. Key transport routes can provide significant exposure for retail and wholesale businesses.
- **Rural retail.** Retail which services a rural community such as agricultural or trade supplies does not necessarily need to be within a town centre. Locations on major transport routes and on the periphery of townships may be attractive locations for such businesses.
- **Large sites.** The availability of larger sites in rural areas compared with urban areas.
- **Existing land ownership.** Many businesses develop in the rural areas due to existing land ownership.

Location based findings and implications

Bellarine Peninsula

There is a significant body of existing planning policy to protect the Bellarine from non-rural development, maintain non-urban breaks, encourage agricultural use of land, and preserve its appeal and economic value as a tourism destination, particularly within areas which are identified as significant landscapes in the Bellarine Localised Planning Statement and the Greater Geelong Planning Scheme.

Bellarine Peninsula 'suitable' uses

There are some specific economic development opportunities which are unique to the Bellarine and may be in principle supported with careful management of siting and design of buildings, as outlined below.

Shed based agriculture

Shed-based agriculture, particularly aquaculture, has been identified as a growth industry for the Geelong regional economy. Although there has been minimal development of the industry over the past decade there are some minor signs of industry growth.[5] In addition to the economic and employment benefits, the aquaculture industry also has potential to add to the tourism appeal of the region by building on its food reputation. These activities should be encouraged; however, the design and siting of buildings should not adversely affect the rural landscape character of the Bellarine.

Landscape gardening supplies, manufacturing sales, markets

There are a limited number of retail uses which have become permissible following VC103 including landscape gardening supplies, trade supplies, manufacturing sales, and markets (restaurants are considered in the Tourism Section). Some retail uses can potentially contribute to the rural character of the region and its tourism appeal, for example:

- Landscape garden supplies (in the form of a garden nursery);
- Manufacturing sales (e.g. sale of agricultural products); and
- Markets.

These uses may be suited, in principle, in the Bellarine rural areas if it is demonstrated that they are servicing a tourist market and contributing to the tourism profile of the region. Careful siting and design of any buildings will be required so the rural landscape character is not adversely impacted.

Bellarine Peninsula 'unsuitable' uses

Uses which have a significant landscape impact, not connected to a rural industry, and are more appropriate in an urban area should be discouraged, particularly within areas which are included in a Significant Landscape Overlay.

Industry and intensive agriculture

Industry uses or intensive agriculture (e.g. broiler farm, abattoir) which potentially have adverse amenity and landscape impacts should be discouraged on the Bellarine. Strict locational guidelines may include the following:

- Demonstrate there is demand for the industrial activity (e.g. transfer station, materials recycling) which cannot be met in the urban areas or elsewhere in the wider region outside of the Bellarine;

Trade supplies, warehouse and storage

Other retail uses such as trade supplies or warehouse and storage uses are better suited to urban areas. Strict locational guidelines may include:

- Demonstrate that there is a viable market [in the rural population] for the goods/services (e.g. passing trade, rural residents);
- Demonstrate that a large site is required which is not available/or suitable in a urban location;
- Is easily accessible to or located along a major road or highway; and
- Does not promote urban encroachment into rural areas.

Northern Geelong

Geelong's rural areas (outside of the Bellarine Peninsula) will continue to be maintained for agricultural use and non-urban breaks between settlements. There are also some significant landscape features which will continue to be protected from inappropriate development including the You Yangs and Brisbane Ranges.

Although agriculture will continue to be the major land use in the rural areas, there may be opportunity for other economic uses of land which:

- Is in small lots and/or of low agricultural productive capacity;
- Easily accessible from major roads and highways; and
- In close proximity to existing urban areas.

These uses may include:

- Rural industries and intensive agriculture which have amenity impacts and are not suited to an urban area or the Bellarine Peninsula such as intensive animal industries (broiler farms and abattoirs);

- Industry uses which are dependant or related to agriculture e.g. agricultural materials processing and value adding activities.
- Tourism uses which are linked to wineries, agricultural enterprises, and eco-tourism opportunities within proximity to the You Yangs and Brisbane Ranges.

The area surrounding the Avalon precinct may provide unique economic opportunities linked to the export potential of Avalon Airport. Further strategic work is required to establish the future role of the precinct, economic opportunities, and infrastructure requirements to unlock these opportunities (e.g. master planning process).

Output 3. High level siting and design planning guidance.

UE were asked to provide options on high level siting design criteria to assist Council officers in the preparation of policy for discretionary uses, including for:

- accommodation (camping and caravan park, group accommodation, residential hotel);
- tourism activities (place of assembly, including function centre, conference centre, art gallery and museum, and restaurant); and
- commercial (industry, warehouse, landscape garden supplies, market).

UE were asked to analyse best practice of other tourism and rural policies and practices in other local authority areas as well as providing advice based on landscape assessment. UE were able to provide an extensive range of criteria that could be considered by Council; both general criteria and use specific criteria (See Appendix 2). This has been used to benchmark and inform the LPP detailed in Section 5. Key themes for the advice includes:

- Location and context
- Design and built form
- Access
- Additional detail for camping and caravan parks including: facilities; topography, drainage, soils and vegetation; coastal or fire constraints; visual impact; internal design; amenity; and services.

4. COMMUNITY ENGAGEMENT

About the engagement

A period of community engagement was held from 10 July until 7 August 2015.

The engagement sought input from the community on the issues around managing growth in rural areas that were formulated from the issues identified from council and UE research. To facilitate discussion and responses an engagement brochure and response form was prepared. This outlined Council's intention to amend *Clause 22.06 Tourism Development in Rural Areas* of the Planning Scheme and to introduce a new policy for *Discretionary Uses in Rural Areas*.

Community notification

The community was notified of the consultation via the following mechanisms:

- Advertisements placed in the Geelong Independent (10 July 2015); Geelong Advertiser (11 July 2015); Bellarine Times (16 July 2015); and The Echo (16 July 2015).
- Copies made available at the Customer Service Centres for Corio, 100 Brougham Street Geelong, Drysdale and Ocean Grove.
- Direct consultation to a range of stakeholders, including farming groups, tourism business operators and community groups.
- Distributed to members of the Geelong G21 Agri Business Forum.
- Made available to the CoGG Farming Advisory Committee.
- Placed on the Geelong Australia website with access to an online form to submit comments.

The community was able to submit comments via an online form, by post, by email or by hand to Customer Service Centres.

Responses summary

- A total of 12 responses were received.
- Website statistics revealed that over 100 people accessed the consultation website.
- Four submissions were submitted online, with the remaining eight being sent by post or email.

Of the submissions received only half answered the question as to whether they agreed with the approach taken by Council to manage development in rural areas. These responses were split at four agreeing to the approach and three not agreeing; although one of the respondents who did not agree, did so on matters not relating to this review.

Overall the responses were generally supportive of the Council position, although there were a number of concerns raised by respondents. Only one was fundamentally opposed to the Council approach. Some expressed concerns that the approach may allow for too much potential development or flexibility provided. A number of comments or responses were made that are not relevant to this review.

A summary of the responses is provided below. The response from each individual resopondent is summarised in Appendix 3.

In support of the Council's position.

Most responses that supported the Council approach reiterated policy mechanisms that were included in the consultation brochure, including support for:

- Maintaining the green and open spaces of rural areas.

- Maintaining undeveloped natural places, such as the wetlands, coastal areas, You Yangs and Brisbane Ranges, visual connectivity to Corio Bay and natural beauty of the Bellarine.
- Encouraging retention of the farming potential of the land and values of the soil, flora and fauna of the land.
- Not allowing uses incompatible with the rural area.
- Ensuring that development is linked to or 'in conjunction' with the rural use of the land.
- A need to maintain undeveloped breaks between urban areas.
- A need to ensure buildings are not built to dominate or stand out, the scale be consistent with size of landholdings and the type of farming.
- Restrict development inconsistent with community values.

There was also support for a balanced approach to be taken by Council. One respondent expressed a need for a balanced approach that does not focus on rural preservation for the sake of rural preservation and allows a diverse rural economy of services and opportunities. It was also pointed out that reinvention has been necessary in order for farmers to survive, supporting a need to move to viticulture and the tourism industry with subsequently the need for tourism accommodation.

Officer response
This is consistent with the Council approach which recognises a need to support an appropriate level of tourism development provided that the impacts on the rural area are carefully managed.

Concerns or issues with the approach taken by Council.

Too restrictive for development

- One respondent did not agree with Council's intention to retain the 'in-conjunction with a rural use on the site' test. The submitter considered it to be contrary to the strategic intent of the rural zone reforms by the [former] State Government into the Victorian Competition and Efficiency Commission's enquiry into Victoria's tourism industry. Developments should be considered on their merits and not through blanket restrictions.

  Officer response
  The 'in conjunction' test recognises Council's existing policy in the RLUS. The Efficiency Commissions enquiry seeks to unlock private investment in rural areas, particularly in rural areas of Victoria where limited tourism and population growth is occurring. This is not the case in Geelong where the tourism sector continues to grow and demand is projected to 2030 as highlighted by the work undertaken by Urban Enterprises for the Tourism Greater Geelong and the Bellarine Tourism Development Strategy and for the current review.

  It is noted that the Reformed Zones Ministerial Advisory Committee in their Rural Zones Report made recommendations that the 'in conjunction' test should be retained for accommodation uses for similar reasons put forward by CoGG.

  Some flexibility is proposed for Clause 22.06 to allow a location based sequential test for when some uses may be considered by Council outside of the 'in conjunction' test.

  Overall, it is considered necessary to retain the principles of the in conjunction test in order to allow for the careful management of tourism demand and reflect the individual circumstances of Geelong.

- One respondent did not agree that there should be the potential to do things in the Rural zones; and not be able to do these in Rural Living areas.

  Officer response
  There is a separate policy that controls this, Clause 22.04 Discretionary Uses in Rural Living and Low Density Residential Areas and is not under review.

Too much flexibility and development.

- A number of responses were received that expressed concern over the intensification of development in rural areas and the approach taken by the State. One respondent noted that there had been a number of reviews in the rural area over the last decade.

  Officer response
  These changes have been brought about by State requirements and the review is seeking to provide guidance on how to manage that change.

- Some responses, including the Victorian Farmers Federation, expressed concern that the changes made by the State would result in increased issues around competing land uses and could risk future agriculture and land fragmentation. This is particularly an issue on the Bellarine Peninsula where the most productive land is available in Geelong and also supports the regional economy. Conflict or sensitivity can arise from a wide range of agricultural processes for example noise, dust, smells, use of herbicides, smoke from burning and use of trucks and machinery - sometimes at night. Environmental conditions can also exacerbate nuisance, for instance during times of drought through increased dust and potential fires. Impacts arising from uses such as animal husbandry have recently been highlighted in the media and have created conflicts with nearby urban development and tourism uses.

  Officer response
  This is acknowledged and is supported by the approach taken by Council to retain the "in conjunction" test for managing growth (see above) as well as continuing to protect agricultural productivity through the policy. The recommended approach also seeks to manage demand and includes policy to avoid sensitive uses and uses that could impact on agricultural activities (retained from the existing Clause 22.06).

  It is noted that the Minister for Planning and Minister for Regional Development have set up an *Animal Industry Advisory Committee* to examine how the planning system can better support Victorian farmers. This process will focus on the definition of intense animal husbandry. The Department of Environment, Land, Water and Planning has advised that Council should continue with this local policy review.

- Tourism development should be centred on existing towns in coastal areas where there is appropriate existing infrastructure.

  Officer response
  A statement to this effect has been added to the policy basis. The policy also requires that tourism uses will need to provide access to all necessary servicing infrastructure and roads capable of accommodating anticipated traffic levels. If not, developers will need to meet the costs to enable this.

Comments on the changing nature of rural areas

- Some existing owners and agricultural land uses were concerned that the move away from traditional farming to smaller hobby or lifestyle farms at around 30ha/ 80 acres in size is not only changing the nature of farming, but also driving up the value of the land and rates (and therefore viability). Some investors were purchasing properties with no intent to farm and instead land banking the properties in anticipation of future land value increases from development/ potential subdivision and perceived land rights.

  Officer response
  This policy will not change the minimum requirements for subdivision or dwellings in the rural area. Clear and consistent planning policy will provide certainty to the landowner, developers and the community about the future development of rural areas.

Other comments on how rural development is managed in rural areas

- An existing caravan park owner acknowledged the need to curtail permanent residency for caravan parks, but there needs to be an open mind to allowing submissions for new caravan parks and extensions.

Officer response
Genuine applications for tourism and camping parks would be considered by Council, provided that the requirements of the policy are met. The policy seeks to discourage permanent parks and residential villages through design mechanisms.

- Prohibit the removal of trees that are part of the rural scene.

  Officer response
  The impacts of tree removal will be a factor in determining the appropriateness of the design, location and appearance of a building.

- Should not inconvenience neighbours with noise that detracts from enjoying the peace and quiet of rural living.

  Officer response
  Rural areas are not always quiet areas and normal agricultural practices that create noise should be allowed to continue. As noted above policy is included to avoid sensitive uses and uses that could impact on agricultural activities.

- Increased tourism should only be encouraged in already zoned urban areas.

  Officer response
  The policy supports the clustering of tourism uses in some circumstances provided that this does not result in urbanisation. It is not possible to direct all tourism development to urban areas as this would be contrary to State and local policy.

- Wish to be able to keep operating a farmgate.

  Officer response
  Small scale farmgate (primary produce sales) and rural stores are allowed under the zone without the need for a permit. The new local policy will not impact on this.

- To foster a more sustainable lifestyle Council should implement measures to phase out the farming of livestock and instead stimulate the farming of grains and return some farmland to wildlife conservation.

  Officer response
  Agriculture includes both crop raising and animal husbandry. Both are permitted under the Farming zone and Council has no ability to control this under the Victorian Planning Provisions. Where possible Clause 22.06 promotes the fencing off of remnant vegetation, wildlife corridors and wetlands.

- Did not consider the review to have wide distribution.

  Officer response
  The nature of the consultation is outlined above and represents a more than adequate level of notification to the public consistent with previous engagement strategies. There will be further consultation undertaken as a part of the Planning Scheme Amendment process.

Issues raised outside of the scope of this review.

- Closing the saleyards shows a lack of concern to farmers.
- Council should spend a fairer proportion of its budget on rural infrastructure rather than focussing on the CBD and nearby residential areas.
- Response referring to the provision of water in the Rural Activity Zone 2.
  RAZ2 applies to Golden Plains and not CoGG.
- Do not support the building of a service station off the round-a-bout near Drysdale/ Clifton Springs.

- Include the Tourism development Strategy [Tourism Greater Geelong and the Bellarine] within the City Plan.
  Note that Council has been working with TGG&B in preparing the background economic analysis for the policy review.
- Develop a Regional Marketing Strategy for agricultural opportunities, similar to Mornington.
- Broaden visitor activities and encourage 'value add' tours with local products.
- Bus services improved to locals and tourists.
- More consideration should be given to local Wathaurong people.
- A number of comments were made around residential development.
  There is a separate policy to control residential development, Clause 22.05 Agriculture, Rural Dwellings and Subdivision.

Internal Engagement

A working group was set up to inform all stages of the review and has involved other relevant Council Departments, including Statutory Planning, Strategic Implementation, Enterprise Geelong and tourism Greater Geelong and the Bellarine.

Engagement outcome.

The engagement responses have been taken into account in informing the draft LPPs.

5. PREPARATION OF THE LOCAL PLANNING POLICY.

Introduction

For each aspect of the amended or new LPP a discussion is provided that sets an explanation of the change and the other options considered. The information contained in the grey boxes outlines the change that has occurred.

Overview of changes to the LPP.

Local Planning Policy be amended as follows:

- **Amend Clause 22.06: Tourism and Function Centre Development in Rural Areas**
- **Prepare a new Clause 22 Policy: Discretionary Uses in Rural Areas**

It is considered necessary to create a new policy for discretionary uses in rural areas rather than add this to the existing Clause 22.06. The new policy addresses non agricultural discretionary uses (other than tourism) that have been added through VC103. The general principle under the policy is to discourage these uses. This is different to Clause 22.06 where the principle is that the nominated tourism uses are supported, provided that these are carefully managed and sited properly.

Summary of amendments to Clause 22.06 Tourism and Function Centre Development in Rural Areas.

Retain basis of existing policy

- **Much of the existing policy directions are to be retained, including the overall objectives to protect productive agricultural land and rural landscape character, including maintaining non-urban settlement breaks.**
- **Continue to support tourism development, but continue to require that most development only occurs when the property also has an existing agricultural use on the site (an 'in conjunction' / 'associated with' test). For example at a winery.**
  - **Some flexibility is proposed for the policy to allow consideration or sequential test for when some uses may be considered by Council outside of the 'in conjunction' / 'associated with' test.**
- **Continue to avoid uses that are sensitive to noise, dust and odour impacts that are produced from farming; as well as not allowing uses that themselves could impact on the operation of farming.**

New and amended policy

- **Restructure of the policy for clarity and better ease of use.**
  - **Amend policy basis to reflect changes to the remainder Clause 22.06.**
  - **Add to Objectives.**
  - **Layout changed to be similar to existing Clause 22.01, including the addition of sub headings to direct user to the relevant parts of the policy.**
  - **Remove unnecessary text or create consistency of terminology.**
- **Encourage expansion of the types of tourist accommodation available in rural areas to meet what is needed by the tourism market.**
- **Manage the scale of development and ensure that development does not resemble a scale that would be expected in an urban area.**
- **Clarify how to manage the design, appearance and location of buildings so these blend into the rural landscape.**
  - **Provide advice on the type of design that would be expected for a residential hotel and group accommodation in a rural area (i.e. avoid large footprint buildings).**
- **Make sure the right level of services are provided and that roads are capable of handling traffic volumes for a development.**
- **Include design and location measures that discourage permanent resident camping and caravan parks in the rural area.**
- **Provide application requirements for development, including specific management plans that may be required for uses such as camping grounds and function centres and other accommodation.**

A Track Changes version of the amended Clause 22.06 in included in Annex 4

Managing Demand

- **The following Objective be added to Clause 22.06:**
  "To expand the diversity of accommodation typologies available across the rural area to address an identified demand and disperse growth."
- **Add context and update the policy basis for Clause 22.06.**
- **A reference document be prepared to support Clause 22.06: "Tourism Demand and Design Typology in Geelong Rural Areas."**

As outlined in Section 1 there is a need to provide for tourism growth and demand while at the same time ensuring that the principles in the RLUS, including community expectations, can be met to ensure continued economic prosperity, liveability and amenity. With more flexibility in the types of land uses that may be permitted in the rural areas there could be significant implications if development is not managed carefully. It is also necessary to ensure that good and (economically) sustainable business are attracted to Geelong. A proliferation of underperforming tourism uses would not have a beneficial impact for Geelong and could also result in pressures to convert existing structures to urban uses.

Identifying the actual demand and need for tourism uses is an important starting point and this was highlighted by Corangamite Shire in relation to Planning Scheme Amendment C30. The amendment implements the Tourism Opportunities Studies by identifying 20 sites for tourist use and development to be applied to the Rural Activity Zone and Special Use Zone. The amendment seeks to encourage tourism development and growth for Corangamite and in some cases clusters of development. The appropriateness of tourism clusters are discussed on page 33. The recent case at Surf Coast Planning for Application 14/0111 highlights that it is important for Council to have empirical figures showing tourism demand, both for the formulation of LPP and to guide planning permit decision making.

As noted in Section 3, UE provided Council with advice on the overall demand for tourism growth to 2030 as well as guidance on gaps of typologies for tourism accommodation. The tourism development forecasts indicate a need of between 330 and 550 accommodation rooms or caravan sites in rural Geelong to 2030. This has been included as a part of the policy basis to Clause 22.06 as context and to provide a baseline for the scale of development intensity that may be appropriate. The Surf Coast decision involved a caravan park for 700 cabins/ sites (later amended to around half). That application was refused on the basis that it would exceed the demand for accommodation need for camping and caravan parks in Surf Coast and could not only inhibit the growth of the accommodation market elsewhere, but also clearly be of an excessive scale. It is conceivable that a similar situation could arise in Geelong.

Context for the number of accommodation rooms and sites has been added to the policy basis of Clause 22.06. It is also important to acknowledge in the policy basis that it is Council policy for most of this development to be directed to urban areas and townships where there are appropriate services and infrastructure to cater for it. The need of 330 to 550 makes up only a small proportion of the overall growth needed in Geelong.

The policy basis also recognises the advice from UE that highlighted there is currently a limited diversity of accommodation typologies available in rural areas (as well as urban) and currently this focuses on the family market based on camping and caravan parks. There is a definite need to expand on this market to improve the offer and with the purpose of increasing overnight stays, to ultimately attract people from further afield.

An objective has been added to Clause 22.06 to encourage expansion in the diversity of accommodation typologies available in Geelong rural areas and to not concentrate growth in one specific area. This also recognises that development scale would need to be based on identified demand, either in response to the evidence provided by UE, or additional analysis that has been submitted by a development proponent.

To support the policy basis and objective, a supporting reference document has been produced that outlines the analysis and advice provided by UE and sets out how the demand figures have been arrived at (as outlined in Section 3). It also sets out the tourism profile for Geelong and the drivers that determine the expected growth. The reference document provides advice on the size of facility that would be expected in a rural area and what would be expected for economic viability as well as areas where some location gaps have been identified. The reference document can be used to assist the assessment of applications and provide guidance for determining the types of development that may be supported by Council.

Option not recommended - To remove the "associated with" test based on identified demand.

As outlined in Section 3, UE found it difficult to provide Council with latent demand and area specific projections for rural accommodation as requested in the brief. The initial intention was to test whether a viable alternative to the "associated with" policy requirement would be to have an assessment linked to a specific identified demand in tourism need. This may then allow an in principle consideration for where demand is appropriate across the rural area. This has not been possible and in any case it may have been unreliable and complex to try and plan for tourism similar to housing numbers. Projecting tourism growth offers an indication of future growth, setting out specific figures may not be satisfactorily robust.

Option not recommended - Provide for and promote clusters of development.

During the internal workshops it was raised as an issue the need to specifically identify locations for additional development through mapping. This concentrates development in one area by rezoning land as Rural Activity, which then takes demand or development pressure away from other rural land areas. This approach has been taken by both the Bass Strait in the *Bass Strait Rural Land Use Strategy* and Corangamite in C30. However, the effectiveness of this approach is likely to have reduced now as a result of VC103. At Bass Strait the rezone of clusters to Rural Activity (planning scheme amendment still pending) would allow for some uses not permitted under the PreVC103 zones. Under the present zones these uses can now be applied for through a permit anyhow. Strong policy positions would need to be in place to direct development away from Farming and Rural Conservation zone areas in favour of Rural Activity Zone areas.

For Corangamite Council, and to an extent Bass Coast Council, the establishment of Rural Activity clusters is also seeking to promote economic growth and attract tourism investment. This is not such an issue at CoGG as there is identified demand and growth. If Council provided clusters for development it is likely that there would still be demand in other rural areas, which could perpetuate demand and increased pressures on the rural area.

To indentify sites and recommend clusters would be a significant change of policy for Council. A detailed assessment would be required, where sites would be identified by Council as well as through consultation. It is also considered that this would be too prescriptive and to actually identify these areas would require significant time and resources. There needs to be an element of flexibility in the policy to allow case by case assessments to be made.

An exception has been added to Clause 22.06 and is discussed below, which allows for some clustering based on policy considerations.

Require uses to be associated with existing rural use on the site.

Clause 22.06 retains the need for a use to be associated with existing agricultural activity on the site. Some exceptions should be supported in appropriate locations:

"**Preferred location**

- The use will be associated with an existing agricultural activity on the property.
- Uses not associated with agriculture may be supported by the responsible authority where the following are met:
  - It is demonstrated that the circumstances of the use are unique and support site selection in a rural location over an urban location.
  - The site is strategically located with respect to an identified tourist route, such as the tourist route identified in the Bellarine Peninsula Localised Planning Statement or along the Bellarine Highway. Preference will be given to areas where there is already a cluster of non-rural activities and additional development will not result in urbanisation.
  - The use and its associated development would not unreasonably visually compromise a non-urban break between settlements, a significant view or area identified for landscape significance or environmental significance.
  - Where appropriate, the use will address a regionally recognised demand identified in a tourism development strategy."

The [previous] State government specifically removed the 'in-conjunction' / 'associated with' requirement for the zone under VC103. The basis for this was the *Victorian Competition and Efficiency Commission's enquiry into Victoria's tourism industry*, which recommended a need to unlock private investment in rural areas.

The existing Clause 22.06 requires that uses *"will be ancillary to and associated with an existing farming activity on the property.* For Geelong this policy requirement continues to be an important mechanism for managing development in rural areas and should be retained. Removing the requirement would risk allowing over development, which could lead to the fragmentation of land and the ability to use it for farming. It could also lead to uncontrolled development in rural areas, which could impact on rural landscape character. It is considered that the situation in Geelong is unique and the retention of this policy can be justified based on the following:

- Existing policy and the Rural Land Use Strategy. The principle is carried over from the existing Clause 22.06. The 'in conjunction' test recognises Council's existing policy in the RLUS. This position is adopted by Council and is a key principle for how Council manages its rural area. To change this would require endorsement by Council and a need to review the RLUS.

- Demand for Growth in Geelong. The Efficiency Commission enquiry supported the unlocking of tourism development, particularly in rural areas of Victoria where limited tourism and population growth is occurring. This is not the case in Geelong where the tourism sector continues to grow and significant demand is projected to 2030 as is highlighted by the advice provided by Urban Enterprise (UE) in Section 3. Further, there have been a number of pre application enquires for a range of developments since the 2013 changes showing anecdotal evidence of demand. Some of these are for developments that would not suit rural areas. Not continuing the policy position could reduce the ability to withstand these developments.

- Reformed Zones Ministerial Advisory Committee, in their Rural Zones Report made recommendations that the 'in conjunction' test should be retained for accommodation uses. The reasons for this recommendation were similar to the current argument put forward and the risk of impacts on rural productivity and amenity. Although this recommendation was not accepted by the previous State Planning Minister the Government has now changed. The present Planning Minister may have a different opinion on how flexible rural zones should be. This is in the context of the Planning Minister announcing in August the need for a review of rural

development in the Farming Zone and the need to protect the right to farm by setting up the *Animal Industry Advisory Committee*.

- Community support. Virtually no submissions were received from the community engagement that did not support this policy position for the rural area.

- Victorian Farmers Federation. Consultation received from the Victorian Farmers Federation, amongst other respondents outlined a strong concern for allowing even more flexibility in rural areas and the potential impacts on the right to farm. They outlined examples of farms and agricultural activity in Victoria where reverse sensitivity had become a threat to agricultural operations due to sensitive non rural uses being located near by. Again this is highlighted by the review to the rural zones by the Planning Minister mentioned above.

Some flexibility is recommended for Clause 22.06 to allow consideration or sequential test for when some uses may be considered by Council outside of the 'in conjunction' test. This recognises that there may be some locations that would support additional tourist development, or the impacts on the rural area are diminished. It also allow consideration for the establishment of unique, one off developments if the circumstances of the use provide justification to support the use in a rural area over an urban location. It will be up to the applicant to make a case for this on a case by case basis. It also allows consideration of one off large scale developments, provided that there is strategic regional support for this - consistent with the existing Clause 22.06 and LPPF. The link to strategic routes and the regional support for the use has been carried over from the large scale tourism development section. Each use under this exception would still need to meet the other requirements of the policy, including the design and siting requirements. The sequential test is explicit in that the development cannot be of a scale that would be urban development or there will be an impact on the non urban break between settlements or other important environmental and natural features.

Option not recommended - exception for unviable rural land.
An option was considered for adding an exception to the 'in conjunction' test that would allow development where it is demonstrated that the land is no longer conducive to agricultural use. Feedback from the internal workshops indicated that this could be problematic as this exception could open up an argument across the whole rural area about viability and may make it difficult to refuse on rural character grounds only. This can be assessed against the policy relating to impacts on agricultural productivity.

Other changes

- The principle "associated" with agriculture is introduced by Clause 21.07-6 in the LPP. "Ancillary" is only added through Clause 22.06, but is not included in Clause 21.07-6. Both terms result in a need for a connection or 'in-conjunction' with the agriculture use, however ancillary suggests the ancillary use is not the dominant use. It is not considered necessary to require the use to be both "associated with" and "ancillary to", so "ancillary" has been removed.

Accommodation link to tourism uses.

The following policy be added to Clause 22.06:

"Preferred location

Tourist accommodation provides a connection or access to a tourist facility, tourist attraction or outdoor recreation.."

It is important that tourist accommodation is connected to tourism infrastructure, to justify the need for the accommodation and to ensure it is not being constructed for other purposes.

Urbanisation.

The following Objective be added to Clause 22.06:
"To ensure development will not result in the urbanisation of the area".

This statement was included in the existing Clause 22.06 in relation to large scale tourism developments. It is appropriate that this apply as an overall objective for all tourism uses. Particularly given the added risk that there could be increased demand for development on the cheaper rural land near to urban areas, including the potential for urban extensions outside the settlement boundary. Therefore the objective seeks to ensure that the scale of development is appropriate to the rural area and will not impact on rural landscape character.

Traffic and Services

The following policy be added to Clause 22.06:

"Traffic and services

- Adequate area is set aside for on site car parking and landscaping;
- The site has access to an appropriately constructed or sealed road that is capable of accommodating anticipated traffic levels or has convenient access to a major road;
- The site has access to all necessary servicing infrastructure. Where infrastructure is required or needs upgrading the applicant will meet all costs."

Analysis was undertaken of a range of LPP for the management of development in rural and green wedge zones for other local authority areas by Council and UE (see Section 3). Nearly all included a policy around the provision of adequate services and road infrastructure. Essentially this seeks to direct growth to areas that has infrastructure to cater for that growth and to ensure that future financial pressures are not placed on Council when development is allowed.

The policy allows consideration of the scale and frequency of access, which will vary depending on the scale and intensity of the use and the number of visitors to the site. This is further exacerbated in areas with a cluster of tourism development.

The last bullet was included in the existing Clause 22.06 in relation to large scale tourism developments. For the reasons noted above, it is prudent to require this for all developments.

Design and siting

The following Objective be added to Clause 22.06:
"To ensure the scale of development will complement and respect the rural landscape character of the area."

The following policy be added to Clause 22.06:

"Design and siting

- Buildings and structures are designed and sited to not be visually dominant and can blend into the surrounding landscape and natural environment. Visual impacts should be mitigated or minimised through appropriate design, landscaping, materials and colours.
- Buildings incorporate a high design standard with environmentally sustainable design features.
- The design of a residential hotel and group accommodation avoids large, single footprint buildings and is designed to be distinguishable from a typical residential building."

As was noted in Section 4, UE provided comprehensive advice on a range of siting and design principles for council to consider for policy. This is principle is based rather than providing specific

design outcomes in diagrammatic format. An analysis of this advice has been undertaken and the key messages have been included as objective and policies.

The objective has been modified and moved from an existing policy statement in Clause 22.06. This headline issue is considered to be one of the key objectives and drivers for the management of development in rural areas and should be recognised as such.

Both the objective and the policy seek to provide for development that is at an appropriate scale to ensure that development does not dominant the visual amenity, landscape character and characteristics of the natural environment. It is necessary to include these requirements, as the nature of some tourism development that may be promoted in rural areas could result in much larger buildings than residential. It is also important to ensure that there is no overdevelopment on the landscape character and of land which acts as a non-urban break. The policy allows for all developments to be considered on their merits case by case relating to the type of development proposed. A range of measures should be used to avoid or mitigate impacts based on siting, design, landscaping, materials and colours.

Further guidance is provided in the Farming Zone relating to decision guidelines for design and siting issues.

Discussion around residential hotel and group accommodation is provided on page 43 .

Option not recommended - development to be a certain distance off front roads, such as a minimum of 100m.

The LPS sets out that most buildings on the Bellarine are set well back from a road and this contributes to the rural character. The Schedule to the Farming Zone provides for 100m setbacks for a Road Zone Category 1; and 40m setbacks for Road Zone Category 2. Due to the potential scale of some tourism developments, it was considered whether it may be appropriate to require 100m setbacks for all developments. Increasing the distance that a building is located off the road would not necessarily make a difference in terms of broader amenity outcomes. The policy measures recommended will better achieve this outcome and do not preclude adequate set backs to be recommended through the planning permit process.

Camping and caravans parks.

- **The following Objective be added to Clause 22.06:**
  "To ensure a mix of accommodation options are provided in camping and caravan parks."

- **The following policy be added to Clause 22.06:**

  "Camping and caravan park design

  In addition to the above policy, a camping and caravan park must also meet the following:

  - A camping and caravan park will include a mix of-tourist accommodation site types and visitor facilities including:
    - Sites for caravans, motor homes or tents;
    - Sites with unregisterable movable dwellings;
    - Sites for caravans with rigid annexes;
    - Sites with cabins;
    - Lodge accommodation;
    - Ablution blocks;
    - Communal and recreation facilities; or
    - Facilities that allow for public pre-booked or walk up bookings.
  - The layout and design of the camping and caravan park will have the appearance of a camping and caravan park rather than a residential village or subdivision (restricted access, permanent constructed roads, larger building footprints, higher building densities, the provision of individual carports/ garages, building design that resembles a holiday cabin rather than a permanent residence)."

- **Information be included in the application requirements relating to the submission of a management plan.**

- **Add context and update the policy basis for Clause 22.06 based on the above.**

- **Provide application requirements that address needs for camping and caravan parks.**

- **Provide supporting advice for how the design for camping and caravan parks may be considered by Council in a reference document to support Clause 22.06.**

Camping and caravans were previously prohibited under the PreVC103 Rural Zones. They are prohibited in the Rural Conservation Zones, so the comments below only apply to the Farming Zone.

One of the major issues around managing the establishment of camping and caravan parks is the potential for parks to be developed as permanent residences, including low cost housing options. This is a particular issue within rural areas where land values are low. Depending on the scale of the development, the result can be the construction of a park that is quasi-residential in a rural area or near to existing urban areas which is effectively an extension to the urban area (and clear contravention of SPPF and LPPF policy). This has implications in terms of how the facilities are serviced being outside of the urban areas and there can be social implications due to the sites catering for low income and disadvantaged members of the community. In some circumstances the parks are being established under the guise of a tourism development, but in reality is a residential development by stealth.

This has previously been an issue at CoGG with examples such as the Pelican Shores park in Leopold, which is established and advertised as an over 50s retirement village. The park is effectively a small housing development in the rural area that provides permanent structures. The Swan Bay Caravan Park does not provide for permanent use. However, the cabins are sold to private owners only, with no walk-up rentals and could potentially be used permanently. It is an example of a site is

100% cabins, with no open sites for tents or caravans and no restrictions on owners. The cabins resemble the type of design that would be expected in a tourism camping and caravan park.

Restricting the establishment of camping and caravan parks for permanent residency is a complex issue as this is controlled by the legislation set out in the Residential Tenancies Act, 1997. Under S518 of the act it is not possible to limit the duration of residency in a caravan park of a planning scheme or permit. As a result it is ultra vires to include conditions that directly restrict permanent residency. This makes it difficult in areas such as Geelong and Mornington where there is demand for both accommodation and low cost permanent housing (Residential Village). A Residential Village is prohibited in the Farming Zone. This position was confirmed by a legal opinion obtained by Surf Coast Council in their Council report assessment of Planning Application 14/0111 for the 26 August 2014 meeting.

A number of cases have been heard by Planning Panels Victoria and VCAT over the last decade. These are primarily in relation to the Green Wedge Zone, but the principles can equally be applied to the Farming Zone. A number of these have involved Mornington Peninsula Shire who have struggled with managing the issue. One issue that has been raised is over the difference between a Residential Village and a Camping and Caravan Park.

The Panel that considered Amendment C133 to the Mornington Peninsula Planning Scheme (2010), the panel summarised a number of decisions relating to Camping & Caravan Parks outside urban areas:

"...where a development can be classified as a 'Residential Village' under the planning scheme, its development is inappropriate and prohibited. The Tribunal's most recent consideration of these issues in Ewing found that whether a specific proposal should be approved depends on the particular site context and design and layout of the proposal having regard to the zone objectives, decision guidelines and any relevant policy.

In *Wilbow Corporation v Kingston CC (2005)*, the Tribunal found that a site with between 80 to 90 percent of the cabins being used on a permanent basis would fit the definition of a "*residential village"*. It was also an important factor to the Tribunal's determination that the site was not in a tourist location and there was no mix of cabins, caravans or tents.

In *National Lifestyle Villages Pty Ltd v Wyndham City Council [2006]* the Tribunal considered what would reasonably be considered to determine residential villages compared to a camping and caravan park and can be summarised as:

a. Permanency of residence. 'Intended to be occupied' on permanent basis.
b. Accommodation standard and size. Higher standard likely for residential village.
c. Moveability of accommodation units: units which are permanent and fixed, and not movable, are more likely to be a residential village.
d. The nature of communal facilities. If communal facilities are oriented towards ablution and cooking more likely to be camping and caravan park.

In *Ewing & Anor v Mornington Peninsula SC (2010),* the Tribunal noted that the Council's local policy recognises that it is important to distinguish between developments which meet tourism and recreation needs, and those that would essentially establish new residential settlements.

Comment
The key initial test is to determine whether a proposed development site is a Residential Village or a Camping and Caravan Park. In non tourist areas where there is no tourist demand this tends to be an easier task as, unless the site is clearly laid out as a camping ground design (with a number of tent and caravan sites), in all likelihood the site is for permanent residents.

However, based on tribunal decisions and advice from Mornington Peninsula officers, this is not always easy to determine, especially when a site is located in a tourist area such as Mornington or [it is assumed] on the Bellarine. In non tourist areas there is little demand for tourist camping and caravan parks and therefore it is easy to make a distinction. However, this distinction becomes blurred in tourist areas making it more difficult to refuse.

It is clear that Council cannot directly control camping and caravan parks based on permanency of residents. It can however control how camping and caravan parks are designed. This is the basis for the policy developed. It also recognises policy that was accepted by the Planning Panel for Mornington Peninsula for C133, tribunal outcomes noted above and other councils Local Planning Policy. Further explanation of the options considered for policy is included below.

The issue of camping and caravan parks being used for permanent living is beyond the scope of this review due to the provision of the Residential Tenancies Act. It is recommended that Council write to the State Government to request a change to the definition of camping and caravan parks in the VPPS to prevent their use as permanent residences.

Include an objective to deter long term housing development.

This recognises the key overall intent for managing the development of camping and caravan parks. This is based on a policy statement that was accepted by the panel for Mornington C133.

Option part included - Provide for and a mix of tourism facilities and manage layout design

Under Amendment C133 Mornington provide a policy statement to control the percentage of accommodation sites for cabins, movable dwellings, permanent on-site caravans, or the like at 15% or less. This was to try to differentiate between a genuine 'tourist' camping park site are and a residential village. This did not receive support from the Panel who considered the figure to be arbitrary. The panel also noted that rather than a 15% target this can be achieved by appropriately designed and sited proposals which incorporate landscaping plans.

Providing a specific figure would be unlikely to be supported by Panel so providing a figure is not recommended.

A more appropriate mechanism is to require that a mix of accommodation site types and visitor facilities are included in the camping and caravan park design. This does not result in a rigid requirement and still allows for flexibility in design. The policy recommended is based on a similar policy that was accepted by the Panel for Mornington C133. For Geelong this includes a range of accommodation facilities and sites that visitors would expect to be provided at a tourist park as well as other service, recreation and communal facilities, including:

- Sites for caravans, motor homes or tents;
- Sites with unregisterable[6] movable dwellings;
- Sites for caravans with rigid annexes;
- Sites with cabins;
- Lodge accommodation;
- Ablution blocks;
- Communal and recreation facilities; or
- Facilities that allow for public pre-booked or walk up bookings.

The layout and design of a tourist camping and caravan park will have a different site design and layout to a park that caters to long-term visitors and long-term residents. A permanent park may have the appearance of a residential subdivision, with permanent roads, a predominance of fixed and semi permanent structures and greater building footprints/ building density. This is highlighted by UE in their advice provided to Council and is shown below when comparing Collendina Caravan Park (permanent) with Bellarine Big 4 (tourist).

[6] Note. Unregistable Moveable dwelling is defined in the Residential Tenancies Act, 1997 and includes a moveable dwelling or caravan that is not registered under the Road Safety Act and can be constructed on a chassis or in prefabricated sections.

Figure 2. Comparison of Collendina Caravan Park (permanent) with Bellarine Big 4 (tourist park)

Buildings that have the appearance of a residential dwelling with features such as garages and permanent landscaping are not supported. Structures should be designed with the appearance of holiday cabins (figure 3 below) rather than a permanent residence involving a residential village or subdivision. Features of a permanent residence may include restricted access, larger building footprints, the provision of individual carports/ garages or building design that resembles a holiday cabin rather than a permanent residence.

Figure 3. Example of a design expected for a tourist cabin in a camping and caravan park.

An application requirements section has been added to Clause 22.06. This includes a general statement for the requirements of all development proposals as well as some specifics for caravan and camping parks to allow the assessment of the design and suitability as a tourist park, as outlined below:

"A description of the proposal, including a site context report; hours and days of operation; number of staff and visitors or patrons; type and number of accommodation buildings, units or camping sites; or a description of how a camping and caravan park is to be established and operate as a tourist park"

Submit a management plan with an application.

A requirement for a management plan has been added to the application requirements section and may be required for a development application, including a camping and caravan park. Requirements

of the management plan include dealing with onsite and offsite amenity, traffic management, litter and waste effluent management, staffing and the need for an onsite caretaker.

Option not recommended : Conditions of permit / Section 173 agreements.

In the past conditions requiring Section 173 agreements have been placed on permits to require that park buildings are not used on a permanent basis. This may be in contravention of the Residential Tenancies Act and likely to be ultra vires.

At the Swan Bay Caravan Park, which is 100% cabin structures the facility is managed as privately owned units with no individual subletting through bookings or walk ups. As such this operates as a private park and is also a risk for future permanent accommodation. As noted earlier, restricting the number of facilities through a standard is a difficult proposition. A option would be to require a Section 173 agreement to not preclude a prohibition on subletting of cabins etc. What this would achieve is, rather than prohibiting residential tenancy, it is to not allow camp owners from precluding individual cabin owners being able to rent out their cabins on a temporary basis. This option is likely to be convoluted as well as being complicated to explain to an applicant. It may also be difficult to get an applicant to sign such an agreement.

Option not recommended - Other standards.

A number of other standards were recommended by Mornington Peninsula Shire as outlined in the table below - along with a summary of the Council justification and subsequent panel response. It is not generally considered appropriate to provide absolute and arbitrary standards at Geelong unless there is strong justification to support it. Further, even if significant justification and background work was undertaken there may not be support from the Panel; particularly having regard to the panel response in the Table 9 below.

Table 9. Standards recommended by Mornington Peninsula Shire.

Standard	**Council justification**	**Panel Response**
40ha minimum lot size on which a permit for a caravan and camping park can be established.	Consistent with other accommodation in GWZ. Protect landscape and limit concentration.	Arbitrary. No strategic justification work done to determine what optimum size.
Site to be 2km from an urban growth boundary	Protect inter-urban breaks.	Arbitrary and no strategic justification work. Plus some value in locating near townships.
Accommodation sites to be 100 sites or lots.	Data showing large proportion of facilities have around 100 sites. Nature of the Peninsula is suited to this scale.	Flawed argument and arbitrary with no strategic justification done.
Average gross floor area of all cabins, movable dwellings, permanent on - site caravans, or the like, should be 60m² or less.	Appropriate size holiday accommodation that allows for two bedrooms.	Arbitrary and no strategic justification done. Does not appear to meet accommodation trends and needs (i.e. families).
Percentage for cabins, movable dwellings, permanent on - site caravans, or the like, should be 15% or less	*To define a camping and caravan park. Based on one recent permit in Mt Eliza.*	*Arbitrary and no strategic justification done.*

Option not recommended - Control density in terms of sites per hectare

Density could also be controlled by numbers of sites per hectare. This would again require some assessment to be made. It is noted in the *Mornington Wine Company Pty Ltd v Mornington Peninsula SC [2006]* that the Tribunal did refer to a site at 10 sites per hectare would be appropriate in the context of that decision where compared to an urban camping facility in Dromana at 37 per hectare. This is essentially a consideration of scale in a rural setting and how the vegetated setting would be maintained rather than being stated as a clear cut minimum. It can only be considered as guidance for density.

Option not recommended - Control the type of facilities in a cabin.

In the *Mornington Wine Company Pty Ltd v Mornington Peninsula SC [2006]* decision, the panel noted that tenancy may be able to be managed through the control of modifications to the cabins. This included a permit condition that "The cabins shall not be used as self contained residences and shall not include one or more of the following: a kitchen sink; bath or shower; closet pan and washbasin." It is noted that this decision was made in 2006 at a time prior to legislation in the Residential Tenancies Act to restrict tenancy. It is not clear whether this would now be considered ultra vires.

Further, this type of condition may be opposed by camping ground representatives as the current market for the types of facilities seek self contained cabins, including those that can be used by families.

Option not recommended - Addressing cumulative impacts or proliferation of facilities by controlling the number of facilities.

This would be by providing a limit on how many caravan and camping grounds can be located in a specific area. This would be arbitrary and difficult to quantify and is controlled by the other policies such as development not resulting in urbanisation and controls on rural landscape character.

Mornington included a statement that camping and caravan parks must be sparsely distributed across the rural area. This was not supported by the Panel.

Group accommodation and residential hotel.

The following policy be added to Clause 22.06:

"Design and siting

- The design of a residential hotel and group accommodation avoids large, single footprint buildings and is distinguishable from a typical residential building."

Group accommodation is defined as *"Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence"*.

A residential hotel is defined as *"Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling"*.

Group accommodation and a residential hotel were prohibited in the PreVC103 Farming Zone unless undertaken 'in-conjunction' with a farming use. Policy relating to siting and design for all development was discussed on page 37 above. It is considered that further policy is necessary to manage the scale of these types of developments. Large scale group accommodation and residential hotel facilities with significant bulk and scale are not considered appropriate in the rural area or commensurate with rural character. These facilities could have the appearance of a large multistorey hotel that is only appropriate in a town centre. Hotels and hostels of this nature are prohibited in the Farming and rural Conservation zones. A residential hotel has the potential for greater implications as the definition allows for significant ancillary facilities to be constructed with hotels over 20 units.

The policy seeks to reduce the impact on landscape character and keep visual impact to a minimum in order to withstand urban 'hotel' style developments. For group accommodation, the definition does control the type of building that can be constructed and adding a separate policy is not necessary.

Separate unit buildings could be at risk of being used as permanent residences in a rural area, which would be contrary to policy. However, unlike camping and caravan parks the definition controls the type of tenancy. If these structures are designed to be similar to a residential dwelling, this may make it difficult for Council to continue the policy for not supporting second, or multi, residential buildings on rural sites. This is an important policy to protect rural land from fragmentation. As such, it is recommended that residential hotels and group accommodation are designed in a style distinguishable from a typical residential building, to remove a justification argument that could be put forward that accommodation buildings are essentially dwellings.

Option not recommended - Restricting the number of units.

Similar to the discussion for caravan parks and camping grounds, providing a figure for restriction on the number of buildings would be somewhat arbitrary and would need to be supported by evidence of ideal site size. This may also vary depending on the location and character setting.

Option not recommended - Restricting height

Currently there is no restriction on height in the rural area. Height is considered under the decision guidelines for design and siting considerations. It is noted that large sheds etc are synonymous with rural character; albeit agricultural production. To provide for height controls would potentially require a DDO be applied across the rural area, or possibly as a schedule to the rural area. To impose a height restriction based on one or only a limited number of uses is not necessary. There would need to be strong support to back this through research and it is unlikely that there is any uniqueness for an individual use such as group accommodation. On the Bellarine Peninsula, Significant Landscape Overlays allow for building height to be considered in many areas.

Place of assembly

- **Function centres are considered to be tourism uses and are included within Clause 22.06.**
- **Places of assembly, other than function centres, are considered under the new clause for discretionary uses in rural areas - on page 49**.

Under the PreVC103 Farming Zone a planning permit for a place of assembly could be applied for, provided that the use would occur no more than 10 days in a calendar year; otherwise the use was prohibited.
Other than a carnival and circus, a place of assembly remains prohibited in the Rural Conservation Zone.

- The definition for a place of assembly includes a function centre and the associated uses of a reception centre and conference centre. Due to the linkages of function centres with tourism, the use is discussed individually to all other places of assembly. Function centres are considered to be tourism uses and are included within Clause 22.06.

- Other places of assembly that are permit required include Place of worship, Restricted place of worship, Hall, Exhibition Centre, Library or Drive in Theatre and Cinema. An Amusement parlour, cinema based entertainment facility and nightclub are specifically prohibited from the zone. Places of assembly, other than function centres, are considered under the new clause for discretionary uses in rural areas, on page 49.

- Carnival and circus uses are managed by other mechanisms.

Function Centre and restaurant

- **The following policy be added to Clause 22.06:**

  "Amenity
  Neighbouring properties are protected from unacceptable disturbance associated with the hours of operation, number of patrons, or vehicular movements resulting from the use."

- **Information to be included in the application requirements relating to the submission of a management plan.**

- **Add context and update the policy basis for Clause 22.06 to recognise function centres and restaurants as a tourism use when co-located with other tourism.**

- **Provide application requirements that address needs for function centres and restaurants.**

Function centre

There has been and continues to be demand for function centre uses in rural areas. Broadly the impacts of the use are similar to what was discussed earlier for other accommodation uses. However, there can be additional impacts on adjoining rural amenity and productivity associated with a function centre. The type of functions that generally are held in rural areas include weddings and other celebrations. These by their nature concentrate impacts of noise from music, patrons arriving and departing as well as concentrated traffic movements. Such impacts can go on into the night and as well as create impacts during set up and set down. The impacts affect residents in adjoining farm dwellings as well as by disturbing livestock and farm operations. Conditions can be placed on planning permits, but ongoing enforcement and management can prove difficult. A policy to protect neighbouring properties from unacceptable disturbance from hours of operation, number of patrons, or vehicular movements has been added to Clause 22.06 to provide a basis for permit conditions.

In many instances a function centre use is co located with other tourism uses such as a winery and cellar door, a restaurant or other tourism use. However, on their own the VCAT decision in *Pullin V Greater Geelong City Council* set out that a function centre does not offer a 'tourist experience' or is the form of 'tourist development'. A function centre is an 'event venue' with the focus on the event. It is not considered necessary to include this as policy however.

Application requirements

To assess the impacts associated with function centres an application requirements section has been added to Clause 22.06. This includes a general statement for the requirements of all development proposals as well as some specific requirements for function centres parks to allow the assessment of the impacts of the operation, including opening times, staff and visitor numbers:

"A description of the proposal, including a site context report; hours and days of operation; number of staff and visitors or patrons; type and number of accommodation buildings..."

A requirement for a management plan has been added to the application requirements. Requirements of the management plan include dealing with onsite and offsite amenity, traffic management, litter and waste effluent management, staffing and the need for an onsite caretaker. Specific to a function centre the management plan may also need to consider whether adjoining neighbours are to be informed of event days, the need for an onsite manager and complaints procedure and whether there should be limits on a permit.

Application requirements have also been included for an acoustic report and traffic report where necessary.

It will be up to the individual planning permit applications for the appropriate conditions to be determined, based on information submitted in the application.

Option not recommended – restrict the number of patrons

It was considered whether a policy should be added to require a permit to include a condition to restrict the number of patrons, to a maximum of 150. This was based on discussion included in the Pullin decision. Following internal workshops this policy was removed. 150 is an arbitrary figure and the capacity would depend on individual circumstances. As noted above, the application requirements and other policy will determine the appropriate scale of a function centre.

Restaurants (Food and Drink)

A restaurant comes under the broader nesting of a food and drink premises of the retail premises nesting group. It is a stand-alone use as food and drink is otherwise prohibited in rural areas. The issues for a restaurant are similar to those discussed for a function centre above.

In most cases a restaurant is likely to be undertaken in conjunction with other uses, such as a winery or function centre to create a hub of uses. Stand alone restaurants should be directed to urban areas.

Host farm

A host farm is defined 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".*

There are problems with the definition as it is subjective and does not define what form the accommodation may take (i.e. is this similar to a B&B, or are separate accommodation buildings can be constructed).

In the Pre VC103 Zones, the use was a Section 2 use and it appears that no applications were applied for this type of use. A host farm is, by its definition, directly linked to the farming use of the site and therefore assumed to be associated with agriculture.

No specific policy is necessary for the use and should be considered under the policy in terms of tourism and accommodation uses.

Summary of other notable changes

Change	Comment
Objective: "To support tourism development in rural areas that contributes to the growth of the tourism market."	Retained in part from Clause 22.06. Change from contributing to the economy to the growth of the tourism market.
Objective: "To preserve the productive agricultural capacity of the land and where possible enhance the environmental condition of the land."	Moved in part from policy. Is a key objective for the rural area.
Deleted policy: "The primary land use will remain rural/ farming in nature.	This has in part been incorporated into the amended policy for: "The mix of uses will not be out of balance with, nor change the character and nature of the primary rural land use, or result in an unreasonable loss of productive agricultural land" There is also overlap with the objective to preserve productive agricultural productivity.

Amended policy: "The proportion of the property used for tourism and ancillary infrastructure is minimised, and is directed to the area of lowest agricultural quality or where the natural landscape has been modified"	Based on advice provided by UE.
Relocate: "The productive capacity of the land is to be preserved and where possible enhanced. This should be achieved through addressing issues such as pest plants and animals and erosion of the land, and can be demonstrated through the development and implementation of a management plan."	First sentence moved to an objective. Remainder of the policy has been incorporated as an application requirement for a land management plan.
Delete/ relocate: "The environmental condition of the land will be enhanced. This could be achieved by fencing off remnant vegetation, revegetating strategic areas such as between remnant stands to develop wildlife corridors and along waterways.	Much of this policy has been deleted on the advice of the internal working group. Part of the policy has been incorporated as an application requirement for a land management plan.
The specific policy for large scale tourism has been removed.	Due to uses being prohibited under the PreVC103 zones, the large scale tourism section provided advice to when Council would consider a planning scheme amendment to facilitate development under Clause 22.06. Due to the changes to the zones and the amended Clause 22.06 this is no longer considered necessary and appropriate content has been incorporated into Clause 22.06. There remains a policy in the LPPF.
Application requirements to the satisfaction of the responsible authority added for: • Detailed project description • Land management plan • [Operational] Management plan • A landscape plan/ landscape character assessment • Acoustic report • Traffic report	
Decision guidelines added to reflect the objectives included in Clause 22.06.	
Terminology – reference to "farming activity" changed to " agricultural"	Reflects the fact that the rural area is used for broader agricultural uses and not just farming.
Terminology – "rural landscape character" used when referring to rural character/ farmed rural landscape.	To provide a consistency of the terms used.
Consequential amendments have been undertaken to Clause 21.07-5. Rural Areas and 21.07-6 Tourism in rural areas. The consequential amendments are included in Section 6.	To ensure consistency of terminology is used in the SPPF, Local Planning Policy and Farming Zone.

Clause 22.64. New Clause - Discretionary Uses in Rural Areas

Summary of policy

- **Discourage uses such as industry, trade supplies retail, markets, schools and most community uses that could reasonably be provided in urban areas; and**
- **Discourage discretionary non-agricultural uses in rural areas that attract a significant number of visitors to a site or are necessary to service the urban community.**
  - **These should generally occur in an urban area where there is better transport accessibility and connection to services and other community facilities.**
  - **An adequate supply of land is already planned for these uses through urban zones.**
- **Allow an exception for uses that cannot be catered for in an urban area and there are unique circumstances as well as:**
  - **Development is of a scale to support the local population**
  - **Development will not result in an unreasonable loss of productive agricultural land**
  - **Existing agricultural activity on adjoining land will not be compromised.**
  - **The scale of development complements and respects the rural landscape character. Development is not visually dominant and impacts can be mitigated.**
  - **The site is appropriately serviced by roads and other infrastructure.**

The policy does not apply to agriculture, tourism or accommodation uses.

Industry Land and Warehouses.

Pre VC103, industry and warehouse land uses were prohibited within the Farming Zone; other than Rural Industry (for agricultural produce), which was permit required. Some Rural Industry is now allowed as of right, provided that a number of conditions are met such as not having a gross floor over 200m², is not within 100m of a dwelling in separate ownership; and is set back certain distances from a residential or rural zone. Industry and warehouse land uses remain prohibited in the Rural Conservation Zone, but are new Section 2 uses in the Farming Zone.

UE advice has shown that there has been limited demand for the establishment of industry within rural areas; although this is a reflection of the use previously being prohibited. There has been demand for truck depots and there are instances of a truck depot being set up without planning approval. There is likely to be increased demand for industry uses in rural areas given the lower value of land and often large amount of land needed.

As discussed in Section 2 the State and LPPF policy is to direct industry development to industrial areas that are adequately located in urban areas where the conflicts and amenity impacts can be managed. It is important that the general intent of this principle is retained and industry is only considered in rural areas where there are unique circumstances or a net community benefit. Not only are there potential issues around rural amenity and productivity, but industry should not be occurring in rural areas when there is already appropriate land in urban areas and difficulties and this is not at capacity. This could be detrimental to the efficient use of industrial land across the city and the settlement strategy.

Industry use and devleopment should therefore be discouraged and a type of sequential test should be employed to ensure existing areas within the urban zones are first considered before a rural location is considered.

Warehouse

The policy outcomes and impacts of a warehouse use are similar to those for an industry use. Access to transport, traffic generation, the scale of a development (with a warehouse potentially large) and the type of material stored would be specific areas of concern for a warehouse use.

Extractive industry

Extractive industry is an aspect of land that is generally considered to be most appropriately located in rural areas. This, however, is well established through the planning process and case law and is not necessary to be considered specifically under the policy. Extraction is also managed under the Mineral Resources (Sustainable Development) Act 1990.

Manufacturing sales

A planning permit for a manufacturing sales use could be applied for under the PreVC103 Farming Zone. A manufacturing sales use is defined as "land used as an incidental part of an industry, to retail goods made materially different on the land by that industry".

Manufacturing sales would need to associated with an appropriate industry use that is established already or by permit and as a small ancillary aspect of the use. Therefore the use can be considered on its merits based on the type of industry and nature of use on a case-by-case basis.

Places of assembly - Libraries/ exhibition centres/ halls/ cinemas/ places of worship etc.

The general direction for social infrastructure under the SPFF (19.02) is to direct uses to activity centres or be located where there are identified gaps and need.

A library is most appropriately located within an activity centre as this should be accessible to the community with good access for pedestrians and those travelling by car or public transport. For most exhibition centres this would also be the case. However, there may be some exhibition centres that it may be appropriate to display rural related materials (i.e tractor museum), cultural artefacts and so on. The demand for this would be limited however.

Similarly a cinema (other than drive in) would not be suitable in a rural area and is generally only appropriate in activity centres. It is difficult to consider a situation when this would not be the case. A drive in can be considered on a case by case basis, although there is unlikely to be much demand.

There may be demand for places of worship in some fringe rural areas due to land costs in urban areas (and this has been the case in Rural Living Zone). These are not generally considered appropriate in a rural location; other than on an urban fringe under unique circumstances.

Landscape gardening supplies and trade supplies

Both Landscape gardening supplies and trade supplies were prohibited under the PreVC103 Farming zone. Both uses remain prohibited under the Rural Conservation Zone.

SPFF and LPPF policy is to direct retail to Central Geelong and other centres to reflect the retail hierarchy. Under Clause 21.07-3 out of centre developments are to provide a clear net community benefit and bulky goods are to be directed to Central Geelong or nominated homemaker precincts. Similar to the issues discussed for industry the general principles for landscape gardening supplies and trade supplies retail should be retained and they should generally not occur in rural areas when there is already appropriate land in urban areas and an established retail hierarchy; alongside the issues of rural amenity and productivity. In most circumstances supporting these uses would be an exception and be the result of unique circumstances.

It is anticipated that there would be only limited occasions where this type of use might be appropriate in a rural area.

Market

The policy principles discussed for retail above would also apply for a market.

A community market was a section 2 use under the PreVC103 Farming Zone. Under the current Farming Zone and Rural Conservation Zone this was broadened to include both a community market and a trash and treasure market. While there is no specific definition of a community market, this change would appear to expand the nature of markets that may be appropriate in a rural area and a potential change from a community based management model to allow more commercially operated markets. There is a risk that if a market is not planned appropriately in a rural area this could result in a quasi retail centre in a rural area and undermine the retail hierarchy.

The demand for a market is likely to be low and there are no records of any community markets having been applied for in the PreVC103 Farming or Rural Conservation Zones; nor have there been any recent inquires for a market.

Education – Primary School and secondary schools.

A primary school and secondary school come under the broader nesting group of education centre. Under the PreVC103 Farming and Rural Conservation zones all education centres were prohibited. Primary and secondary schools have number been elevated to permit required in both zones. Other education centre uses, including business college, employment training centre and tertiary institution remain prohibited in both the Farming and Rural Conservation zones.

Providing for education facilities in rural areas appears to be at odds with the SPPF relating to education where this seeks to locate facilities near to pedestrian and cycling networks and have consideration of demographics and future demand. Council policy is also to locate these schools that can integrate with other community facilities, activity centres and residential areas; potentially in hubs. An urban location is therefore the most appropriate location.

Leisure and recreation

For most leisure and recreation land uses, other than a motor racing track (prohibited) and as of right informal outdoor recreation, a permit could be applied for under the PreVC103 Farming Zone. Leisure and Recreation remains permit required under the current zone and the only amendment is that a permit for a motor racing track can now be applied for. Leisure and recreation is prohibited in the Rural Conservation Zone.

Potential leisure and recreation uses include golf courses/ driving range, race course, paintball, pleasure park, zoo, open sports ground, restricted recreation facility (club), indoor recreation facility. Ultimately there is a wide range of different types of uses land can occur under this definition. Some uses could involve the need for the use of significant areas of open/ rural landscapes to be required; whereas others the need for construction of large structures.

SPPF (11.03) and the MSS (21.08) policy is essentially to ensure that for open space provision a diverse and integrated network of open space is available to cater for all within the community and address areas of undersupply.

There has for a number of years been the opportunity for permits to be applied for under the Farming Zone without the need for a policy and the demand for this type of use is not likely to be significant. Statutory Planning has advised that there has not been a significant number of inquiries and/or permit applications for leisure and recreation uses over the last few years.

Summary for policy position for other discretionary uses.

There is an obvious conclusion that can be drawn from the above discussion; that State and local policy generally does not provide for non-agricultural uses in rural areas. This also reinforces Clause 21.07-5 (Rural Areas), which seeks to minimise non agricultural uses in rural areas. Non-agricultural uses would often attract a significant numbers of visitors, accommodate large numbers of people or generate significant volumes of traffic and car parking demand. Therefore the uses are generally incompatible with farming activities and are not appropriate in the rural area. These uses should be directed to urban areas where there is an appropriate level of municipal infrastructure services and good transport connectivity. To ensure that development is planned in the right locations an adequate

supply of land is zoned for industrial, commercial and community purposes in urban areas. This is part of the Council settlement strategy.

Therefore the encroachment of non-agricultural uses into rural areas is discouraged and should only be considered when the use cannot be catered for in an urban area and there are unique circumstances to justify a rural location. Clause 22.04 for discretionary uses in the rural living zone seeks to discourage intensive urban activities that attract large numbers of people to a site and it is considered appropriate to replicate this as an objective for the remainder of the rural area. Development that attracts significant numbers of visitors, again highlight types of uses that are more appropriate in urban areas and are most likely servicing the urban area. Ultimately it may be land costs that drive the use to the rural area and not the principles for suitable site location.

The policy applies to discretionary uses in rural areas, although it is important to acknowledge in the policy that the policy does not apply to agricultural, tourism or accommodation land uses. Tourism and accommodation uses are managed by the local planning policies Clause 22.05 and Clause 22.06. It is not considered necessary to apply the policy to section 2 agricultural uses as this may place additional restrictions on the use of rural land for agricultural purposes.

The above approach was supported by the advice provided by UE. It is acknowledged that there may be some circumstances where a use may be more suited to the rural area than an urban location. While UE were not able to provide any evidence of specific needs in rural areas they did provide some advice on the types of uses that in principle may be suitable for rural areas to support the analysis undertaken by Council. This focused on tourism development (discussed elsewhere in this report) and provides the following examples:

- A school may seek to establish a facility with an agricultural based curriculum, which requires interaction with rural land, or possibly an adventure school that requires large areas of open land.
- Aquaculture processing uses close to aquaculture extraction.
- Some rural industry uses.
- Materials recycling or green waste recycling.
- Sports and leisure uses that require a rural location that may be nature based or forestry related, or large areas of open land. It is noted that tourism related sports and leisure uses are considered by Clause 22.06. This clause also provides Council the opportunity to consider uses that have a regionally recognised demand for tourism.
- A rural produce market.

To reflect this, the policy recognises that there may be unique circumstances when a use may be appropriate in a rural area. In these circumstances a development proponent would need to demonstrate that options to consider the use in an urban location have been exhausted. It is recognised that there may be some uses that are of a scale to support the rural population (and not the urban population). Similar to Clause 22.06 and to reflect the RLUS, the use would still not be allowed to impact on the productive capacity of rural land, existing agricultural activity or rural landscape character.

Uses such as broiler farm, cattle feedlot, freeway service centre, renewable energy facility, timber production and wind energy facility are controlled by other clauses in the Planning Scheme in Section 52.

Commercial rating of properties.

During the course of the strategy review it become apparent that some individuals and organisations have an issue with the rating strategy for rural areas. Essentially, to use a farm for commercial uses such as tourism, cafes, farm gates etc there ultimately is a higher rate to be paid and this can be a disincentive to establish. This was raised as an issue and considered by Council during their budget consultation for 2015/16. Providing an incentive rebate for commercial uses on rural land was not accepted by Council for a number of reasons and they noted that where there are different land uses on a rural property these can be rated differently.

6. REFERENCES

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- Geelong and the Bellarine Tourism Development Strategy, prepared by Urban Enterprise for Tourism Greater Geelong and the Bellarine (Draft August 2015)
- Greater Geelong Planning Application P 827/ 2014. Retrospective Truck Depot. 200-216 Manifold Road, St Leonards.
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- Mornington Peninsula Planning Scheme Amendment C133 (2010) Camping & Caravan Parks Outside the Urban Growth Boundary.
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- Rural Zones Report, Reformed Zones Ministerial Advisory Committee (Feb 2013)
- Surf Coast Shire Planning Application 14/0111 Caravan and Camping Park, 350 Coombes Road and 1200, Ghazeepore Road, Freshwater Creek.
- Victorian Coastal Strategy, Victorian Coastal Council (2014)
- Victorian Government response to the Victorian Competition and Efficiency Commission's Final Report, August 2012
- Victoria Planning Provisions and Planning Schemes by Amendment VC103 (5 September 2013).
- Wilbow Corporation v Kingston CC VCAT 2699 (2005).

APPENDIX 1. CONSEQUENTIAL AMENDMENTS.

This section outlines the consequential amendments outlined in Section 2 and 5.

Local Planning Policy Framework – 21 Municipal Strategic Statement

21.07-5. Rural Areas

Objectives

- To support the use of the northern, western and southern rural areas for productive agriculture.
- To ensure that rural areas provide an attractive setting through the preservation of the ~~a farmed~~ rural landscape character.
- To protect and enhance the Bellarine Peninsula as a productive ~~rural~~ agricultural area with highly significant landscapes based on farming and environmental features.

Strategies

- Maintain rural land in large and productive parcels, in accordance with the schedules to the farming zones.
- Minimise non ~~farming~~ agricultural land uses in rural areas.
- Ensure that any non ~~farming~~ agricultural land uses will not compromise farming activity in the area.
- Ensure development in rural areas respects the ~~farmed~~ rural landscape character, particularly significant landscapes identified through the Coastal Spaces Landscape Assessment Study.
- Ensure that new dwellings do not compromise the productive agricultural ~~potential~~ capacity of land and are associated with the productive agricultural use of the land.
- Encourage agricultural development with export potential and specifically encourage aquaculture and horticulture activities in the rural areas around Avalon Airport.

21.07-6 Tourism in rural areas

Objectives

- To support tourism development in rural areas that respects the open ~~farmed~~ rural landscape character of the area, and contributes to the economy.

Strategies

- Within ~~the Bellarine Peninsula~~ rural areas, support appropriately scaled, high quality, landscape responsive tourism uses that are ~~subservient and~~ complementary to their rural landscape character and environmental setting and are associated with agricultural activity on the land.
- ~~In all other rural areas support tourism uses and developments in the Farming Zone that are associated with agricultural activity on the land.~~
- Support a limited number of larger scale rural based tourism development within rural areas that require rezoning.
- Direct major accommodation facilities to urban areas.

APPENDIX 2. URBAN ENTERPRISE SITING AND DESIGN GUIDANCE

1. General siting and design principles

This section provides general siting and design principles for non-rural uses in rural zones. Refer to the Greater Geelong Planning Scheme for relevant overlays and schedules. When building in coastal areas refer to the Siting and Design Guidelines for structures within the Victorian Coastal Strategy 2014.

Guidelines for specific uses are provided in the following section.

Design objectives

- To ensure that all buildings are designed and sited to minimise environmental & visual impacts.
- To ensure that the siting of buildings does not threaten or reduce the rural capability of the land or introduce the potential for land use conflicts.
- To ensure that access driveways and other earthworks are designed and sited to limit environmental impact.
- To ensure that all development is designed and located to minimise risks from natural hazards including predicted impacts of climate change, flooding and tidal surges.

General siting and design guidelines

- Buildings should be located so as not to adversely impact on the rural activities conducted on the site and adjoining land and the long term viability of rural production in the area.
- Appropriate landscaping should be used to reduce the visual impact of the buildings on the landscape.
- Buildings should not be sited on visually exposed ridgelines, unless the visual impact is minimised by using designs and colours that merge with, or compliment, the landscape.
- Building setbacks from property boundaries, government and private roads and waterways should be relevant to the scale of the building, the site circumstances, the potential environmental impact and the rural activities conducted on the site.
- Buildings should be designed to respond to the topography of the land.
- Buildings, including sheds, should be constructed out of materials capable of blending in with the natural surrounding environment whether this be in natural form or via a tailored paint scheme.
- External finishes on buildings should: Respond to, compliment and/or reflect the colours and textures evident in the natural environment; Have a low reflectivity to minimise glare and visual impact.

Access

- Buildings should be accessible by legal, all weather, and practical access.
- Access driveways should be located to minimise tree removal and land forming.
- Access driveways should follow contours to avoid excessive site works; erosion & sedimentation run off.

2. Tourism Accommodation Directions

2.1 Camping and caravan park

Rural areas are an attractive location for Camping and Caravan Parks given their natural and rural setting and requirement for large sites. There is already a large provision of this accommodation type across the region, however, there is opportunity for a large additional quality branded tourist park, particularly in the northern Bellarine area, near Portarlington or St Leonards. The demand analysis shows that up to 80 cabins and 120 sites would meet projected market demand for over the next 10-15 years.

Caravan Parks are a designated area of land primarily for affordable short-stay accommodation by leisure visitors provided for within a range of accommodation products. They are an important part of the accommodation offering across the region. They provide an affordable holiday accommodation option aimed primarily at families and touring visitors. They also allow for large capacities to deal with the large volume of visitors during peak season and during events.

A concern for a number of Councils has been the use of Caravan and Camping Grounds for permanent residence rather than tourism accommodation. There are a number of such caravan parks in Greater Geelong. Figure 11 shows some of the key differences Caravan and Camping Grounds that cater to tourists compared with permanent residents. The Bellarine Big 4 Tourist Park, one of the largest tourism parks in Greater Geelong, includes the following features which distinguish it as a tourism focused park:

- Provides a mixture of accommodation types suited to a number of different markets including powered caravan and camping sites, and 1, 2 and 3 bedroom cabins;
- Significant recreational facilities including an indoor swimming pool and water playground, tennis court, basketball court, bocce court, BMX track, indoor and outdoor playgrounds, café, cinema and flying fox;
- Communal facilities including bathrooms, laundry, camp kitchen, and sewage dump; and
- Significant landscaping throughout the site to provide a natural setting for visitors and opportunities for privacy between sites

In contrast, the Collendina Caravan Park, which caters to long-term visitors and permanent residents, has a significantly larger building footprint and building density.

Decision makers need to have regard to the above attributes normally associated with tourist or holiday leisure caravan parks.

Camping and caravan park design and siting in rural areas

Location and Context

- Within or connection to a tourism precinct/township/destination which allows access to services and retail;
- Is in close proximity to existing tourism product and infrastructure nodes or in a location which exhibits tourism development potential e.g. undeveloped high quality natural attractions;
- Has a connection or promotes an experience with a natural setting or system (e.g. foreshore, river, forest/bushland);
- Is easily accessible to or located along a major road, highway or touring route;
- Identify the purpose and composition of the caravan park in relation to its location and context. Considerations may vary between a stop-over/transit caravan park, catering to long-stay/permanent occupants;
- Where practicable, caravan parks comprising a long-stay component should be located where there is access to urban facilities and amenities.

Facilities

- Provides a high level of internal amenity including open space, landscaping, and recreational facilities;
- Provides communal facilities of an appropriate scale required by a holiday and leisure market (e.g. bathrooms, laundry, camp kitchen, sewage dump);
- Provides a variety of accommodation types suited to identified target market (cabins, powered or unpowered caravan and camping sites).

Topography, drainage, soils and vegetation

- Caravan parks should generally not be located on steep slopes due to erosion risk and potential drainage problems associated with earthworks and retaining cut and fill embankments. However, if mitigation measures are outlined, sites may be considered in constrained areas.
- Caravan parks should not generally be permitted in areas of potential risk from flooding or waterlogging unless appropriate mitigation measures are undertaken. Watercourses (such as streams and creeks) and local sensitive environmental features should not be disturbed or altered by the development.
- Acid sulphate soils and other soil types may not be suitable for development as they are susceptible to slipping and slumping, especially during wet periods.
- Vegetation clearing should be kept to a minimum, and in particular, the retention of mature trees should be encouraged, subject to appropriate management of falling limbs and bushfire risk.

Coastal or fire hazard constraints

- Many existing caravan parks are situated within coastal environments. The location of new or the redevelopment of existing coastal caravan parks should take into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria. Compliance with any relevant coastal planning policy or guideline is required; this may necessitate the need for a coastal hazard risk management and adaptation plan being prepared, where one does not exist.
- Many caravan parks are located in bush settings which may present a bushfire hazard. For sites identified as being bushfire-prone, compliance with any relevant bushfire planning policy or guideline is required. This may necessitate the need for a bushfire hazard assessment and /or bushfire management plan being prepared.

Visual impact

- Caravan parks may have an impact on landscape character and visual amenity in rural and natural landscapes. The visual impact of the caravan park should be considered from scenic vantage points, public lookouts and tourist routes to reduce the impact on high value view sheds.

Internal Design

- Ensure that all abilities access is provided;
- Services and loading areas shall be hidden from view away from the approach to the building and outlook from within;
- Temporary drop off bus parking is required to deliver groups and baggage to the accommodation. Long term parking to be located away from development and hidden from views;

Access

- Suitable access and egress should be provided to ensure traffic, cyclist and pedestrian safety within the park;
- Secondary or alternative access routes in event of an emergency (e.g. fire or flood) should be identified;

- Internal road design should consider the interaction between pedestrians and vehicles, and adequate manoeuvring space for RVs and vehicles towing caravans and trailers;

Amenity

- Vegetation and landscaping should be considered as they are important for integrating the caravan park into the landscape. Vegetation and landscaping provide screening from surrounding land uses, help reduce visual and noise impacts, provide privacy for park users, provide shade, and contribute to a desirable setting for a caravan park;
- Other visual and amenity considerations may include design to minimise the opportunity for crime, using complementary structure styles, colours and materials, suitable choice of fencing, and separating recreational areas (e.g. playgrounds and pools) from quiet activity areas;

Services

- Utility services including a suitable electricity supply, telephone service or mobile phone network availability, a demonstrable water supply and wastewater treatment system should be available. Service providers should be consulted regarding the availability and capacity of services in determining new sites for caravan parks, particularly during seasonal peak demand;
- Where reticulated sewerage is not available, on-site wastewater disposal is to be to the satisfaction of the Health Department.

2.2 Other rural accommodation (group accommodation and residential hotel)

Quality accommodation was identified as a key accommodation gap across the region in the Greater Geelong and Bellarine Tourism Development Strategy.

The Bellarine Peninsula in particular has significant opportunity for boutique accommodation associated with established tourism product such as wineries which already have significant visitor facilities (cellar door, restaurants and function space). Rural areas are considered well suited to this accommodation type as they can provide a unique natural and rural setting. Projected demand for commercial rural accommodation over the next 15 years (group accommodation and residential hotels) include:

- **Farmstay accommodation**: accommodation connected to an agricultural enterprise; (2-4 establishments with 3-5 rooms each);
- **Nature-based accommodation**: accommodation which is sensitive to the surrounding eco-system and showcases the natural setting (2-4 establishments with 10-20 rooms each);
- **Winery accommodation**: (2-4 establishments with 5-25 rooms each);
- **Integrated resort:** hotel style or self-contained accommodation integrated with a number of other uses such as restaurant, conference centre, recreation, and spa and wellness (e.g. RACV Inverloch) (one large facility of 80-120 rooms).

Table 9 lists examples of boutique accommodation in other tourism regions. This accommodation type is usually associated with other uses (spa, winery, function space) except for a large integrated resort.

Rural accommodation design and siting in rural areas

Location and context

- Demonstrates strong links and provides an outlook over a natural or rural setting;
- May be co-located with an existing tourist facility or agricultural enterprise;
- Has a connection or promotes an experience with a natural setting or system (e.g. foreshore, river, forest/bushland);

Built form and design

- If possible construct new development where the natural landscape has already been modified;
- The siting and design of accommodation must consider the established character and landscape of the local area and where possible maximise view opportunities;
- The height and bulk of the development shall be domestic in scale and not dominate the landscape;
- External materials, colours and finishes are required to sit in harmony with the surrounding landscape;
- The built form must have regard to the local character and be articulated to breakdown building mass;
- Glass reflection to be tempered using vision screens. Colour scheme and selection of materials and finishes to be compatible with surrounding environment;
- Car parking areas will be broken down into smaller pocket areas with landscaped buffer screens;

Access

- Secondary or alternative access routes in event of an emergency (e.g. fire or flood) should be identified;
- Access for deliveries must be considered;
- All abilities access will be provided;

3. Tourism activities directions

3.1 Function Centre

Rural areas of Greater Geelong may support function centre development as either a standalone facility or be collocated with supporting tourism uses such as winery and accommodation.

The design of a function centre must have regard to the established character and landscape of the local area. The design of a function centre requires a large predominantly level site to accommodate a building that provides a variety of flexible spaces. The facility requires direct access to outside to enable a variety of activities to occur.

Small to large groups of people will be in attendance during the day and evening therefore resultant noise must be considered in the facilities location and design.

The scale of the function centre will vary, however it will be important for the proponent to identify the following:

- Target markets for the function centre;

Ability of the function centre to fill a gap in the market in terms of function capacity or type of centre.

Function centre design and siting in rural areas

Location and Context

- Provides a suitable buffer from sensitive uses (e.g. residential dwellings) to minimise the impact of noise pollution and other off-site amenity impacts;
- Is easily accessible to or located along a major road, highway or touring route;
- May be co-located with existing tourist product or agricultural enterprise;
- Site is of a sufficient area to accommodate parking whilst maintaining rural amenity and landscaping;

- Promotes outlook over rural areas or natural setting;

Built form and design

- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- The height, bulk or appearance of the development will not dominate the landscape;
- Exterior lighting will be limited to low watt, site specific lighting (neon advertising, exterior neon lighting or flashing illumination will not be permitted);
- Utilities, including bin storage, delivery service areas and air conditioning plants, will be screened and will not be visible from the public domain;
- The proposal will not detract from the established amenity of the adjacent locality;
- The siting and design of accommodation must consider the established character and landscape of the local area and where possible maximise view opportunities;
- External materials, colours and finishes are required to sit in harmony with the surrounding landscape;

Access

- Secondary or alternative access routes in event of an emergency (e.g. fire or flood) should be identified;
- Access for deliveries must be considered in site layout and design.

3.2 Art Gallery and museum

Most examples of arts galleries and museums in a rural setting are often boutique in scale and based on historical trends and audits of rural uses as part of the Tourism Development Strategy, the demand and growth of this sector will be low to moderate.

The design of art galleries and museums can vary from small simple space requirements attached to other facilities to complex arrangements of spaces in a standalone facility. The architecture expresses the vision and personality of the institution while creatively incorporating functional requirements. Inspiration must consider location, environment and collections. Therefore, building layouts and design can vary significantly.

Figure 13 below shows Tarrawarra Museum of Art in the Yarra Valley which is a rare example of a large private art gallery in a rural setting. The commercial viability of facilities of this scale is reliant on revenue from art sales, collocated café/restaurant and in the case of Tarrawarra, a winery as well.

Art gallery/museum design and siting in rural areas

Location and Context

- Promote outlook over rural areas or natural setting;
- May be co-located with other tourist products (café, arts sales);
- Is easily accessible to or located along a major road, highway or touring route;

Design and Built Form

- The impact of the scale of the building should be mitigated by reducing built form height towards the perimeter of the development. Landscape buffers to be positioned around the site to deflect view lines within the rural landscape;
- Maintain important view corridors;
- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- High quality contemporary design should be considered to complement the focus or theme of the art gallery or museum;

- Exterior lighting will be limited to low watt, site specific lighting (neon advertising, exterior neon lighting or flashing illumination will not be permitted).
- Utilities, including bin storage, delivery service areas and air conditioning plants, will be screened and will not be visible from the public domain.

Access

- Safe drop off areas are required;
- Access for deliveries must be considered;
- All abilities access will be provided.
- Adequate parking to be provided and good access to other transport;

3.3 Restaurant/café

The Greater Geelong region is growing as a food and wine destination and a number of new restaurants have established in recent years, many of which are associated with existing wineries.

The Tourism Development Strategy identified the need for an improved food offer to meet target market expectations.

The design of a proposed restaurant or café must have regard to the established character and landscape of the local areas.

Restaurant/café design and siting in rural areas

Location and Context

- Provides a suitable buffer from sensitive uses (e.g. residential dwellings) to minimise the impact of noise pollution and other off-site amenity impacts;
- Promote outlook over rural areas or natural setting;
- May be co-located with existing tourist product or agricultural enterprise;
- Essential services including water, sewerage, and electricity are available;
- Is easily accessible to or located along a major road, highway or touring route;
- The proposal will not detract from the established amenity of the adjacent locality;

Design and Built Form

- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- The height, bulk or appearance of the development will not dominate the landscape;
- Exterior lighting will be limited to low watt, site specific lighting (neon advertising, exterior neon lighting or flashing illumination will not be permitted);
- Utilities, including bin storage, delivery service areas and air conditioning plants, will be screened and will not be visible from the public domain, including the river;
- Effluent from food preparation areas, kitchens and ablutions will not enter the waterway or affect the foreshore;
- Foods, goods, wastes, cleaning products and chemicals are properly stored and contained within the facility.

Access

- Access for deliveries must be considered;
- All abilities access will be provided.

3 Commercial use directions

3.1 Landscape garden Supplies

Landscape garden supplies often require large land areas that are unavailable in urban locations. There are many examples of garden supplies that also act as tourism facilities with cafes/restaurants and homeware and outdoor furniture retail offers.

A garden supply facility requires a large area of level land, the majority of which is open space. Generally the facility must accommodate structures for retail sales storage, work areas and bins for landscape materials. The remainder of the space is allocated for plant sales, car parking and separated circulation space for cars, trucks and tractors.

Landscape garden supplies design and siting in rural areas

Location and Context

- The facility is located conveniently to townships with the opportunity for dual access to major roads;
- Is easily accessible to or located along a major road or highway;

Design and Built Form

- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- The height, bulk or appearance of the development will not dominate the landscape;
- Exterior lighting will be limited to low watt, site specific lighting (neon advertising, exterior neon lighting or flashing illumination will not be permitted). Operation is limited to business hours;
- Utilities, including bin storage, delivery service areas and air conditioning plants, will be screened and will not be visible from the public domain;
- Chemicals and fertilisers are properly stored and contained within the facility;
- The proposal will not detract from the established amenity of the adjacent locality;

Access

- Adequate carparking is available onsite;
- Access for large vehicles needs to be considered.

3.2 Market

The proposed site for a permanent market requires a substantial area of land that is generally level to enable all abilities access throughout the facility. Pedestrian walkways and stall holder sites need to be compacted or sealed surfaces acceptable to disability standards. Structures whether permanent or temporary need to reflect the character of the location.

In general, markets should be directed to township areas where the impacts on traffic and parking can be managed unless a rural location is justified (e.g. link with agricultural industry, require a large site which is not available in an urban location).

Market design and siting in rural areas

Location and Context

- Demonstrate that a large site is required which is not available/or suitable in a urban location;
- Where possible, direct permanent structures and high traffic to areas where the natural landscape has already been extensively modified;
- The proposal will not detract from the established amenity of the adjacent locality;

Design and Built Form

- Large carparks to be adequately screened from external views with landscape buffer planting;
- Large sealed parking areas should be minimised;
- Service access to be hidden from view and safely located to rear of stall holders sites;
- Exterior lighting will be limited to low watt, site specific lighting (neon advertising, exterior neon lighting or flashing illumination will not be permitted).

Access

- Adequate carparking is available onsite;
- Road layouts to encourage low vehicle speeds.
- Site roads to avoid sensitive vegetation, habitats, soil types, rock formations and drainage ways.
- Access for large vehicles needs to be considered.
- Locate roads in development keeping the pedestrian crossing points to a minimum.

3.3 warehouse and trade supplies

Warehouse and Trade Supplies are considered together as they have similar built form considerations and are generally considered better suited to urban areas. These uses will need to be managed carefully in rural areas to ensure that they do not promote urban encroachment or undermine rural character.

Warehouse and trade supplies generally do not have a strong commercial link with a rural setting unless they are servicing the rural areas. Generally warehouse and trade supply uses should be directed to urban commercial zones unless a rural location can be appropriately justified.

Warehouse and trade supplies design and siting in rural areas

Location and Context

- Demonstrate there is demand for the goods/services which cannot be met in an urban area;
- Demonstrate that a large site is required which is not available/or suitable in a urban location;
- Is easily accessible to or located along a major road or highway;
- Does not promote urban encroachment into rural areas;
- Discouraged from areas of recognised landscape value and does not impact important viewsheds;

Design and Built Form

- Building heights must not protrude above the maximum established by the relevant controls affecting the land;
- The height, bulk or appearance of the development will not dominate the landscape;
- Where practical, loading docks should be screened from the street and of an appropriate size to adequately service on site operations without overspill to roadways;
- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- Large carparks and buildings to be adequately screened from external views with landscape buffer planting;

Access

- Adequate Carparking is available onsite;
- Access for large vehicles needs to be considered.

3.4 Industry (other than rural industry)

Industry uses such as materials recycling, refuse disposal, or transfer station which may have significant amenity and landscape impacts are discouraged in rural areas (particularly on the Bellarine) and should be directed to industrial zones or identified precincts where impacts and land use conflicts can be managed appropriately.

Industry (other than rural industry) design and siting in rural areas

Location and Context

- Demonstrate there is demand for the industrial activity which cannot be met in the urban areas or elsewhere in the wider region outside of the Bellarine;
- Provides a suitable buffer from sensitive uses (e.g. residential dwellings) to minimise the impact of noise pollution and other off-site amenity impacts;
- Discouraged from areas of recognised landscape value and does not impact important viewsheds;

Design and Built Form

- Building heights must not protrude above the maximum established by the relevant controls affecting the land;
- The height, bulk or appearance of the development will not dominate the landscape;
- Where practical, loading docks should be screened from the street and of an appropriate size to adequately service on site operations without overspill to roadways;
- The selected construction materials and colour scheme are compatible with the surrounding landscape;
- Large carparks and buildings to be adequately screened from external views with landscape buffer planting;

APPENDIX 3. SUMMARY OF CONSULTATION RESPONSES RECEIVED.

Sub No.	Name	How received?	Agree	Summary of response
1	Padraic Fisher	Online	Y	It is easy to be caught up in the nostalgia and romance of 'rural preservation for the sake of rural preservation'. Rural communities are especially vital in balance of economy and health/well being as they both relate to live/work/eat local.
2	Chris Mason - St Quentins Consultancy	Email	N	Proposals to re-introduce “in conjunction with” is not only contrary to the strategic intent of the reformed rural zones, but will also act to frustrate the specific types of tourism development that the Victorian Competition and Efficiency Commission identified as being necessary to deliver the marketing promise of Victoria.
3	John MacDonald - Swan Bay Holiday Park	Post		I note and concur to the comments on the need for caravan parks to curtail permanent residency. We should keep an open mind allowing submissions for new caravan parks and extensions to existing parks.
4	Norman Hite			Money can be found (or borrowed) for all sorts of purposes in the CBD and near residential areas but seems very scarce when it comes to servicing the rural zones.
5	Anthony Forster	Online	Y	Response referring to the provision of water in the Rural Activity Zone 2. *[Not relevant to Geelong.]*
6	Lee O’Hara	Online	Y	Development should be minimal in rural areas. I encourage Council to implement measures to phase out the farming of livestock in our rural zones by stimulating instead the farming of grains and instigating a program of turning some of our farmland back into areas for wildlife conservation. It would be good to develop better access to such springs, but not massive spa structures.
7	Tom O’Connor – Committee for Bellarine	Online	N	"The approach taken by Council to manage development in rural areas" currently shows little if any awareness of the farming potential within the region.

				This lack of awareness is reflected in Councils' rating strategy, in its Economic Development vision, in its exclusion of the fundamental principles within the Environment Management Strategy, and its yet to be released Tourism Strategy. Concern over Planning's approach to community consultation - specifically that it largely ignores the potential and opportunities for the farming community.
8	Lex Chalmers	Email		Allowing more activities in Rural Zones will create difficulties for municipalities in managing competing uses, as is currently shown in Murrundindi Shire with residents complaining about a 'worlds' best practice' Wahgu beef farm. This feature of the district requires that the council strongly support the capacity of the land to be productive through limiting incursions on to farm land.
9	Laurel Wilkinson	Email		Greater flexibility of land uses is beyond belief and would destroy the amenity of the peninsular. Very small scale development may be possible, but preferably not at all, because any form of development other than farming is unsuited to this unique area.
9b	Laurel Wilkinson	Post	N	
10	Geoff & Rosanne Cook	Email		We remain enthusiastic about the potential for agriculture and as the original instigators of the Central Geelong Farmers market. We are moving to lifestyle living, rather than farming for a living as the cost of real estate soars. The issue now is to protect the rural land and at the same time the lifestyle living that in which many are now making a significant investment. It would appear that managing personal self-interest at the expense of the local community will be very difficult. We rely on the COGG to: maintain the open green spaces in designated rural areas; and restrict development activities that are inconsistent with local community values and activities.
11	David & Christine Lean - Tuckerberry	Email	Y	We value neighbours who want to use their land for farm produce and value add to that production rather than sit on the land and hope for subdivision and

				increased value. The scale and type of development in our rural area needs to be consistent with the average size of landholding. Accommodation needs to be low density / low rise and carefully placed on the block to minimise impact on neighbours and views. New developments need to be linked to the rural use of the land. Farmers must be permitted to carry out normal farming operations unimpeded.
12	Ray & Deborah Threadwell	Email		I disagree with your way of developing rural areas when it disadvantages people, land owners, in adjoining rural living areas.
13	Victoria Farmers Federation	Email		The VFF Bellarine Branch has a number of major concerns about increasing the development in rural areas which include loss of agricultural land, fragmentation of existing holdings, threats to the Right to Farm, lack of infrastructure to support tourist development and development in inappropriate areas. The VFF Bellarine Branch is deeply concerned that this policy review is heavily focussed on tourism and further development, while not considering the potential conflict with existing rural industries.

APPENDIX 4: TRACKED CHANGES VERSION OF CLAUSE 22.06.

22.06 TOURISM AND FUNCTION CENTRE DEVELOPMENT IN RURAL AREAS

28/01/2010
C129(Part 1)

This policy applies to all land zoned Farming~~, Rural Activity~~ and Rural Conservation.

The rural areas of Geelong and its many attractions are highly valued for their contribution to the economy, liveability and amenity of the whole municipality. Tourism is a key part of the economy of ~~the~~ Greater Geelong ~~region~~, in particular on the Bellarine Peninsula.

Growth of the tourism economy is expected across Geelong to 2030. Most of this tourism growth is directed to Central Geelong and other townships where there is existing capacity and a settlement strategy that caters for future growth.

There are opportunities to enhance the tourism industry in rural areas through well designed developments that are associated with the farming or rural use of the land. Tourism development forecasts show that there is a demand of between 330 to 550 accommodation rooms or caravan sites in rural Geelong to 2030. Camping and caravan parks currently are traditionally the most common form of accommodation in the rural areas of Geelong with a focus on the family market. There is a need to expand the ~~Council supports the ongoing development of tourism in the City, including the provision and enhancement~~ type of accommodation provided in rural areas to improve the market offer and ~~and other facilities to~~ encourage longer stays ~~in the region~~. This includes farm stays, accommodation associated with wineries and golf courses, nature based accommodation and integrated resort accommodation that is dispersed across the rural area.

Tourism development within the rural areas must be carefully managed and designed so that it does not compromise the rural landscape character or existing agricultural activities that are part of the economy and tourism attraction of the area.

In some circumstances function centres and restaurants may also be considered as tourism ventures, particularly when co-located or associated with other tourism activity.

Camping and caravan parks that result in long term or permanent housing accommodation risk resulting ad hoc urban extensions. This undermines the settlement strategy and can also lead to poor social outcomes and community connectivity. Camping and caravan parks should be designed to cater for the tourism market.

~~The rural areas play a key role in the tourism market. They are a fundamental part of the amenity of the area and they are home to many attractions. Tourism development within the rural areas must be carefully managed so that it does not compromise the farmed rural landscape or existing agricultural activities that are part of the economy and tourism attraction of the area. Nor should tourism undermine the settlement strategy for the Peninsula that clearly directs urban development to the existing towns.~~

~~Appropriate tourism development in rural areas can support existing farming businesses. It is recognised that there is an opportunity for a small number of larger non farm based tourism enterprises in the rural areas. However, these need to be carefully designed and located so as not to compromise the vision for the rural areas that includes preserving a farmed rural landscape.~~

~~Council recognises that there are opportunities to enhance the tourism industry in the region through the provision of a small number of rural based, larger scale, high quality tourism developments that are ancillary to or associated with the farming or rural use of the land. These developments can be facilitated by the strategic application of an appropriate zone.~~

Objective

- To support tourism development in rural areas that ~~respects the farmed rural landscape of the area and~~ contributes to the ~~economy~~growth of the tourism market.
- To expand the diversity of accommodation typologies available across the rural area to address an identified demand and disperse growth.
- To preserve the productive agricultural capacity of the land and where possible enhance the environmental condition of the land.
- To ensure ~~T~~the scale of ~~the enterprise~~ development will complement and respect the rural landscape character ~~nature~~ of the area~~, and be small, unobtrusive and not detract from the farmed rural landscape of the area~~;
- To ensure development will not result in the urbanisation of the area;
- To ensure a mix of accommodation options are provided in camping and caravan parks.

Policy

It is policy that the responsible authority will support the use and development of rural land for tourism and function centre ~~activities~~ uses where:

Preferred location

- ~~It~~ The use will be ~~ancillary to and~~ associated with an existing ~~farming~~ agricultural activity on the property.
- Uses not associated with agriculture may be supported by the responsible authority where the following are met:~~;~~
  - It is demonstrated that the circumstances of the use are unique and support site selection in a rural location over an urban location.~~The site selection criteria requires a rural location;~~

    ~~The facility will contribute to the tourism economy of the region, increasing accommodation options, in particular, high end and luxury markets, and is consistent with tourism strategies for the area;~~
  - The site is strategically located with respect to an identified tourist route, such as the tourist route identified in the Bellarine Localised Planning Statement or along the Bellarine Highways~~, tourist attractions and other infrastructure~~. Preference will be given to areas ~~along the Bellarine Highway~~ where there is already a ~~mix~~ cluster of non-rural activities and additional development will not result in urbanisation.~~;~~
  - The use and its associated development would not unreasonably visually compromise a non-urban break between settlements, a significant view or area identified for landscape significance or environmental significance.
  - The use can address a regionally recognised demand identified in a tourism development strategy.
- Tourist accommodation provides a connection or access to a tourist facility, tourist attraction or outdoor recreation.

Impacts on agricultural productivity

- ~~The primary land use will remain rural/farming in nature;~~
- The ~~mix of~~ use~~s~~ and development will not be out of balance with, nor change the character and nature of the primary rural land use, or result in an unreasonable loss of productive agricultural land;
- The proportion of the property used for ~~the development~~ tourism and ancillary infrastructure is minimised, and ~~non agricultural development~~ is directed to the area of lowest agricultural quality or where the natural landscape has been modified;
- Existing agricultural activity on adjoining land will not be compromised;

Design and siting

~~The scale of the enterprise will respect the rural nature of the area, and be small, unobtrusive and not detract from the farmed rural landscape of the area;~~

- Buildings and structures are designed and sited to not be visually dominant and can blend into the surrounding landscape and natural environment. Visual impacts should be mitigated or minimised through appropriate design, landscaping, materials and colours.
- Buildings incorporate a high design standard with environmentally sustainable design features.
- The design of a residential hotel and group accommodation avoids large, single footprint buildings and is distinguishable from a typical residential building.

Amenity

- Neighbouring properties are protected from unacceptable disturbance associated with the hours of operation, number of patrons, or vehicular movements resulting from the use.

Traffic and Services

- Adequate area is set aside for on site car parking and landscaping.~~;~~
- The site has access to an appropriately constructed or sealed road that is capable of accommodating anticipated traffic levels or has convenient access to a major road.
- The site has access to all necessary servicing infrastructure. Where infrastructure is required or needs upgrading the applicant will meet all costs.
- ~~The environmental condition of the land will be enhanced. This could be achieved by fencing off remnant vegetation, revegetating strategic areas such as between remnant stands to develop wildlife corridors and along waterways.~~

Camping and caravan park design

In addition to the above policy, a camping and caravan park must also meet the following:

- A camping and caravan park will include a mix of tourist accommodation site types and visitor facilities including:
  - Sites for caravans, motor homes or tents;
  - Sites with unregisterable movable dwellings;
  - Sites for caravans with rigid annexes;
  - Sites with cabins;
  - Lodge accommodation;
  - Ablution blocks;
  - Communal and recreation facilities; or
  - Facilities that allow for public pre-booked or walk up bookings.
- The layout and design of the camping and caravan park will have the appearance of a camping and caravan park rather than a residential village or subdivision (restricted access, permanent constructed roads, larger building footprints, higher building densities, the provision of individual carports/ garages, building design that resembles a holiday cabin rather than a permanent residence).

Application Requirements

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

- A description of the proposal, including a site context report; hours and days of operation; number of staff and visitors or patrons; type and number of accommodation buildings, units or camping sites; or a description of how a camping and caravan park is to be established and operate as a tourist park,
- ~~The~~ A land management plan ~~outlining measures to address agricultural production and environmental protection, including productive capacity of the land is to be preserved and where possible enhanced. This should be achieved through addressing issues such as~~ pest plants and animals and erosion of the land; as well as ~~This could be achieved by~~ fencing off remnant vegetation, revegetating strategic areas ~~such as between remnant~~

~~stands~~ to develop wildlife corridors and along waterways.~~, and can be demonstrated through the development and implementation of a management plan;~~

- A management plan outlining, the following as appropriate:
  - The mechanisms to be put in place to ensure onsite and offsite amenity is maintained on an ongoing basis, including onsite caretaker arrangements;
  - Onsite and offsite traffic management
  - Litter and waste effluent management;
  - Staffing and staff training procedures;
  - Requirement and procedure to inform adjoining residents of when a function or event is to be held; or
  - The requirement for the provision of an onsite manager for the duration of a function or event and the complaints procedure;
- A landscape plan, including a landscape character assessment for site and building design with an outline of the impact on the rural landscape.
- An acoustic report outlining noise impacts and noise mitigation measures, including set up and set down for functions and events.
- A traffic report.

~~**Large Scale Tourism**~~

~~Council will only support large scale tourism developments within rural areas where:~~

- ~~The site selection criteria requires a rural location;~~
- ~~The development will not compromise the vision for the area that is based on preserving the farmed rural landscape;~~
- ~~The development will not contribute to the urbanisation of the area;~~
- ~~The land use is compatible with the use of adjoining and surroundings land for farming and complimentary to the rural setting;~~
- ~~There is a regionally demonstrated demand for such a facility;~~
- ~~The facility will contribute to the tourism economy of the region, increasing accommodation options, in particular, high end and luxury markets, and is consistent with tourism strategies for the area;~~
- ~~The site is strategically located with respect to tourist routes, tourist attractions and other infrastructure. Preference will be given to areas along the Bellarine Highway where there is already a mix of non rural activities;~~
- ~~The site has access to all relevant servicing infrastructure and the development will meet all costs for infrastructure provision to the site.~~

Decision guidelines

~~Where the above criteria can be met, Council will support the application of the Rural Activity Zone to facilitate development. Rezoning proposals must be accompanied by~~Before deciding an application the responsible authority must consider, as appropriate:

~~A planning permit application for the proposed land use and development pursuant to Section 96A of the *Planning and Environment Act 1987*.~~

~~A submission which addresses the above criteria. In particular the submission must:~~

~~Explthe proposed land use cannot be located within a town, why a rural location is required and why the particular site selected is suitable for a tourist development with respect to~~

- If the use is ancillary to or associated with an existing farming activity on the site
- If ~~why~~ a rural location is required in favour of an urban location
- The proximity and access to tourism features and infrastructure.

- ~~Demonstrate how the development is to be sited and designed so that it will not compromise the vision for the rural area~~Potential impacts on the rural landscape character of the area~~s that involves preserving the farmed rural landscape~~.
- ~~Explain h~~How the land use is consistent with tourism strategies for the area ~~serves the region~~ and ~~enhances~~ promotes the regional tourism economy and expands accommodation typologies.
- The mix and type of accommodation provided.
- The potential impact the use will have on neighbouring properties, including agricultural operations.
- If the proposal will maintain and/or improve the productive capacity or environmental condition of the site.

References

City of Greater Geelong Rural Land Use Strategy, *City of Greater Geelong, 2007.*

Managing Development in Rural Areas, Planning Policy Review, City of Greater Geelong, 2015.