

19 May 2020

DELWP
Attn: Jim Papadimitriou
Manager Planning Systems, Planning and Heritage
planning.systems@delwp.vic.gov.au

Dear Mr Papadimitriou

RE: Planning for Victorian Non-Government Schools - Permanent Provision Consultation

Thank you for the opportunity for the Mornington Peninsula Shire to provide comment in response to the 'Planning for Victorian Non-Government Schools - Permanent Provision Consultation'.

Comments are provided below for your consideration in response to each Clause proposed to be amended.

Clause 19.02-2S – Education Facilities:

No comment.

Clause 32.07 - Residential Growth Zone (RGZ):

No comment

Clause 53.19 – Non-Government Schools:

Clause 53.19 was recently amended (under VC165) to facilitate the “construction and upgrade of non-government schools that receive funding under the Victorian Government’s Non-Government Schools Capital Fund” which according to this consultation was only intended to be an interim measure. In reviewing amendment VC165, the amendment makes no mention of it being an interim measure and was to facilitate new schools to meet the demand within the next three years.

Whilst the exemption requirements for notice are proposed to be removed, it is questioned why the review rights of Section 82(1) of the *Planning and Environment Act 1987* (the Act) are to remain exempt. It is highly likely that new Non-Government Schools will have the potential to cause material detriment to the amenity of adjacent/adjoining landowners/occupants, users of the surrounding road network etc.

Given the notice requirements of Section 52 of the Act are proposed to be reinstated, it is considered that review rights of Section 82 (1) of the Act should also be reinstated. It is important that decisions be transparent and accountable to maintain

Contact the Mornington Peninsula Shire

📞 1300 850 600
🌐 mornpen.vic.gov.au
✉ customerservice@mornpen.vic.gov.au

By post: Private Bag 1000,
90 Besgrove Street, Rosebud VIC 3939
ABN: 53 159 890 143

stakeholders' confidence in the planning system and that sustainable and beneficial outcomes are delivered for current and future generations.

Clause 66.02 – Use and Development Referrals:

No comment.

Clause 72.01 – Responsible Authority for this Planning Scheme:

This Clause clarifies that the Minister is the Responsible Authority for all new non-government primary and secondary schools and construction of a building or the construction or carry out works at an existing non-government primary and secondary schools to the value of \$4,000,000 or more.

The Mornington Peninsula Shire is concerned that by removing the decision-making rights from local Councils, the local knowledge and context won't be applied. For context, Primary and Secondary Schools are a Section 2 use within the Green Wedge Zone, a school within a rural setting has the potential to cause significant amenity and infrastructure issues.

Council supports appropriate measures to facilitate education establishments but considers that Municipal Councils are best placed to understand local issues.

If you have any questions in relation to the above, please contact Nadia Smith, Senior Strategic Planner on (03) 5950 1108 or via nadia.smith@mornpen.vic.gov.au.

Kind regards,



KATANYA BARLOW
MANAGER STRATEGIC PLANNING