

Mornington Peninsula Planning Scheme

**Searoad Ferries – Sorrento
Terminal Building and Associated Uses and Works**

Incorporated Document

October 2017

**This document is an incorporated document in the Planning Scheme pursuant to
Section 6(2)(j) of the Planning and Environment Act 1987.**

1. INTRODUCTION

This document is an incorporated document in the Schedules to Clauses 52.03 and 81.01 of the Mornington Peninsula Planning Scheme (the Scheme).

The land identified in this document may be used and developed in accordance with the control in this document.

The control in this document prevails over any contrary or inconsistent provision in the Scheme.

2. LAND

The control in this document applies to the land shown as the Project Area in Figure 1 of this document.

Figure 1 – Project Area



3. PURPOSE

The purpose of the control in this document is to allow the use and development of land for the Searoad Ferries – Sorrento Terminal Building and Associated Uses and Works (the Project).

4. PROJECT DESCRIPTION

The Project includes but is not limited to the following uses and development:

- The use of land as a 'Transport terminal'; 'Food and drink premises'; 'Shop'; and a maritime 'Museum';
- Reconfiguration of the existing site access arrangements from the Esplanade, including roadworks, new roundabout, signage, drainage and land reclamation works;
- Redirection of traffic to load the ferry to the south-eastern part of the site and directing unloaded vehicles departing to the north-western part of the site;
- The provision of a new staff and visitor car park in the south-western part of the site;
- The construction of a new ticketing facility in the south-eastern part of the site;
- The construction of a new seating and kiosk area adjacent to the car park;
- The construction of a new passenger terminal building in the northern part of the site, adjacent to the ferry docking zone; and
- New pedestrian pathways, road crossings, fencing and landscaping works.

5. CONTROL

Despite any provision to the contrary in the Scheme, a planning permit is only required under Clause 52.27 Licensed Premises.

A permit is not required pursuant to any Zone, Overlay, Particular Provision (other than Clause 52.27) or General Provision of the Mornington Peninsula Planning Scheme. This includes all land uses and development and works associated with the Project, including:

- Use of land as a 'Transport terminal', 'Food and drink premises', 'Shop' and 'Museum';
- Demolition;
- Construction of buildings and works;
- Display of advertising signs;
- Roadworks and street furniture;
- Fencing works;
- Reclamation of land;
- Removal of vegetation.

This control is subject to the conditions in Clause 6 of this document.

The Project may proceed in stages. Each stage must comply with the conditions in clause 6 of this document, as relevant.

The plans approved may be amended with the written consent of the Responsible Authority.

6. CONDITIONS

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the plans submitted with the Incorporated Document (plans prepared by F2 Architecture, dated December 2016, revision P5, TP.00 – TP.26 and drawing number CG150265SK20 prepared by Cardno dated 5 September 2017, revision 3) but modified to show:
 - a) Adequate provision for a public bus to undertake a U-turn at the roundabout.
 - b) A biodiversity/environmental impact assessment and Site Environmental Management Plan in accordance with the recommendations of the Flora and Fauna Assessment by Biosis Pty Ltd (draft report) dated 23 December 2016, with the additional requirement of an impact assessment on aquatic habitat and associated impact mitigation measures.
 - c) Details of any advertising signs and location associated with the project (except for those for which no planning permit would typically be required under the Scheme).
 - d) Details of security fencing.
 - e) The combined leasable floor area of all retail and museum premises must not exceed 750 square metres including any leasable retail floor area ancillary to the operation of a transport terminal (but not including any area used solely for the sales of tickets associated with the Sorrento ferry).
 - f) A plan showing the extent of airspace and seabed occupied and the support structures proposed.
 - g) Any changes arising from the recommendations of specialist consultant reports in relation to Aboriginal Cultural Heritage; Flora / Fauna and biodiversity impact assessments; Coastal Vulnerability; Waste; and Traffic Engineering or other regulatory approvals.
 - h) A Landscape Concept Plan, detailing existing vegetation to be removed and proposed new landscaping works (including new surface treatments).

Layout not altered

2. The layout of the land, the uses, the size, height and type of the buildings and works, including the materials of construction, on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

3. Unless otherwise agreed in writing by the responsible authority, the building must not be occupied until all buildings and works as approved by the responsible authority have been completed to the satisfaction of responsible authority and acceptance by the responsible authority of the works associated with the detailed engineering plans endorsed under condition 10.

Land Use Conditions

4. The Transport terminal may operate 6am to 9pm, every day of the year, unless with the written consent of the responsible authority.
5. The Food and drink premises, Shops and Museum approved by this permit may operate from 7am to 9pm, every day of the year, unless with the written consent of the responsible authority.
6. The Food and drink premises may accommodate a maximum of 240 seated patrons at any one time, unless with the written consent of the responsible authority.
7. At all times when the sale and/or service of food or drink is occurring from upstairs, only ticketed ferry passengers or ticketed museum patrons may enter the first floor.

Colours/Materials

8. The materials and colours of the exterior finish of the buildings must be in accordance with the endorsed plans unless with the further permission of the responsible authority.
9. The external materials and colours of buildings must be finished and maintained to be of low reflectivity, to the satisfaction of the responsible authority.

Engineering Plans

10. After the endorsement of the plans identified in condition 1 but before development commences, detailed engineering plans for the works shown in drawing number CG150265SK20 prepared by Cardno dated 5 September 2017, revision 3 and drainage and land reclamation works associated with the Project must be prepared to the satisfaction of the responsible authority. The detailed plans must be drawn to scale with dimensions. Three copies (or a PDF electronic copy) must be provided to the responsible authority and once approved form part of the endorsed plans. The plans must show:
 - a) Details, including levels of roads, kerb & channel, car parks and associated aisle, within the site.
 - b) The design of all vehicle movements entering and exiting the property being in a forward direction (in accordance with the concept drawing).
 - c) Sight distance for vehicles and pedestrians not being unduly restricted at the exit from site by fencing or landscaping works.
 - d) Design of the required land reclamation works including any associated seawall.

Construction and Environmental Management Plan

11. Before the development commences, a Construction and Environment Management Plan must be submitted to and approved to the satisfaction of the responsible authority. Any plans submitted must be consistent with all other documents approved under this Incorporated Document (including the recommendations of environmental and biodiversity impact assessments) and must be drawn to scale with dimensions and three copies must be provided. The Construction and Environment Management Plan must include the following:
- a) Contact Numbers of responsible owner/contractor including emergency/24 hour mobile contact details.
 - b) Identification of possible environmental risks associated with development works.
 - c) Measures and monitoring systems to minimise and control environmental risks, including but not limited to runoff, erosion, noise, sediment, dust and litter escaping from construction works.
 - d) Location of all stockpiles and storage of building materials.
 - e) The location of any temporary cabins and sheds.
 - f) The location and storage of machinery on the site.
 - g) The measures to minimise the amount of waste construction materials; the provision for the recycling of waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
 - h) The management of waste collection from the construction site.
 - i) Details to demonstrate compliance with relevant EPA guidelines.
 - j) Hours during which construction activity will take place.
 - k) The site and all materials and builder's facilities stored on site (including toilet facilities) maintained in a clean condition during the construction works to the satisfaction of the responsible authority.
 - l) A Construction Traffic Management Plan, including traffic and parking provisions to allow for the operation of the Terminal during construction.
 - m) Measures to minimise the impact upon local amenity.

Traffic Management Plan

12. Before the development commences, a Traffic Management Plan must be submitted to and approved to the satisfaction of the responsible authority. Any report submitted must be consistent with all other documents approved under this Incorporated Document and must be drawn to scale with dimensions and three copies must be provided. The Traffic Management Plan must include the following:
- a) Location of all vehicle, pedestrian and bicycle traffic management and controls works considered necessary when the development is completed.
 - b) Arrangements for operating and maintaining the parking areas.

- c) A program for monitoring traffic levels through the surrounding areas i.e. Hotham Road to establish any changes in traffic as a result of the development.
- d) Details of traffic management measures to the satisfaction of the responsible authority and VicRoads are to be implemented should significant increases in traffic be recorded as a result of the development.
- e) A program of monitoring parking operation within the site and adjacent land.
- f) Any changes resulting from the outcome of a road safety review to be undertaken during design, and provision for a post-opening safety review and implementation of works following that review stage.

Waste Management

13. Before the use commences a Waste Management Plan for the land must be prepared by suitably qualified professionals and submitted to and approved to the satisfaction of responsible authority. When approved, the plan will be endorsed and will then form part of this Incorporated Document. The waste management plan must apply to all development and uses on the site. The plan should include the following:
- a) Adequate areas have been set aside for storage and disposal of waste;
 - b) The type of waste and recyclable materials, bins and containers;
 - c) The location and space allocated for storage of waste and recyclable materials, bins and containers;
 - d) Collective service arrangements including the frequency and times of collection;
 - e) The path of access for both users and collection vehicles; and
 - f) Measures to manage and minimise noise, odour and litter, including measures to avoid litter being deposited in the Bay.
14. Goods or packaged materials must not be stored or left exposed outside the building so as to be visible to the public from a road or other public place.

Environmentally Sustainable Design

15. Before the development commences, an Environmentally Sustainable Development Management Plan (“the ESD Plan”) prepared by a suitably qualified person must be submitted to the responsible authority for approval. The ESD Plan must address the following:
- a) Incorporation of energy efficient lighting, heating hot water and appliances;
 - b) Energy management and use; and
 - c) Water conservation and re-use.

Lighting

16. Before the development commences, a Lighting Management Plan must be submitted to the Responsible Authority for approval. The Lighting Plan must have the objective of providing an appropriate level of illumination for pedestrian and vehicle safety, while also minimising light pollution, and must address the following:
 - a) The location of existing lighting sources within the site and at the immediate boundary;
 - b) The proposed lighting within the site;
 - c) The level of illumination (lux) proposed and compliance with relevant standards and guidelines;
 - d) Where appropriate, external light sources are directed downward and shielded;
 - e) Where appropriate, sensor lighting and timers are utilised.

Operational Management

17. Before the uses commences, an Operational Management Plan must be submitted to the responsible authority for approval. The Operational Management Plan must address the management of the premises which is not otherwise covered in other management plans endorsed under this Incorporated Document.
18. The Operational Management Plan must be reviewed and submitted to the responsible authority for approval every five years from the commencement of use.

Amenity

19. All external lighting must be appropriately baffled to the satisfaction of responsible authority.
20. All external building elevations, fixtures and works (including roadworks and drainage which form part of the development) must be maintained, at the proponent's expense, in good condition at all times in accordance with the schedule of finishes shown on the endorsed plans, or otherwise in a condition similar to when the Acceptance of Works Certificate was issued (whichever is relevant), to the satisfaction of responsible authority.
21. The use and / or development must not detrimentally affect the amenity of the neighbourhood, including through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Advertising Signs

22. All advertising signs must be appropriately designed and sighted to the satisfaction of responsible authority.
23. Advertising signs must not be visually dominant on any elevation of all buildings, the landscape, or any other significant view and must not contain any bunting, banners, streamers, flags, balloons or similar devices
24. Advertising signs must be in accordance with the endorsed plans unless with the further permission of the responsible authority.
25. All advertising signs will expire after 15 years from the date of approval.

Expiry

26. Notwithstanding other provisions of these conditions, the land uses and development permitted by this Incorporated Document will expire if any of the following circumstances applies:-
 - a) the development is not started within five (5) years of the date of the gazettal of the approved amendment,
 - b) the development is not completed within eight (8) years of the date of the gazettal of the approved amendment,
 - c) The use does not start within two years after the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before these controls expire, or within six months afterwards.