

VCAT Determination of the Sandy Point Caravan Park

On Wednesday 23 October 2024, the Victorian Civil and Administration Tribunal (VCAT) upheld South Gippsland Shire Council's decision to refuse the subdivision of 89 Beach Parade, Sandy Point, commonly known as the Sandy Point Caravan Park.

The Planning Application was first submitted to South Gippsland Shire Council in February 2021, with a plan to subdivide the Sandy Point Caravan Park. The Application received a significant number of objections from the community resulting in 51 submissions to Council. The objections included topics such as concern for the environment, neighbourhood character, traffic management and pressure on public open space.

At South Gippsland Shire Council's regular Meeting in June 2023, the Planning Application to subdivide 89 Beach Parade, Sandy Point into 14 lots was refused, resulting in the applicant choosing to appeal Council's decision at the Victorian Civil and Administration Tribunal.

Council refused the Application for the following reasons:

1. Inconsistency with Clauses 11, 12, 13, and 15 of the South Gippsland Planning Scheme.
2. Failure to meet objectives and guidelines of the Township Zone, Environmental Significance Overlay – Schedule 7, and Design and Development Overlay – Schedule 3.
3. Inadequate consideration of future climatic conditions and access concerns raised by the West Gippsland Catchment Management Authority.
4. Failure to adequately respond to the land's constraints and opportunities, leading to an unacceptable neighbourhood character.
5. Unresolved issues regarding roadside vegetation, defensible space, and vehicle access.
6. Insufficient effluent and stormwater management.

Quote attributable to Kerryn Ellis, CEO South Gippsland Shire Council:

"It is pleasing to see VCAT's decision is consistent with Council's and supports the needs of both the environment and the Sandy Point community."

The future of the Sandy Point Caravan Park lies solely with the owners of the site. The refusal of the Application does not exclude any further planning applications being applied for on the land.”

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