

MORNINGTON PENINSULA PLANNING SCHEME

AMENDMENT C190

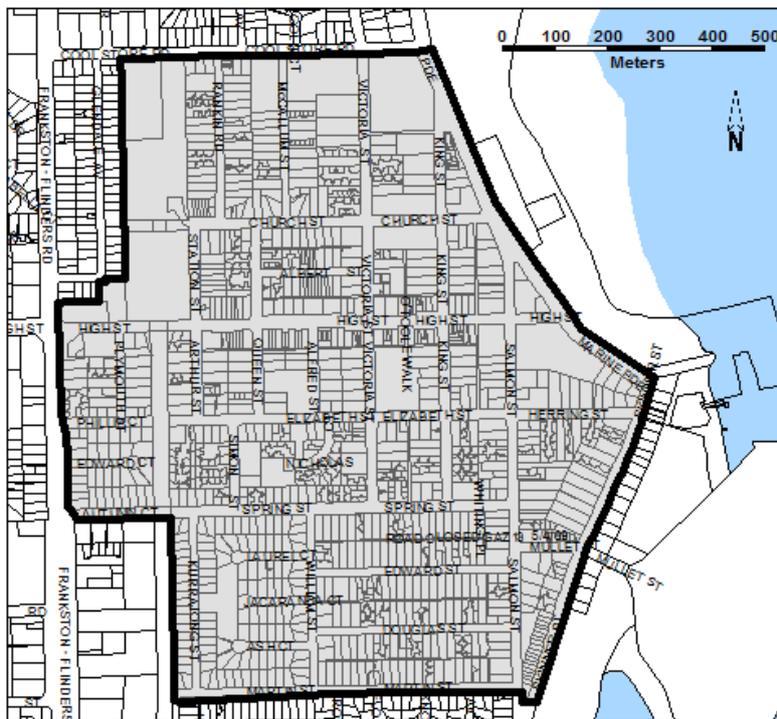
EXPLANATORY REPORT

- **Who is the planning authority?**

This amendment has been prepared by the Mornington Peninsula Shire Council, which is the planning authority for this amendment.

- **Land affected by the Amendment**

The amendment affects the Hastings activity centre and the adjoining residential areas, as per the structure plan (See below).



- **What the amendment does**

The amendment implements recommendations of *the Hastings Town Centre Structure Plan, November 2014* by giving them statutory effect. The Structure Plan has been adopted by Council to guide future land use and development in the activity centre of Hastings.

Specifically, the amendment:

- Amends the Municipal Strategic Statement to include the Hastings activity centre in Clause 21.13 – Local Areas.
- Amends Clause 22.02 - Activity Centres to exclude the Hastings activity centre from the recommended design standards for major activity centres (that are already subject to separate policies) and updates the Clause with some minor, policy neutral changes.
- Introduces a new local policy: *Hastings Activity Centre Policy* as Clause 22.24.
- Introduces a new Design and Development Overlay (DDO): *DDO27 – Hastings Activity Centre* which introduces a mandatory maximum height control of three (3) storeys (11m) and mandatory minimum setback controls.

- Rezones residential land nos. 4, 6, 8, 15, 17, 19 and 25 King Street; nos. 136, 140 and 144 Salmon St; and no. 2 Elizabeth St - to the Mixed Use Zone
- Introduces the General Residential Zone – Schedule 2 (GRZ2) and applies it to residential land in Albert Street, nos. 41, 43, 45, 47, 1/49 and 2/49 Church Street; nos. 19, 1/19, 2/19, 3/19, 21 and 21A Queen Street; and properties fronting Skinner Street - to the General Residential Zone 2, to allow building heights to up to three storeys.
- the remaining General Residential Zone 1 land in Hastings Township Centre to General Residential Zone 4 (GRZ4). This applies a maximum two storey height for all other residential areas in the Hastings Town Centre, in accordance with the structure plan.

Strategic assessment of the Amendment

• Why is the Amendment required?

The amendment is required to introduce a local policy and appropriate planning provisions to guide and manage land use and development within the Hastings activity centre and surrounding residential areas, in accordance with the strategic directions of the structure plan.

• How does the Amendment implement the objectives of planning in Victoria?

The amendment is consistent with the objectives of planning in Victoria below:

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To facilitate development in accordance with the objectives set out in the points above.
- To balance the present and future interests of all Victorians.

The amendment does this by encouraging and guiding economic development and residential growth within the Hastings activity centre. Moreover, it recognises and protects heritage assets while encouraging the efficient use of land, infrastructure and services.

• How does the Amendment address any environmental, social and economic effects?

The amendment encourages civic, community and social services to locate within the activity core areas making them easily accessible.

By setting parameters for increased building heights and associated setbacks in the activity centres, the amendment improves the amenity, attractiveness and economic competitiveness of the Centre.

By rezoning residential land to a Mixed Use Zone, the amendment provides for commercial growth in an appropriate location.

• Does the Amendment address relevant bushfire risk?

The amendment is unlikely to result in any increase in the risk to life, property, community infrastructure and the natural environment from bushfire.

• Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is generally consistent with the following Ministerial Directions:

- Ministerial Direction - The Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.
- Ministerial Direction No. 9 Metropolitan Strategy (Plan Melbourne) under section

12(2)(a) of the Act.

- Ministerial Direction No. 11 Strategic Assessment of Amendments under section 12(2)(a) of the Act.
- Ministerial Direction No. 17 Localised Planning Statements under section 12(2)(a) of the Act.

The Localised Planning Statement bases future planning for the settlements on the Peninsula on principles of good design, Integrated Local Area Planning and Environmentally Sustainable Development, all in accordance with the character, scale, role and functions of each settlement. This includes:

- provision for commercial development, tourism and other activities that contribute to the development of local employment opportunities, the vitality of town centres and the economic wellbeing and prosperity of the community to reinforce the role of different townships and activity centres on the Peninsula, and
 - careful attention to achieving good design which responds to and is appropriate to the character and function of the particular place, including consideration of built form and scale, access and connectivity, environmentally sensitive design, heritage, streetscape and landscape values, including the retention of vegetation where this is a key element of township character.
- **How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment supports and implements the State Policy Planning Framework as follows:

Clause 11.01-2 - Activity centre planning by:

- Concentrating retail, residential and commercial development within the activity centre.
- Promoting a diverse business mix and facilitating integrated land use activity.
- Encouraging a diversity of housing types at higher densities.
- Improving access to services and facilities via walking, cycling and public transport.

Clause 11.02-1 - Supply of urban land by:

- Ensuring a supply of land for residential, commercial and community uses.
- Providing clear direction on locations where housing growth should occur.
- Providing opportunities for consolidation and redevelopment within the existing urban area, with consideration to neighbourhood character.

Clause 11.02-3 - Structure planning by:

- Implementing a Structure Plan to ensure the effective management of land use and development within the Rosebud and Hastings Activity Centres.

Clause 11.03-1 - Open space planning by:

- Ensuring existing areas of nearby open space are linked and have clear links to the activity centre.

Clause 11.04-4 Liveable communities and neighbourhoods by:

- Providing a framework for the retention and protection of the valued character attributes of the activity centre, including heritage, public spaces, and the established character of the shopping strip.

Clause 11.04-5 Environment and water by:

- Facilitating limited further growth within and near to an established activity centre to provide opportunities to reduce transport energy consumption.
- Encouraging new development which demonstrates sustainable design.

Clause 15.01-1 - Urban design by:

- Ensuring a safe and high quality urban environment which reflects a strong sense of place.

- Promoting good urban design and ensuring that new development contributes to community life by improving safety, environmental sustainability, and reinforcing built form elements that contribute to place identity.
- Requiring development to respond to its context in terms of urban character and cultural heritage.

Clause 16.01-2 - *Location of residential development* by:

- Identifying opportunities for further residential development to support urban consolidation.

Clause 16.01-4 - *Housing diversity* by:

- Encouraging a range of housing types to meet diverse needs.
- Encouraging the development of well-designed medium-density housing which respects neighbourhood character and provides housing in well-serviced locations.

Clause 17.01-1 - *Business* by:

- Facilitating land use change, including additional office-based commercial land uses, and encouraging retail development that meets the needs of the community.

Clause 19.02-4 - *Distribution of social and cultural infrastructure* by:

- Consolidating the provision of social and cultural infrastructure within the activity centre, and considering the future services needs of the community.

- **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment supports the LPPF by implementing a new local policy for Hastings activity centre. Within the Municipal Strategic Statement (MSS), it improves Clause 21.13 Local Area Plans in accordance with Clause 21.04 Mornington Peninsula Strategic Framework Plan and Clause 21.07-3 Activity Centres. It follows the land-use structure outlined in the MSS that outlines Hastings as an Activity Node.

The amendment follows the *Directions for commercial growth* outlined in Clause 22.02-2:

- To ensure that the provision of additional commercial development strengthens the hierarchy of activity centres on the Mornington Peninsula shown on the map to Clause 21.07-3 and in Table 1 to Clause 21.07-3.
- To ensure any activity centre achieves the highest level of commercial and noncommercial services to the community in its catchment and to visitors and tourists, commensurate with the role and function of that activity centre in the activity centres hierarchy on the Mornington Peninsula.
- To facilitate the provision of additional retail (excluding restricted retail) and office floor space in major and township activity centres.
- To optimise commercial business (including tourism) and employment opportunities in activity centres on the Mornington Peninsula.

- **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions by implementing schedules to the Design and Development Overlay and to the General Residential Zone in the areas identified as suitable for increased development heights. It outlines permit requirements and decision guidelines that aim to guide future development towards the vision of Hastings that was identified in the structure plan and is proposed to be outlined in the MSS as part of this amendment.

- **How does the Amendment address the views of any relevant agency?**

Consultation was undertaken during the preparation of the structure plan which incorporated the views of the community, stakeholders and agencies.. The exhibition of the amendment will allow for another round of comments from the agencies.

- **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

Council, as an interface body under the provisions of the *Transport Integration Act 2010*, has an obligation to have regard to specified matters under that *Act*. In this case, it is considered that the proposal will have no significant impact on the transport system and will not be inconsistent with the transport system objectives nor the decision making principles of the *Act*.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is expected to have only a minor impact (if any) on resource and administrative costs once it becomes part of the Planning Scheme. The proposed local policies and planning provisions will provide greater guidance for Council in exercising its discretion under the Mornington Peninsula Planning Scheme.

The cost of the preparation of the amendment and any incurred Panel fees will be borne by Council.

- **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Mornington Peninsula Shire Council

www.mornpen.vic.gov.au

Hastings Office – 21 Marine Parade, Hastings

Mornington Office – 2 Queen Street, Mornington

Rosebud Office – 90 Besgrove Street, Rosebud

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 21 April 2017.

A submission must be sent to:

Manager Planning Services,

Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: to commence in the week of 5 June 2017
- panel hearing: to commence in the week of 26 June 2017