



1.0 AUTHORITY

- *Planning & Environment Act 1987*, section 4 (1) (d)
- *Local Government Act 1989*, section 169
- Planning and Environment (Fees) Regulations 2016, Regulation 20
- Council and Wellbeing Plan – Theme 1

2.0 INTENT

The purpose of this policy is to encourage and assist private landowners to preserve, restore or maintain the heritage values of places that have identified heritage significance.

3.0 SCOPE

This policy applies to the Finance Operation, Strategic Planning, Statutory Planning and Community Development teams.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

5.0 POLICY STATEMENT

The Morningson Peninsula Shire (the Shire) is committed to conserving and enhancing places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance on the Peninsula.

The Shire recognises that there is a public responsibility for the preservation of heritage places in private ownership, and that private landowners can incur additional costs in preserving, restoring and maintaining the heritage values of their properties.



Therefore, to assist private landowners in preserving and restoring heritage places, Council will:

- 5.1 Heritage Rebates:** Consider applications from landowners of heritage places for a rate rebate pursuant to section 169 of the *Local Government Act 1989* as follows:
- 5.1.1** up to 25% for individually listed heritage places based on the difference between the Capital Improved Value and the Site Value
 - 5.1.2** up to 12.5% for contributory places in a heritage precinct based on the difference between the Capital Improved Value and the Site Value
- 5.2 Heritage Grants:** Consider applications from landowners of heritage places for funding under Council's annual Heritage Grants Program to assist in meeting the costs of works that preserve and/or restore heritage places to best practice standards in line with the eligibility and assessment criteria outlined in the Grants Program Guidelines.
- 5.3 Planning Permit Application Fee Waiver:** Waive fees for planning permit applications for heritage places under Clause 43.01 (Heritage Overlay) of the Mornington Peninsula Planning Scheme where a permit would not otherwise be required and where Council is satisfied that the specified conditions of Regulation 20 of the Planning and Environment (Fees) Regulations 2016 are met.
- 5.4 Heritage Advice:** Operate a heritage advisory service as part of the planning permit application process at no cost to landowners of heritage places. The advisory service provides advice to landowners about development and maintenance of their heritage properties in line with the policies and statutory requirements of the Mornington Peninsula Planning Scheme. The service may include a site visit and preliminary advice about maintenance or repair of heritage fabric.
- 5.5 Heritage Awards:** Partner with the National Trust of Australia (Victoria) to deliver the Mornington Peninsula Heritage Awards every two years. The Awards recognise and celebrate those in the community (including landowners, trades people and designers) who have demonstrated excellence in preservation, restoration, enhancement, interpretation and reuse of heritage places.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

7.0 ASSOCIATED DOCUMENTS

- Mornington Peninsula Shire Planning Scheme
- Community Investment Funding Policy 2022
- Community Investment Funding – Grants Program Guidelines 2023



8.0 DEFINITIONS

Heritage place	A place covered by the Heritage Overlay (Clause 43.01) of the Mornington Peninsula Planning Scheme
Individually listed heritage place	A place that is individually listed in the schedule to the Heritage Overlay (Clause 43.01) of the Mornington Peninsula Planning Scheme
Contributory place in a Heritage precinct	A place identified as having contributory significance located within a precinct that is listed in the schedule to the Heritage Overlay (Clause 43.01) of the Mornington Peninsula Planning Scheme
Capital Improved Value	The assessed market value of the property which includes both the land value and improvements (such as buildings)
Site Value	The unimproved value of the property (i.e. land value only)

9.0 POLICY SPONSOR

The Manager, Strategic & Infrastructure Planning is responsible for overseeing the application and review of the Heritage Places policy.

10.0 DOCUMENT CONTROLS

Council will review this policy in four years or earlier as required.

10.1 Document Version Table

Document Version Control				
Version	Section	Revision Description	Date Revised	Approved by

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.