

MORNINGTON PENINSULA PLANNING SCHEME

AMENDMENT C262morn

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of the Mornington Peninsula Shire Council.

Land affected by the amendment

The amendment applies to a total of 65 new individual heritage places and six heritage precincts in Blairgowrie, Portsea, Sorrento, Arthurs Seat, Somerville, Tyabb, and Rosebud.

The amendment also applies to seven places outside the Heritage Review Area 3 area, with changes that are not a result of this stage of the *Mornington Peninsula Shire Heritage Review*.

What the amendment does

The amendment proposes to implement the findings of the *Mornington Peninsula Shire Heritage Review, Area 3*. Specifically, the amendment proposes to:

1. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 21HO, 22HO, 23HO and 24HO to apply the Heritage Overlay to the following 65 individual places:

HO number	Description of place	Properties included in the HO
HO466	<i>Woodlands</i>	12 Derrick Street, Blairgowrie
HO467	<i>House</i>	15 The Loop, Blairgowrie
HO468	<i>Paterson House (former)</i>	4 Tallarook Street, Blairgowrie
HO469	<i>Longford Cottage (other name Montfort Cottage)</i>	1 Brooke Crescent, Blairgowrie
HO471	<i>Belle Rives (former Jensen House)</i>	26 Back Beach Road, Portsea
HO472	<i>Summer Pavilion prototype (former Haysom House)</i>	100 Back Beach Road, Portsea
HO473	<i>Nagari (former O'Dwyer House)</i>	21-23 Blair Road, Portsea
HO474	<i>Osborne House (former)</i>	33 Campbells Road, Portsea
HO475	<i>Cove House</i>	14 Cove Avenue, Portsea
HO476	<i>Watt House (former)</i>	2-4 Elizabeth Road, Portsea
HO477	<i>The Dairy</i>	53 Franklin Road, Portsea
HO478	<i>Brasch House (former) (other name: Montauk)</i>	11 Grosvenor Court, Portsea
HO479	<i>McIntosh House (former) (other)</i>	6 Merrylands Avenue Portsea

HO number	Description of place	Properties included in the HO
	<i>name: Merrylands)</i>	
HO480	<i>Nicholas House (former) (other name: Meriama)</i>	8 Merrylands Avenue Portsea
HO481	<i>Paton house (former)</i>	10 Macgregor Avenue, Portsea
HO482	<i>St Thomas Catholic Church</i>	3715 Point Nepean Road, Portsea
HO483	<i>House</i>	3861-3863 Point Nepean Road, Portsea
HO484	<i>Relph Avenue cypress grove</i>	Road reserve, Relph Avenue, Portsea
HO485	<i>Harbour Gate Flats</i>	3720 Point Nepean Road, Portsea
HO486	<i>Two Portsea shopfronts</i>	3750-3752 Point Nepean Road, Portsea
HO464	<i>Rovina (former Watkins House)</i>	3808 Point Nepean Road, Portsea
HO489	<i>Sorrento House servant's quarters</i>	11 Boroondara Road, Sorrento
HO490	<i>St Joseph's Primary School</i>	1-17 Constitution Hill Road, Sorrento
HO491	<i>St Mary's Presbytery and Mission House</i>	1-17 Constitution Hill Road, Sorrento
HO492	<i>Vermont</i>	27 Coppin Road, Sorrento
HO493	<i>House</i>	29 Coppin Road, Sorrento
HO494	<i>Linlithgow</i>	36-38 Darling Road, Sorrento
HO495	<i>Koonya Hotel (former Mornington Hotel)</i>	1 Esplanade, Sorrento
HO496	<i>Dalwhinnie</i>	17 Esplanade, Sorrento
HO497	<i>House</i>	115 Hemston Avenue, Sorrento
HO498	<i>Sorrento Hotel (other name: Hotel Sorrento)</i>	5-7 Hotham Road, Sorrento
HO499	<i>Police Station and residence (former Sorrento Police Station)</i>	12 Hotham Road, Sorrento
HO500	<i>Hurstwood</i>	92 Hurstwood Road, Sorrento
HO505	<i>Brumby House (former)</i>	11 James Street, Sorrento
HO506	<i>Sorrento Primary School</i>	32 Kerferd Avenue, Sorrento (part)
HO507	<i>St Andrew's Presbyterian Church and Ellen Grant Hall</i>	39-41 Kerferd Road, Sorrento
HO508	<i>House</i>	6 King Street, Sorrento
HO509	<i>Community museum (former Mechanics Institute)</i>	827 Melbourne Road, Sorrento
HO510	<i>House</i>	849 Melbourne Road, Sorrento

HO number	Description of place	Properties included in the HO
HO511	<i>Hill Holme</i>	855-865 Melbourne Road, Sorrento
HO512	<i>Eastcliff</i>	881 Melbourne Road, Sorrento
HO513	<i>Riley House (former)</i>	4 Morgan Street, Sorrento
HO514	<i>The Haven</i>	4-6 Netley Avenue, Sorrento
HO515	<i>Mendes House (former)</i>	8 Netley Avenue, Sorrento
HO516	<i>Sorrento Cemetery</i>	78 Normanby Road, Sorrento
HO517	<i>Stringers Stores</i>	2-4 and 6-8 Ocean Beach Road, Sorrento
HO518	<i>Sorrento Post and Telegraph Office (former)</i>	10-16 Ocean Beach Road, Sorrento
HO519	<i>Oriental Coffee Palace (former)</i>	18-24 Ocean Beach Road, Sorrento
HO520	<i>Watts cottage (other name: Ilfracombe)</i>	165 Ocean Beach Road Sorrento
HO521	<i>Whitehall (Guesthouse)</i>	235 Ocean Beach Road, Sorrento
HO522	<i>Prangeville</i>	34-36 Ossett Street, Sorrento
HO523	<i>Sayers House (former)</i>	42-46 Ozone Avenue, Sorrento
HO524	<i>Newberry Hill</i>	3039 Point Nepean Road, Sorrento
HO525	<i>The Sisters</i>	3073 Point Nepean Road, Sorrento
HO527	<i>North Esk</i>	3251 Point Nepean Road, Sorrento
HO528	<i>Sorrento Masonic Centre</i>	3385 Point Nepean Road, Sorrento
HO529	<i>Sorrento Foreshore and Bandstand</i>	Sorrento Foreshore off Point Nepean Road, Sorrento
HO530	<i>Anglican Vicarage (former)</i>	3399 Point Nepean Road, Sorrento
HO531	<i>Sorrento House (other name: Sorrento Rest House)</i>	3409 Point Nepean Road, Sorrento
HO532	<i>Old Butcher's Shop (former)</i>	3421 Point Nepean Road, Sorrento
HO533	<i>Ferndale Cottage</i>	3461 Point Nepean Road, Sorrento
HO534	<i>CP3 Pioneer project houses (other name: Portsea Cottages)</i>	3482 Point Nepean Road, Sorrento
HO535	<i>Paroroo (other name: Warraweena)</i>	3489 Point Nepean Road, Sorrento
HO536	<i>St Pauls Road General Store</i>	69 St Pauls Road, Sorrento
HO537	<i>Shop (former Dairy)</i>	71 St Pauls Road, Sorrento

2. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 21HO and 22HO to delete HO1 (Sorrento Historic Precinct) and introduce four new sub-precincts:

HO number	Name of Precinct	Properties included in the HO
HO1	<i>Sorrento Historic Precinct</i>	To be Deleted
HO501	<i>Sorrento Historic Precinct: Commercial area</i>	10 Constitution Hill Road, Sorrento 12 Constitution Hill Road, Sorrento 14 Constitution Hill Road, Sorrento 16 Constitution Hill Road, Sorrento 23 Ocean Beach Road, Sorrento 27-29 Ocean Beach Road, Sorrento 31- 33 Ocean Beach Road, Sorrento 35- 37 Ocean Beach Road, Sorrento 38-40 Ocean Beach Road, Sorrento 42 Ocean Beach Road, Sorrento 46-48 Ocean Beach Road, Sorrento 43- 51 Ocean Beach Road, Sorrento 50 Ocean Beach Road, Sorrento 52 Ocean Beach Road, Sorrento 53 Ocean Beach Road, Sorrento 54-56 Ocean Beach Road, Sorrento 55 Ocean Beach Road, Sorrento 57 Ocean Beach Road, Sorrento 58 Ocean Beach Road, Sorrento 59 Ocean Beach Road, Sorrento 61 Ocean Beach Road, Sorrento 62-66 Ocean Beach Road, Sorrento 65-67 Ocean Beach Road, Sorrento 68 Ocean Beach Road, Sorrento 69 Ocean Beach Road, Sorrento 76 Ocean Beach Road, Sorrento 77 Ocean Beach Road, Sorrento 78 Ocean Beach Road, Sorrento 80-98 Ocean Beach Road, Sorrento (part) 85-99 Ocean Beach Road, Sorrento 100-102 Ocean Beach Road, Sorrento 101 Ocean Beach Road, Sorrento 104 Ocean Beach Road, Sorrento 105 Ocean Beach Road, Sorrento 108-118 Ocean Beach Road, Sorrento 111 Ocean Beach Road, Sorrento 113 Ocean Beach Road, Sorrento 119-125 Ocean Beach Road, Sorrento

HO number	Name of Precinct	Properties included in the HO
		120 Ocean Beach Road, Sorrento 127 Ocean Beach Road, Sorrento 128-136 Ocean Beach Road, Sorrento 129 Ocean Beach Road, Sorrento 131 Ocean Beach Road, Sorrento 133 Ocean Beach Road, Sorrento 138 Ocean Beach Road, Sorrento 141-145 Ocean Beach Road, Sorrento 142-146 Ocean Beach Road, Sorrento 148-152 Ocean Beach Road, Sorrento 149-151 Ocean Beach Road, Sorrento 153-155 Ocean Beach Road, Sorrento 154-164 Ocean Beach Road, Sorrento 166-168 Ocean Beach Road, Sorrento 3317 Point Nepean Road, Sorrento 3335 Point Nepean Road, Sorrento
HO502	<i>Sorrento Historic Precinct: Foreshore area</i>	6 Coppin Road, Sorrento 10 Coppin Road, Sorrento 1 Esplanade, Sorrento 10 Esplanade, Sorrento 12 Esplanade, Sorrento 3245 Point Nepean Road, Sorrento 3247 Point Nepean Road, Sorrento 3249 Point Nepean Road, Sorrento 3278 Point Nepean Road, Sorrento 3285-3287 Point Nepean Road, Sorrento 3289 Point Nepean Road, Sorrento 4 Skelton Place, Sorrento Sorrento Tramway Reserve
HO503	<i>Sorrento Historic Precinct: Cliff-top area</i>	5 Boroondara Road, Sorrento 8 Boroondara Road, Sorrento 3 Cooper Grove, Sorrento 7 Cooper Grove, Sorrento 9 Cooper Grove, Sorrento 11 Cooper Grove, Sorrento 13 Cooper Grove, Sorrento 20 George Street, Sorrento 22 George Street, Sorrento 1 Hotham Road, Sorrento 4 Hotham Road, Sorrento 8 Hotham Road, Sorrento 9-15 Hotham Road, Sorrento

HO number	Name of Precinct	Properties included in the HO
		14 Hotham Road, Sorrento 19 Hotham Road, Sorrento 21 Hotham Road, Sorrento 23 Hotham Road, Sorrento 25 Hotham Road, Sorrento 36 Hotham Road, Sorrento 38 Hotham Road, Sorrento 3378 Point Nepean Road, Sorrento 3380-3382 Point Nepean Road, Sorrento 3387 Point Nepean Road, Sorrento 3391 Point Nepean Road, Sorrento 3395 Point Nepean Road, Sorrento 3401 Point Nepean Road, Sorrento 3405 Point Nepean Road, Sorrento 3407 Point Nepean Road, Sorrento 3415-3417 Point Nepean Road, Sorrento 3419 Point Nepean Road, Sorrento 3423 Point Nepean Road, Sorrento 3425 Point Nepean Road, Sorrento 3429 Point Nepean Road, Sorrento 3433 Point Nepean Road, Sorrento 2 Ruth Avenue, Sorrento 4 Ruth Avenue, Sorrento
HO504	<i>Sorrento Historic Precinct: Residential area</i>	12 Darling Road, Sorrento 14 Darling Road, Sorrento 15 Darling Road, Sorrento 16 Darling Road, Sorrento 18 Darling Road, Sorrento 19 Darling Road, Sorrento 21 Darling Road, Sorrento 44 Donalda Avenue, Sorrento 27 Kerferd Avenue, Sorrento 180 Melbourne Road, Sorrento 182 Melbourne Road, Sorrento 184 Melbourne Road, Sorrento 190 Melbourne Road, Sorrento 192 Melbourne Road, Sorrento 194 Melbourne Road, Sorrento 196 Melbourne Road, Sorrento 204 Melbourne Road, Sorrento 220 Melbourne Road, Sorrento 224 Melbourne Road, Sorrento

HO number	Name of Precinct	Properties included in the HO
		226 Melbourne Road, Sorrento 851 Melbourne Road, Sorrento 858 Melbourne Road, Sorrento 867-869 Melbourne Road, Sorrento 871 Melbourne Road, Sorrento 873 Melbourne Road, Sorrento 875 Melbourne Road, Sorrento 877 Melbourne Road, Sorrento 879 Melbourne Road, Sorrento 883 Melbourne Road, Sorrento 885 Melbourne Road, Sorrento 887 Melbourne Road, Sorrento 178 Ocean Beach Road, Sorrento 183 Ocean Beach Road, Sorrento 186 Ocean Beach Road, Sorrento 187 Ocean Beach Road, Sorrento 188 Ocean Beach Road, Sorrento 191 Ocean Beach Road, Sorrento 197 Ocean Beach Road, Sorrento 198 Ocean Beach Road, Sorrento 200 Ocean Beach Road, Sorrento 202 Ocean Beach Road, Sorrento 206 Ocean Beach Road, Sorrento 208 Ocean Beach Road, Sorrento 210 Ocean Beach Road, Sorrento 212 Ocean Beach Road, Sorrento 214 Ocean Beach Road, Sorrento 216 Ocean Beach Road, Sorrento 218 Ocean Beach Road, Sorrento 222 Ocean Beach Road, Sorrento 228 Ocean Beach Road, Sorrento 229 Ocean Beach Road, Sorrento 230 Ocean Beach Road, Sorrento 23 Ossett Street, Sorrento

3. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 21HO and 22HO to apply the Heritage Overlay to the following two new precincts:

HO number	Name of Precinct	Properties included in the HO
HO470	<i>Back Beach Road Precinct</i>	24 Back Beach Road, Portsea 28 Back Beach Road, Portsea 30 Back Beach Road, Portsea 34 Back Beach Road, Portsea

HO number	Name of Precinct	Properties included in the HO
		41 Back Beach Road, Portsea 47 Back Beach Road, Portsea 57 Back Beach Road, Portsea 66 Blair Court, Portsea 55 Blair Road, Portsea 36 Delgany Avenue, Portsea 38 Delgany Avenue, Portsea 40 Delgany Avenue, Portsea
HO488	<i>East Sorrento Precinct</i>	27 Bowen Road, Sorrento 29 Bowen Road, Sorrento 31 Bowen Road, Sorrento 35 Bowen Road, Sorrento 10 Hiskens Street, Sorrento (part) 13 Hiskens Street, Sorrento 15 Hiskens Street, Sorrento 16 Hiskens Street, Sorrento 1 Newton Avenue, Sorrento 3 Newton Avenue, Sorrento 5 Newton Avenue, Sorrento 7 Newton Avenue, Sorrento 9 Newton Avenue, Sorrento 12 Newton Avenue, Sorrento 13 Newton Avenue, Sorrento 14 Newton Avenue, Sorrento 15 Newton Avenue, Sorrento 16 Newton Avenue, Sorrento 17 Newton Avenue, Sorrento 18 Newton Avenue, Sorrento 19 Newton Avenue, Sorrento 20 Newton Avenue, Sorrento 3199 Point Nepean Road, Sorrento 3209 Point Nepean Road, Sorrento 3211 Point Nepean Road, Sorrento 1 Rose Street, Sorrento 3 Rose Street, Sorrento 5 Rose Street, Sorrento 7 Rose Street, Sorrento 9 Rose Street, Sorrento 8 Rose Street, Sorrento 12 Rose Street, Sorrento 16 Rose Street, Sorrento 1 St Pauls Road, Sorrento

HO number	Name of Precinct	Properties included in the HO
		3 St Pauls Road, Sorrento 13 St Pauls Road, Sorrento 17 St Pauls Road, Sorrento 19 St Pauls Road, Sorrento 21 St Pauls Road, Sorrento 22 St Pauls Road, Sorrento 24 St Pauls Road, Sorrento 38 St Pauls Road, Sorrento 40 St Pauls Road, Sorrento 42 St Pauls Road, Sorrento 44 St Pauls Road, Sorrento 46 St Pauls Road, Sorrento 48 St Pauls Road, Sorrento 50 St Pauls Road, Sorrento 60 St Pauls Road, Sorrento

4. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 8HO, 14HO, 26HO and 27HO to apply the Heritage Overlay to the following individual places that are not included in the Heritage Review Area 3:

HO number	Description of place	Properties included in the HO
HO403	<i>Hajek House</i>	40 Nestle Court, Arthurs Seat
HO432	<i>Foreshore Cottages</i>	874 Point Nepean Road, Rosebud 876 Point Nepean Road, Rosebud
HO434	<i>Foreshore Cottages</i>	1 Bucher Place, Rosebud 880 Point Nepean Road, Rosebud
HO465	<i>Tower House</i>	1146 Frankston Flinders Road, Somerville
HO463	<i>House</i>	12 Graydens Road, Tyabb

5. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Map 21HO to delete HO460 from 34 and 36 Back Beach Road, Portsea.
6. Amend the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Map 27HO to delete HO445 from 38 South Road, Rosebud.
7. Amend the Schedule to Clause 43.01 (Heritage Overlay) to correct heritage place descriptions for the following:
- HO47 applying to 3804 Point Nepean Road, Portsea - Farfor Flats; and
 - HO203 applying to 3770-3772 Point Nepean Road, Portsea - Portsea pier general store/café and shop.
8. Amend Planning Scheme Map 21HO to reduce the extent of HO10 to the heritage place 'The Grange' at 58 Blair Road, Portsea and not over the two new house lots at 31 and 35 Back Beach Road, Portsea.

9. Amend the Schedule to Clause 43.01 (Heritage Overlay), the Planning Scheme Map 22HO and the Statement of Significance applying to St Mary's Star of the Sea Church at 1-17 Constitution Hill Road, Sorrento.
10. Amend Clause 21.12 (Reference documents) to include reference to the *Mornington Peninsula Shire Heritage Review, Area 3* as a background document and to correct an error.
11. Amend Clause 22.17 Sorrento Historic Precinct Policy to reflect the revised heritage precincts.
12. Amend the Schedule to Clause 72.04 (Documents incorporated in this planning scheme) to incorporate individual statements of significance for all individual places and precincts proposed for inclusion in the Heritage Overlay.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to recognise and protect places of heritage significance having regard to the findings of the Heritage Review Area 3.

In addition, the amendment proposes to include heritage places that were removed from Amendment C214morn at adoption. These places have been identified in the *Mornington Peninsula Heritage Review Area 2* study as having individual heritage significance and those findings were supported by the Amendment C214morn panel. These places are:

- 874/876 Point Nepean Road, Rosebud; and
- 1 Bucher Place/880 Point Nepean Road, Rosebud

The amendment proposes to apply to 40 Nestle Court, Arthurs Seat, which was identified in the *Mornington Peninsula Heritage Review Area Stage 2* study but was exhibited to an incorrect address.

The amendment proposes to remove a heritage overlay at 38 South Road, Rosebud as new evidence has been supplied with the conclusion that the place should not have a heritage overlay.

The amendment proposes to include two places with interim heritage overlays outside of the Heritage Review Area 3, so that the application of permanent heritage overlays can be considered in the one amendment process. These places are:

- 1146 Frankston Flinders Road, Somerville; and
- 12 Graydens Road, Tyabb

The amendment is intended to create more certainty about places that have heritage significance by recognising them in the Planning Scheme. Implementing the findings of the Heritage Review Area, seeking to minimise the need to seek site-specific planning scheme amendments for heritage places that are under threat of demolition.

The Sorrento Historic Precinct was re-examined and it was decided to split the existing HO1 into four separate areas. It is proposed that these become four stand-alone precinct overlays with their specific attributes clearly identified. Reduction of the HO1 size has also been proposed as to exclude sites that have undergone significant change and do not have heritage significance, which will strengthen the areas of heritage significance.

While the inclusion of new heritage places may result in greater development restrictions, the amendment should provide the community with more certainty regarding heritage values and may therefore reduce delays in planning permit application processing.

How does the amendment implement the objectives of planning in Victoria?

The amendment seeks to implement the following objectives of planning in Victoria:

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To facilitate development in accordance with the objectives set out in the points above.

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

Environmental Effects

The amendment will have no adverse effect on the natural environment and will provide a mechanism for protection of the richness and diversity of the built environment.

Social and Economic Effects

The amendment is anticipated to have positive social effects through the recognition and protection of sites of heritage significance, for the benefit of current and future generations. This will benefit the community by improving the understanding of local cultural history and thereby contributing to sense of place and local identity. The amendment also has the potential to enhance the special character of some areas.

The inclusion of a site within the Heritage Overlay does not prohibit changes to that site or building, but rather requires an application process whereby heritage considerations can be properly addressed, along with other factors before any decision on an application is made. This may limit development that is inconsistent with maintaining heritage values, which will improve the character of the building and the wider area.

Does the amendment address relevant bushfire risk?

The proposed amendment does not result in increased development potential, nor change of use of land; it will not increase the bushfire risk to life as a priority, property, community infrastructure or the natural environment.

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

The amendment is consistent with the form and content of planning schemes established in the Minister's Direction under section 7(5) of the Planning and Environment Act 1987 and Ministerial Direction 11: Strategic Assessment of Amendments under section 12(2)(a) of the Act.

The amendment complies with Ministerial Direction No. 9 as follows:

What aspects, if any, of the Metropolitan Planning Strategy are relevant?

Direction 4.4 'Respect Melbourne's heritage as we build for the future'; specifically, Policy 4.4.1 'Recognise the value of heritage when managing growth and change' and Policy 4.4.3 'Stimulate economic growth through heritage conservation'.

How does the Metropolitan Planning Strategy affect the amendment?

The Metropolitan Planning Strategy supports the amendment.

Is the amendment consistent with any directions and policies in the Metropolitan Planning Strategy?

The amendment is consistent with Policies 4.4.1 and 4.4.3 by ensuring that there is a protective mechanism applying to significant heritage buildings for the benefit of future generations.

Does the amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?

The amendment supports and gives effect to the Metropolitan Planning Strategy as outlined above.

Will the amendment compromise the implementation of the Metropolitan Planning Strategy?

The amendment will not compromise the implementation of the Metropolitan Planning Strategy.

The amendment complies with Ministerial Direction 9 – Plan Melbourne 2017-2050: Metropolitan Strategy (Plan Melbourne).

The amendment complies with Ministerial Direction 11 - Strategic Assessment of Amendments.

The amendment is also consistent with Ministerial Direction 17: Localised Planning Statements.

The amendment complies with Ministerial Direction 19 - Amendments That May Significantly Impact the Environment, Amenity and Human Health.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment is consistent with the State Planning Policy Framework, in particular Clause 15.03-1S Heritage conservation which has the following objective:

To ensure the conservation of places of heritage significance.

The amendment supports the objective and serves to implement the following strategies:

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.

The proposed amendment is consistent with the Mornington Peninsula Localised Planning Statement, as provided for under Clause 11.03-5S and the policy objective to protect the role and character of the Mornington Peninsula's settlements, towns and villages.

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

The Municipal Strategic Statement (MSS) recognises heritage buildings and places as important elements in maintaining and enhancing local area character.

Clause 21.07-2 *Local area character* is relevant to this amendment as it seeks to ensure that development respects, among other things, neighbourhood and heritage values on the Peninsula.

The relevant strategies are:

Require site and location responsive design in the subdivision of land and in the siting and design of buildings and other development.

Identify sites and areas of State and regional heritage significance based on existing heritage studies, to promote greater understanding of the value of these sites and to develop more specific provisions for their effective and equitable conservation.

A key implementation tool for these strategies is the application of the Heritage Overlay within parts of township areas: *"Applying specific Environmental Significance, Vegetation Protection and Heritage Overlays within parts of the township areas, where adequate information is available, in order to ensure appropriate site responsive design."*

The amendment is consistent with the foremost objective of the Local Planning Policy Clause 22.04 - Heritage Places and Abutting Land:

To conserve and appropriately manage identified heritage places.

The implementation of the Review is consistent with the following policies:

Assess and record the significance of a heritage place including its aesthetic, historic, scientific or social value to past, present and future generations.

Recognise and apply the principles, processes and practices of the Burra Charter in the practice of local heritage protection.

Support the conservation of heritage places.

In response to relevant parts of the MSS, the proposed amendment:

- Provides for site responsive design by requiring consideration of heritage values via the application of the Heritage Overlay.

- By implementing the findings of the Heritage Review Area 3 and including Statements of Significance in the Planning Scheme, the amendment provides strategic justification for the inclusion of each heritage place.

The amendment seeks to change Local Planning Policy 21.12 *Reference Documents* to include the Heritage Review Stage 3. The purpose is to provide context and background information to assist in interpreting heritage controls.

Does the amendment make proper use of the Victoria Planning Provisions?

The proposed amendment seeks to make proper use of the Victoria Planning Provisions. The application of the Heritage Overlay is the most effective way of managing properties of heritage significance. The application of a Heritage Overlay generally requires planning permission for all buildings and works, enabling consideration of the impacts of any proposed development on the heritage significance of a place.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment 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 *Transport Integration Act 2010*.

Resource and administrative costs

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

The proposed amendment will increase the number of sites subject to the Heritage Overlay provisions in the Planning Scheme, therefore potentially resulting in more planning applications and additional assessment requirements. The anticipated increase in planning applications is not expected to have a significant impact on resource and administrative costs.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the Mornington Peninsula Shire Council website at: www.mornpen.vic.gov.au.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at: www.planning.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 5:00pm, Friday 24 July 2020.

A submission must be sent to:

Strategic Planning Department
Mornington Peninsula Shire Council
Private Bag 1000
ROSEBUD VIC 3939

Or email submissions to:

heritage@mornpen.vic.gov.au

Please use *Amendment C262morn- submission* in the email subject line.

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: Week commencing 12 October 2020
- Panel hearing: Week commencing 9 November 2020