

Mornington Peninsula Planning Scheme

Specific Sites and Exclusions  
(referred to in Clause 52.03 of the Planning Scheme)

Incorporated Document

**Moorooduc Coolstore,  
August 2015**

## **1 INTRODUCTION**

This document is an Incorporated Document in the schedule to Clause 81 of the Mornington Peninsula Planning Scheme pursuant to Clause 52.03 of the Planning Scheme.

## **2 PURPOSE**

The land identified in this document may be used and developed in accordance with this document to achieve the following objectives:

- To provide for the appropriate and viable long term use of the site as a ‘gateway location’, with a particular focus on tourism, leisure, and health & wellbeing activities, but not as a primarily retail or supermarket based centre.
- To support the continuing maintenance of the heritage values of the site, and the contribution of the cool store building to the rural character of the area.
- To protect the agricultural and landscape values of the Mornington Peninsula.
- To protect the function of Moorooduc Highway and Eramosa Road West and having all land use coordinated so that all parking and loading is contained on the land.
- To protect the existing settlement pattern including prohibiting accommodation on the land.
- To protect the vitality of existing centres at other locations and avoid establishment of a new activity centre.

The following provisions of the Mornington Peninsula Planning Scheme do not apply to the extent that they would prohibit or restrict the use or development of the land for the use or development outlined in this document:

- Clause 35.04 Green Wedge Zone
- Clause 52.05 Advertising signs
- Clause 57 Metropolitan Green Wedge Land

This document may also apply additional prohibitions or restrictions on the use or development of the land beyond the controls that may otherwise apply.

## **3 LAND**

The land affected by this Incorporated Document is No. 475 Moorooduc Highway, Moorooduc (Lot 1 on PS 500205U) (“the land”) as shown outlined in red below.



#### **4 OPERATION OF THE SITE**

The use and development on the land shall at all times be maintained and operated to the satisfaction of the Responsible Authority, ensuring an overall high standard of maintenance in respect to the external appearance of buildings, the structural integrity of the buildings, the provision and maintenance of car parking areas (including line marking) and the planting and maintenance of landscaping.

If requested by the Responsible Authority, a conditions report by a suitably qualified person shall be submitted within 2 months of being requested and approved to the satisfaction of the Responsible Authority demonstrating that the condition of the heritage buildings and infrastructure on the site is structurally sound and has been maintained in good order.

## 5 USE

A use in Table 1 requires a permit and any condition opposite that use must be met. A use in Table 1 that does not meet the condition opposite is prohibited. A use in Table 2 is prohibited.

In deciding whether to grant a permit for a use in Table 1, it must be demonstrated to the satisfaction of the Responsible Authority that the use is consistent with the purpose and objectives of this Incorporated Document and related to one or more of the following land use themes for the site, or is compatible with and complementary to these land use themes, and will not adversely affect the amenity of the area:

- Health and wellbeing.
- Entertainment.
- Food / wine.
- Leisure.
- Tourism.
- The promotion or sale of products produced on or primarily sourced from the Mornington Peninsula.
- Education.
- The heritage values of the site.

**Table 1 – Permit required**

Land Use	Condition
<b>Child care centre</b>	Must provide for 65 or less children. Must be only located in the northern precinct of the land as shown in Clause 3.
<b>Education centre</b>	Must be only located in the northern precinct of the land as shown in Clause 3.
<b>Car park</b>	Must be associated with an approved use or development on the land or be only used as an overflow car park for special events.
<b>Rural industry</b>	Must be for the processing of agricultural produce primarily sourced from the Mornington Peninsula.
<b>Indoor recreation facility</b>	Must be only located in the northern precinct of the land as shown in Clause 3.

<p><b>Office (other than Bank, Electoral office and Real estate agency, which are prohibited uses)</b></p>	<p>The total leasable floor area of all Office uses on the site, other than Medical centre, must not exceed 500 square metres.</p> <p>Must be only located in the northern precinct of the land as shown in Clause 3.</p>
<p><b>Place of assembly (other than Amusement parlour, Cinema, Drive-in theatre, Library and Nightclub, which are prohibited uses)</b></p>	<p>Must be only located in the northern precinct of the land as shown in Clause 3.</p>
<p><b>Retail premises (other than Convenience restaurant, Gambling premises, Landscape gardening supplies, Motor vehicle, boat, or caravan sales, Postal agency and Trade supplies, which are prohibited uses)</b></p>	<p>Must be only located in the northern precinct of the land as shown in Clause 3.</p>
<p><b>Shop (other than Adult sex bookshop, Convenience shop, Dry cleaning agent, Department store, Laundromat, Restricted retail premises and Supermarket, which are prohibited uses)</b></p>	<p>Must not include the sale of general household goods or electrical equipment or appliances.</p> <p>The total leasable floor area of all Shop uses (excluding Bottle shop) on the site must not exceed 500 square metres.</p> <p>Must be only located in the northern precinct of the land as shown in Clause 3.</p>
<p><b>Bottle shop</b></p>	<p>The total leasable floor area on the land must not exceed 200 square metres with any area over 100 square metres only used for the sale of liquor that is primarily produced from primary produce, 80% or more of which is grown on the Mornington Peninsula.</p> <p>Must not include a drive through facility.</p> <p>Must be only located in the northern precinct of the land as shown in Clause 3.</p>

**Table 2 – Prohibited**

**Land Use**

**Accommodation**

## **6 BUILDINGS AND WORKS**

### **6.1 Application requirements**

A permit is required to construct a building or carry out works unless exempted by the provisions of the Planning Scheme.

A building must be only located in the northern precinct of the land as shown in Clause 3. This does not apply to any building for a use listed in Section 1 or 2 of the Table of Uses in Clause 35.04-1 of the Green Wedge Zone.

Any application to develop the land under this document must demonstrate to the satisfaction of the Responsible Authority that (as appropriate):

- It will not compromise the rural or natural qualities of the area.
- It will not compromise the heritage value of the site.
- It will achieve a high standard of appearance as viewed from abutting roadways and properties.
- It will be coordinated with the existing development on the land.
- Adequate provision will be made for pedestrian and vehicular accessways, and car parking.
- It will respond appropriately to the Development Design Objectives contained in this document.

### **6.2 Development Design Objectives**

The following Development Design Objectives apply to development on the land.

#### Heritage coolstore buildings maintained as the visual focus

The existing coolstore buildings must be given prominence as the visual focus on the site, including contemporary buildings which clearly reference the identity of the former packing shed and cool store structures. This design approach will continue to apply to any future development of the site.

#### Maintain the rural feel and outlook

The main development of the site shall remain in the northern portion of the site (other than car parking). The materials and forms used for new development shall be clearly associated with rural structures and materials. Views to rural open space and landscaping shall be maintained. The open spaces adjacent to buildings and open walkways shall be designed to have a landscape/rural character.

### Activation of the site

Terraces, walkways and / or courtyards with alfresco dining should be used to provide activation of the site.

### Integrate differing uses

Covered walkways and courtyards shall be designed to link the various uses and developments, define pedestrian circulation and, where appropriate to provide buffer areas between different uses.

### Design concepts for contemporary developments

Where practicable, references to the past fruit orchard activity should be expressed in the design and layout of the site.

### Materials and themes

Materials and themes may include the following:

- The use of a hierarchy of stone, timber and render claddings to define the relative importance or identity of buildings and entry points for activities.
- The use of pergolas, screens and stone walls along the edges of the buildings.
- The use of pergola features with natural materials to define the pedestrian pathways and entry points.
- Forms and finishes which are rural in character and act as a brand theme for activities such as tourism and hospitality.

## **7 ADVERTISING SIGNS**

A sign with a width of more than 7.5 metres is prohibited.

Any other sign requires a permit. If Clause 52.05 of this Scheme does not require a permit for the sign, and the maximum height of the sign is 4 metres or less above natural ground level then the requirement for a permit under this document does not apply.

Any application to erect or display an advertising sign under this document must demonstrate to the satisfaction of the Responsible Authority that:

- It will be compatible with the existing advertising signage and design objectives for the site, and the amenity and visual appearance of the area.
- It will avoid visual clutter or visual disorder.
- It will not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.
- It will not be erected on an existing roof.

## 8 EXEMPTION FROM NOTICE AND REVIEW

An application under Clause 5 of this Incorporated Document, is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act but only if it complies with a use, and any condition listed opposite, that is shown in Table 3 of this Incorporated Document.

**Table 3 – Uses exempt from notice and review**

<b>Land Use</b>	<b>Condition</b>
<b>Medical centre</b>	Must not have more than two practitioners on the land at any one time.
<b>Restaurant / cafe</b>	Must be 50 seats or less in any individual tenancy. Must not have amplified music that would be audible from outside the land.
<b>Shop</b>	The leasable floor area of an individual tenancy must be 100 square metres or less. Must be related to the sale of arts and crafts, antiques, or other goods which are primarily produced on or demonstrate a significant connection to the Mornington Peninsula.
<b>Travel agency</b>	Limited to a maximum leasable floor area of 50 square metres in any individual tenancy. Must be only for the purpose of Mornington Peninsula tourist ticketing and booking services.
<b>Visitor information centre and interpretative displays</b>	Must be limited to a maximum leasable floor area of 50 square metres in any individual tenancy.

An application for any of the following is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act:

- An application to construct a building or construct or carry out works under this Incorporated Document but only if it is for the purpose of protecting the heritage values of the existing buildings or otherwise does not extend the floor area of an existing building.
- An application under Clause 52.06 Car parking.
- An application to erect an advertising sign that is below 4 metres in height and less than 3 metres in width and is associated with a use listed in Table 3 of this Incorporated Document.



## **9 EXPIRY**

This document expires twenty (20) years from the approval date of Mornington Peninsula Planning Scheme Amendment C192 or at such time as the places of heritage significance on the land as described in the relevant reference document under the Mornington Peninsula Planning Scheme are demolished, whichever is the sooner.

The Responsible Authority may extend this period if a request is made in writing before the expiry date or within six months afterwards but only if the places of heritage significance on the land as described in the relevant reference document under the Mornington Peninsula Planning Scheme remain structurally sound and maintained in good order all to the satisfaction of the responsible authority.