

## **MORNINGTON PENINSULA PLANNING SCHEME**

### **AMENDMENT C302morn**

#### **EXPLANATORY REPORT**

#### **Overview**

This amendment proposes to implement the findings of the:

- Mornington Peninsula Heritage Review – Area 4: Westernport and Hinterland, Vol. 1, 2 and 3 (RBA Architects, 2024)
- Mornington Peninsula Heritage Review 2023 Stage 5 - Other Places Methodology, Recommendations and Citations (Heritage Alliance 2023, revised April 2024)
- Mornington Peninsula Heritage Review - Heritage Advice: Review of HO polygon for HO311, 48 O'Neills Road, Somerville (Landmark Heritage, August 2022)
- Mornington Peninsula Heritage Review - Heritage Advice: 1 Sandy Point Road, Somers (Landmark Heritage, November 2023)
- Mornington Peninsula Heritage Review - Heritage Assessment: Cairns Family Cemetery, 352 Boneo Road, Boneo (Landmark Heritage, March 2023)
- Mornington Peninsula Heritage Review - Heritage Assessment: Arthur Merric Boyd House, 62 Rosebud Parade, Rosebud (Landmark Heritage, March 2023)

It does this by proposing to include the identified places on the Heritage Overlay on a permanent basis. Most sites are in the Westernport and Hinterland region of the Mornington Peninsula, while the other places are geographically spread out across the Mornington Peninsula.

The amendment will complete Stages 4 and 5 of the Municipal Heritage Review – Stage 4 Places in Western Port and Hinterland Region (Area 4) and Stage 5 – Other Places (Watchlist).

The amendment also proposes to make corrections to several existing Heritage Overlays, including the deletion of three places from their inclusion in the Heritage Overlay, and the revision of the extent of the Heritage Overlay at four other places.

Additionally, the amendment proposes to update the incorporated document Heritage Design Guidelines: Sorrento Historic Precinct, and to include Ocean Beach Road Commercial Precinct Sorrento Heritage Policy for Planning Applications for Places in the Heritage Overlay (HLDC, 2015) as a Background Document.

#### **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Mornington Peninsula Shire website at

<https://www.mornpen.vic.gov.au/Building-Planning/Strategic-Planning/Planning-Scheme-Amendments>

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

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 Transport and Planning

website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

## Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by [\[insert submissions due date\]](#).

A submission must be sent to Mornington Peninsula Shire by:

- **Online form (preferred):**

Visit <https://www.mornpen.vic.gov.au/Building-Planning/Strategic-Planning/Planning-Scheme-Amendments>

- **Email:**

[strategic.admin@mornpen.vic.gov.au](mailto:strategic.admin@mornpen.vic.gov.au)

Please use 'Amendment C286morn – submission' in the email subject line

- **Mail:**

Team Leader Strategic Planning – Mornington Peninsula Shire

Private Bag 1000, Rosebud VIC 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: [\[insert directions hearing date\]](#)
- panel hearing: [\[insert panel hearing date\]](#)

## Details of the amendment

### 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 Mornington Peninsula Shire.

### Land affected by the amendment

The amendment applies to a total of 76 places, namely 51 new individual heritage places, 3 pairs, 2 precincts and 2 serial listings and amends the statement of significance and extent of one existing place, across Westernport and its hinterland as recommended by the *Heritage Review Area 4 – Westernport and Hinterland, Vol. 1, 2 & 3* (RBA, 2024) (Stage 4).

The amendment also applies to a total of 15 new individual places as recommended by the Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations (Heritage Alliance 2023, revised April 2024) and Landmark Heritage as part of Heritage Review (Stage 5).

The amendment also affects another 8 existing heritage places which have been reviewed outside of Heritage Review Stages 4 and 5.

Further, the amendment affects land in the five existing Sorrento Heritage Precincts:

- Sorrento Commercial Precinct (Heritage Overlay HO501)
- Sorrento Foreshore Precinct (Heritage Overlay HO502)

- Sorrento Cliff Top Precinct (Heritage Overlay HO503)
- Sorrento Residential Precinct (Heritage Overlay HO504)
- East Sorrento Precinct (Heritage Overlay HO488)

### What the amendment does

The amendment proposes to implement the recommendations of the following by applying the Heritage Overlay to 66 individual properties, two precincts (comprising nine contributory places), three pairs (comprising 6 places) and two serial listings/groups (comprising nine places) on a permanent basis:

- Mornington Peninsula Heritage Review – Area 4: Westernport and Hinterland, Vol. 1, 2 & 3 (RBA Architects, 2024)
- Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations (Heritage Alliance 2023, revised April 2024)
- Mornington Peninsula Heritage Review - Heritage Assessment: Cairns Family Cemetery, 352 Boneo Road, Boneo (Landmark Heritage, March 2023)
- Mornington Peninsula Heritage Review - Heritage Assessment: Arthur Merric Boyd House, 62 Rosebud Parade, Rosebud (Landmark Heritage, March 2023)

The amendment also seeks to

- make corrections to the application of the Heritage Overlay by amending or removing the Heritage Overlay at 8 other places.
- insert a revised statement of significance as an Incorporated Document for Clarke Orchard House, 26 Lower Somerville Road, Somerville for the existing HO303 in accordance with the *Mornington Peninsula Heritage Review, Area 4: Westernport & Hinterland, Vol. 1, 2 & 3* (RBA Architects, 2024).
- insert a revised Heritage Design Guidelines: Sorrento Heritage Precinct Incorporated Document, and include it on a permanent basis.
- insert the Ocean Beach Road Commercial Precinct Sorrento Heritage Policy for Planning Applications for Places in the Heritage Overlay, September 2015 by HLDC as a Background Document.

Specifically, the amendment:

1. Amends the Schedule to Clause 43.01 (Heritage Overlay) to apply the Heritage Overlay on a permanent basis to the following new places as recommended by *Heritage Review Area 4 – Westernport and Hinterland, Vol. 1, 2 & 3* (RBA, 2024):

HO Number	Description of place	Property address	Planning Scheme map no.
<b>Balnarring</b>			
HO544	<i>Olana</i>	30 Balnarring Beach Road	31HO
HO545	<i>Balnarring Motors (former)</i>	2996 Frankston-Flinders Road	31HO
<b>Balnarring Beach</b>			
HO546	<i>Robertson House</i>	150 Balnarring Beach Road	31HO
HO547	<i>Palmers Hill</i>	67 Bayview Road,	31HO
HO548	<i>Westernport Yacht Club</i>	1 Foreshore Road	31HO
HO549	<i>Hagger House</i>	11 Library Road	31HO
HO550	<i>Isaacson/Davis Beach House</i>	23 Mason-Smith Road	31HO

<b>Bittern</b>			
<b>HO551</b>	<i>Browns Residence</i>	101 Coolart Road	18HO
<b>HO552</b>	<i>Creswell</i>	10 Creswell Road	32HO
<b>HO553</b>	<i>Bittern Community Hall</i>	2426 Frankston-Flinders Road	18HO
<b>HO554</b>	<i>Bittern Post Office (former)</i>	2480 Frankston-Flinders Road	32HO
<b>HO555</b>	<i>Windrest Dairy (former)</i>	102 Myers Road	18HO
<b>Crib Point</b>			
<b>HO556</b>	<i>Wilson House</i>	66 Park Road	33HO
<b>HO557</b>	<i>Stony Point Railway Station Building</i>	1a Stony Point Road	33HO
<b>HO558</b>	<i>Drapery and Malouf &amp; Sons Store (former)</i>	a) 212 Stony Point Road b) 250 Stony Point Road	33HO
<b>HO559</b>	<i>Stony Point Residential Precinct</i>	a) 340 Stony Point Road b) 342 Stony Point Road c) 344 Stony Point Road d) 346 Stony Point Road e) 348 Stony Point Road f) 350 Stony Point Road	33HO
<b>HO560</b>	<i>Crib Point Uniting (Methodist) Church</i>	382 Stony Point Road	33HO
<b>HO561</b>	<i>Crib Point War and Tingira Memorial</i>	Tingira Place	33HO
<b>Flinders</b>			
<b>HO562</b>	<i>Hilbert</i>	19 Cook Street	45HO
<b>HO563</b>	<i>Taylor Homestead/Bimbi</i>	41 King Street	45HO
<b>HO564</b>	<i>Telegraph Superintendent's Residence</i>	119-121 Wood Street	45HO
<b>Hastings</b>			
<b>HO565</b>	<i>Lysaght Administration Block (former)</i>	28 Bayview Road	15HO
<b>HO566</b>	<i>Cusworth Orchard House</i>	18 Boes Road	14HO
<b>HO567</b>	<i>Hastings Station Ladies Waiting Room (former)</i>	68 Church Street	19HO
<b>HO568</b>	<i>Sunny Braes</i>	95 Graydens Road	14HO
<b>HO569</b>	<i>Sposito Cottage and Harrys House</i>	2 and 4 Herring Street	19HO
<b>HO570</b>	<i>Caldwell Residence</i>	113 Salmon Street	19HO
<b>HO571</b>	<i>St Marys Catholic Church</i>	83 Victoria Street	19HO
<b>Main Ridge</b>			

<b>HO572</b>	<i>Earth House</i>	1212 Mornington-Flinders Road	29HO
<b>Moorooduc</b>			
<b>HO573</b>	<i>Moorooduc Estate Winery and Residence</i>	501 Derril Road	13HO
<b>HO574</b>	<i>Moorooduc Hall</i>	675 Derril Road	13HO
<b>HO575</b>	<i>WWII Moorooduc Memorial Gateway</i>	700 Derril Road	13HO
<b>HO576</b>	<i>Merrivale</i>	219 Eramosa Road West	8HO
<b>Point Leo</b>			
<b>HO577</b>	<i>Point Leo Boat Club</i>	33 Western Parade	38HO
<b>Red Hill</b>			
<b>HO578</b>	<i>Red Hill Show Pavilion</i>	184 Arthurs Seat Road	29HO
<b>HO579</b>	<i>Mechanics Road Residential Precinct</i>	a) 34 Mechanics Road b) 40 Mechanics Road c) 44 Mechanics Road	29HO
<b>HO580</b>	<i>Devon Orchards Cool Store (former)</i>	1211 Mornington-Flinders Road	29HO
<b>Red Hill South</b>			
<b>HO581</b>	<i>Paringa Road Remnant Orchard Fabric Group</i>	a) 8 Paringa Road b) 31 Paringa Road c) 35 Paringa Road	29HO
<b>Shoreham</b>			
<b>HO582</b>	<i>Fitts Bungalow</i>	21-25 Beach Road (now 23 Beach Road)	38HO
<b>HO583</b>	<i>St Peter's Church</i>	7 Byrnes Road	38HO
<b>HO584</b>	<i>Brunswick House</i>	53 Byrnes Road	38HO
<b>HO585</b>	<i>Shugg House</i>	32 Shoreham Road	29HO
<b>HO586</b>	<i>Whistlewood</i>	642 Tucks Road	44HO
<b>HO587</b>	<i>Higgins Fence and The Sheiling</i>	643 Tucks Road	44HO
<b>Somers</b>			
<b>HO588</b>	<i>Junior Legacy Camp Hall (former)</i>	87 Camp Hill Road	39HO
<b>HO589</b>	<i>Marshall and Firestone Houses</i>	a) 1 Coora Close b) 53 Tasman Road	39HO
<b>HO590</b>	<i>Modernist Weekender</i>	92 Tasman Road	39HO
<b>Somerville</b>			
<b>HO591</b>	<i>Hazelmere</i>	143 Eramosa Road East	9HO

<b>HO592</b>	<i>Avenel</i>	151 Eramosa Road East	9HO
<b>HO593</b>	<i>Shepherd Residence and Barn</i>	157 Eramosa Road East	9HO
<b>HO594</b>	<i>Somerville East Residential Group</i>	a) 1/32 Eramosa Road East b) 1/38 Eramosa Road East c) 45 Eramosa Road East d) 60B Eramosa Road East e) 1033 Frankston-Flinders Road f) 1035 Frankston-Flinders Road	8HO
<b>HO595</b>	<i>Stockton Coolstore (former)</i>	1316 Frankston-Flinders Road	9HO
<b>HO596</b>	<i>Glosterville and Moreton Bay Fig</i>	43 Lower Somerville Road	9HO
<b>HO597</b>	<i>Hotel Somerville</i>	84 Station Street	8HO
<b>Tuerong</b>			
<b>HO598</b>	<i>Benton House</i>	150 Coolart Road	14HO
<b>Tyabb</b>			
<b>HO599</b>	<i>Jouning Family Bungalow</i>	52 Boes Road	14HO
<b>HO600</b>	<i>Haddock House</i>	96 Graydens Road	14HO
<b>HO601</b>	<i>Bellman Hangar</i>	73 Mornington-Tyabb Road	14HO

2. Amends the Schedule to Clause 43.01 (Heritage Overlay) to apply the Heritage Overlay to the following new places on a permanent basis as recommended by the Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations (Heritage Alliance 2023, revised April 2024) and Landmark Heritage (Stage 5):

<b>HO Number</b>	<b>Description of place</b>	<b>Property address</b>	<b>Planning Scheme map no.</b>
<b>Boneo</b>			
<b>HO602</b>	<i>Cairns Family Cemetery</i>	352 Boneo Road	36HO
<b>Merricks Beach</b>			
<b>HO603</b>	<i>Bram House</i>	71 Merricks Beach Road	31HO
<b>Mornington</b>			
<b>HO604</b>	<i>Sea House</i>	1/57 Caraar Creek Lane	6HO
<b>HO605</b>	<i>Oakwood</i>	13 MacDonald Grove	5HO
<b>Mount Eliza</b>			
<b>HO606</b>	<i>McDonald House</i>	14 Glen Shian Lane	1HO
<b>HO607</b>	<i>Moorooduc Quarry (former)</i>	106 Two Bays Road	2HO, 7HO

<b>Mount Martha</b>			
<b>HO608</b>	<i>Yellow Robins</i>	42 Dominion Road	12HO
<b>Portsea</b>			
<b>HO609</b>	<i>Peninsula Beach House</i>	101 Back Beach Road	21HO
<b>HO610</b>	<i>Alekna House</i>	16-18 London Bridge Road	21HO
<b>HO611</b>	<i>Mandalay House (formerly Griffin House)</i>	3696B Point Nepean Road	21HO
<b>Rosebud</b>			
<b>HO612</b>	<i>Arthur Merric Boyd House</i>	62 Rosebud Parade	26HO
<b>Shoreham</b>			
<b>HO613</b>	<i>Greenways</i>	4 Higgins Lane	44HO
<b>Somers</b>			
<b>HO614</b>	<i>Hildebrand House</i>	57 Parklands Avenue	39HO
<b>Sorrento</b>			
<b>HO615</b>	<i>Carnegie House</i>	7 Kildrummie Court	22HO
<b>HO616</b>	<i>Cox House</i>	8 Wrights Close	22HO

- Amends Planning Scheme Maps 1HO, 2HO, 5HO, 6HO, 7HO, 8HO, 9HO, 12HO, 13HO, 14HO, 15HO, 18HO, 19HO, 21HO, 22HO, 26HO, 29HO, 31HO, 32HO, 33HO, 36HO, 38HO, 39HO, 44HO, and 45HO to include new Heritage Overlays as recommended by Stages 4 and 5 of the Municipal Heritage Review.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 21HO, 27HO, 39HO and 40HO to delete the following places from the Heritage Overlay, where the dwelling has been demolished in accordance with a planning permit (HO195), the heritage significance of the place has been reviewed and determined there are no elements worthy of retaining the Heritage Overlay (HO227), and the Heritage Overlay has been erroneously applied (HO429).

<b>HO Number</b>	<b>Description of place</b>	<b>Property address</b>	<b>Planning Scheme map no.</b>
<b>HO195</b>	<i>Clovelly</i>	3664 Point Nepean Road, Portsea	21HO
<b>HO227</b>	<i>Western Park</i>	21 Sandy Point Road, Somers	39HO, 40HO
<b>HO429</b>	Nil	751 Point Nepean Road, Rosebud	27HO

- Amends Planning Scheme Maps 9HO, 15HO, 22HO and 30HO to make minor mapping revisions to the extent of the Heritage Overlay for the following places:

<b>HO Number</b>	<b>Description of place</b>	<b>Property address</b>	<b>Planning Scheme map no.</b>
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<b>HO43</b>	<i>St Mary's Star of the Sea Church</i>	1-17 Constitution Hill Road, Sorrento	22HO
<b>HO181</b>	<i>Hindson House</i>	3440 Point Nepean Road, Portsea	22HO
<b>HO303</b>	<i>Clarke Orchard House</i>	26 Lower Somerville Road, Somerville	9HO
<b>HO311</b>	<i>John Brunning &amp; Sons Complex</i>	48 O'Neills Road, Tyabb	15HO
<b>HO543</b>	<i>Fenton Hall</i>	181 Bittern-Dromana Road, Merricks North	30HO

6. Amends Planning Scheme Map 21HO to correct the schedule number for *Watkins House (former)* at 3808 Point Nepean Road, Portsea from HO487 to HO464, in accordance with the Schedule to the Heritage overlay and the Statement of Significance for this property.
7. Amends the Schedule to Clause 72.04 (Incorporated documents) to incorporate:
  - individual statements of significance for all individual places and groups introduced into the Heritage Overlay; and
  - a revised statement of significance for Clarke Orchard House, 26 Lower Somerville Road, Somerville for the existing HO303 in accordance with the *Mornington Peninsula Heritage Review, Area 4: Westernport & Hinterland, Vol. 1, 2 & 3* (RBA Architects, 2024).
8. Amends the Schedule to Clause 72.04 (Incorporated documents) to remove *Heritage Design Guidelines: Sorrento Historic Precinct* and replace it with the updated version *Heritage Design Guidelines: Sorrento Heritage Precinct, April 2024*; and
9. Amends Clause 72.08 (Background documents) to include reference to the following:
  - *Mornington Peninsula Heritage Review, Area 4: Westernport & Hinterland, Vol. 1, 2 & 3* (RBA Architects, 2024),
  - *Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations* (Heritage Alliance 2023, revised April 2024)
  - *Mornington Peninsula Heritage Review - Heritage Advice: Review of HO polygon for HO311, 48 O'Neills Road, Somerville* (Landmark Heritage, August 2022)
  - *Mornington Peninsula Heritage Review - Heritage Assessment: Cairns Family Cemetery, 352 Boneo Road, Boneo* (Landmark Heritage, March 2023)
  - *Mornington Peninsula Heritage Review - Heritage Assessment: Arthur Merric Boyd House, 62 Rosebud Parade, Rosebud* (Landmark Heritage, March 2023), and
  - *Ocean Beach Road Commercial Precinct Sorrento Heritage Policy for Planning Applications for Places in the Heritage Overlay (HLDC, September 2015)*.

## 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 *Mornington Peninsula Heritage Review, Area 4: Westernport and Hinterland, Vol. 1, 2 & 3* (RBA Architects, 2024) and *Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations* (Heritage Alliance 2023, revised April 2024) .

The addition of the places identified in Stages 4 and 5 of the *Heritage Review* to the Heritage Overlay will greatly assist with the conservation and enhancement of those buildings, areas and other places of aesthetic, architectural or historical interest, or otherwise of special cultural value, which is a key objective of planning in Victoria as established under the *Planning and Environment Act 1987*. As such, the addition of these places to the Heritage Overlay of the planning scheme is the appropriate means of conserving heritage places.

The amendment will also create more certainty about places that have heritage significance by recognising them in the Mornington Peninsula Planning Scheme.

While the inclusion of new places in the Heritage Overlay may result in greater development restrictions, the amendment will still create net community benefit by allowing for the heritage value of places to be properly considered through the planning permit application process and subsequent development outcomes, and by providing certainty about the heritage value of these places.

The amendment is also required to correct several minor errors with the existing application of the Heritage Overlay. It will correct minor mapping errors and revise the extent of the application of the Heritage Overlay for five places, which are:

- HO43 – *St Mary's Star of the Sea Church*, 1-17 Constitution Hill Road, Sorrento,
- HO181 – *Hindson House*, 3440 Point Nepean Road, Portsea,
- HO303 – *Clarke Orchard House*, 26 Lower Somerville Road, Somerville,
- HO311 – *John Brunning & Sons Complex*, 48 O'Neills Road, Tyabb, and
- HO543 – *Fenton Hall*, 181 Bittern-Dromana Road.

The amendment will also delete the Heritage Overlay from three places, which are:

- HO195 – *Clovelly*, 3664 Point Nepean Road, Portsea, where the dwelling has been demolished in accordance with a planning permit,
- HO227 – *Western Park*, 21 Sandy Point Road, Somers, where the heritage value of the place has been reviewed and is no longer considered to meet the threshold for heritage protection, and
- HO429 – 751 Point Nepean Road, where it was incorrectly applied following the approval of Planning Scheme Amendment C262pt2 on 26 May 2022.

Finally, the amendment is also required to include:

- a revised Incorporated Document *Heritage Design Guidelines: Sorrento Heritage Precinct* into Clause 72.04 – Incorporated documents on a permanent basis. The current incorporated document is set to expire on 30 June 2024.
- The following new background documents into Clause 72.08 – Background Documents:
  - *Mornington Peninsula Heritage Review, Area 4: Westernport & Hinterland, Vol. 1, 2 & 3* (RBA Architects, 2024),
  - *Mornington Peninsula Heritage Review 2023 Stage 5 – Other Places – Methodology, Recommendations and Citations* (Heritage Alliance 2023, revised April 2024) and
  - *Ocean Beach Road Commercial Precinct Sorrento Heritage Policy for Planning Applications for Places in the Heritage Overlay (HLDC, September 2015)*.

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

The amendment implements the following objectives of planning in Victoria:

- 4(1)(a) To provide for the fair, orderly, economic and sustainable use and development of land.
- 4(1)(d) 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.
- 4(1)(f) 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 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 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?**

Ministerial Direction – The Form and Content of Planning Schemes

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.

Ministerial Direction No. 9 – Metropolitan Planning Strategy

The amendment complies with Ministerial Direction No. 9 - Metropolitan Strategy (Plan Melbourne) as follows:

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'.

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.

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

Ministerial Direction No. 11 – Strategic Assessment of Amendments

The amendment complies with Ministerial Direction 11 - Strategic Assessment of Amendments under section 12(2)(a) of the Act. The Strategic Assessment Guidelines Checklist has been applied during its preparation.

Ministerial Direction No. 15 – The Planning Scheme Amendment Process

The amendment complies with Ministerial Direction 15 – The Planning Scheme Amendment Process under section 12(2) of the Act.

Ministerial Direction No. 17 – Localised Planning Statements

The amendment is consistent with the Mornington Peninsula Localised Planning Statement (July 2014) as provided for under Clause 11.03-5S (Distinctive areas and landscapes). It is consistent with 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 Planning Policy Framework and any adopted State policy?**

The amendment is consistent with the 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 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 Municipal Planning Strategy?**

The Municipal Planning Strategy recognises heritage buildings and places as important elements in maintaining and enhancing local area character.

The Municipal Planning Strategy contains key strategic directions. Clause 02.03-5 (Built environment and heritage) is relevant to this amendment as it seeks to ensure that development respects, among other things, neighbourhood and heritage values on the Mornington Peninsula, and that the Peninsula's sense of place is reinforced by the distinctive built-form character of its residential areas.

Relevant strategic directions include:

- *Ensure the location, design and construction of buildings and works are compatible with the built form and landscape character of the surrounding area.*
- *Conserve sites and locations of heritage significance, relating to both Aboriginal and European heritage*

The amendment is consistent with local planning policy as follows:

- It provides for site responsive design by requiring consideration of heritage values via the application of the Heritage Overlay.
- By implementing the recommendations within the heritage citations including Statements of Significance in the Planning Scheme, the amendment provides strategic justification for the inclusion of each heritage place.

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

The amendment makes 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?**

#### **Exhibition stage:**

- **Include which agencies were consulted prior to exhibition and, if appropriate their preliminary views.**
- **Provide details if views of agencies will also be sought during exhibition.**

### **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 amendment will increase the number of sites subjected to the Heritage Overlay provisions in the Planning Scheme. Therefore, it will increase the total number of potential planning permit triggers across the Mornington Peninsula, and add additional assessment requirements for the proposed new heritage places. However, it is not expected that additional planning permit applications or additional assessment requirements will place an undue resource or administrative burden on the responsible authority.

# **Mornington Peninsula Planning Scheme**

## **Amendment C302morn**

### **Instruction sheet**

The planning authority for this amendment is the Mornington Peninsula Shire Council.

The Mornington Peninsula Planning Scheme is amended as follows:

### **Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 62 attached map sheets.

#### **Overlay Maps**

1. Amend Planning Scheme Map Nos. 1HO, 2HO, 5HO, 6HO, 7HO, 8HO, 9HO, 12HO, 13HO, 14HO, 15HO, 18HO, 19HO, 21HO, 22HO, 26HO, 29HO, 31HO, 32HO, 33HO, 36HO, 38HO, 39HO, 44HO, and 45HO in the manner shown on the 62 attached maps marked "Mornington Peninsula Planning Scheme, Amendment C302morn" by replacing the Heritage Overlay on a permanent basis. The Heritage Overlay was applied in the interim by Amendment C301morn.

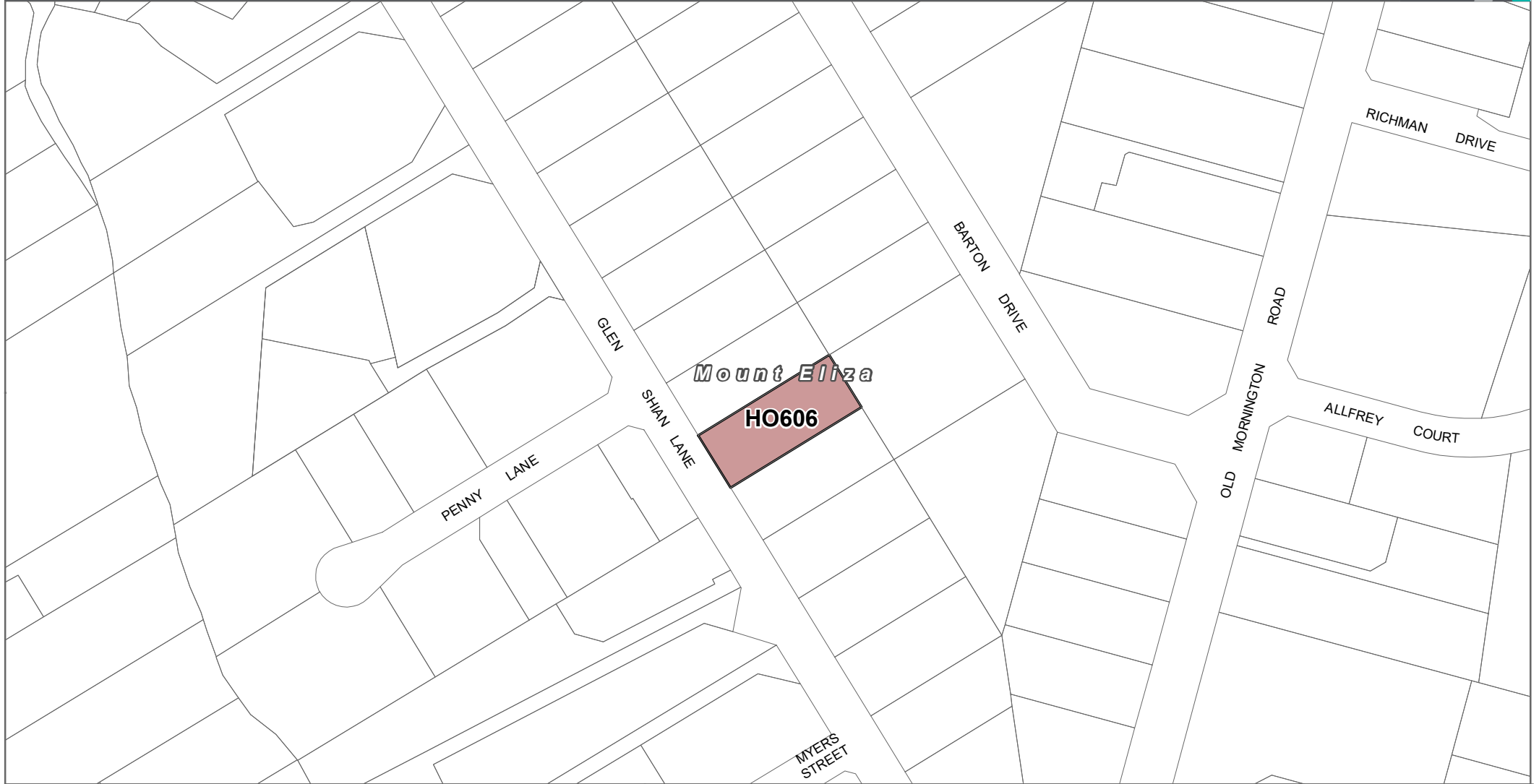
#### **Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:



2. In **Overlays** – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.
3. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
4. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

**End of document**

# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



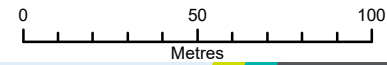
### LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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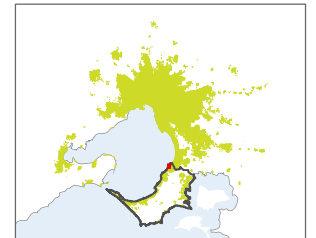
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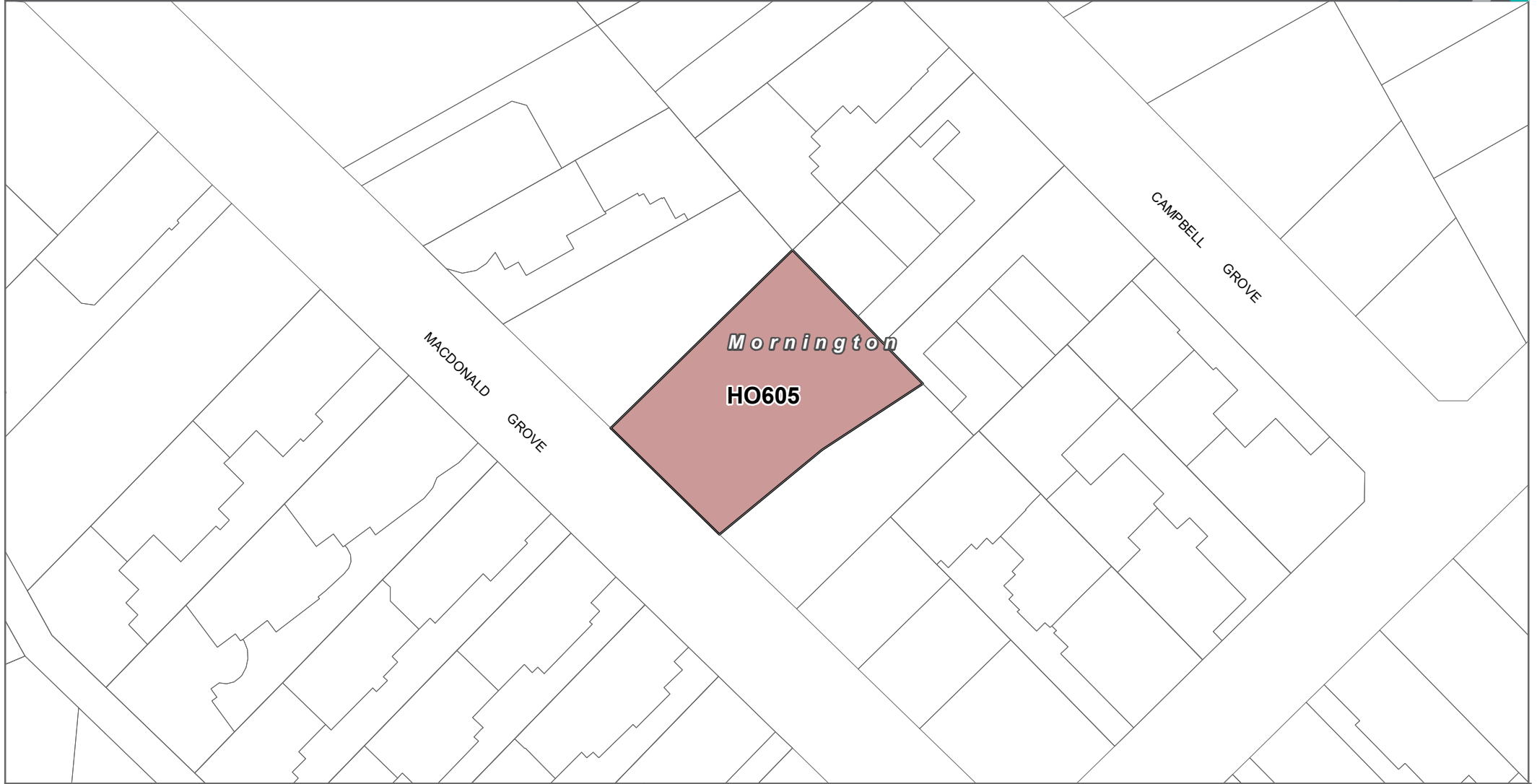




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Part of Planning Scheme Map 1HO



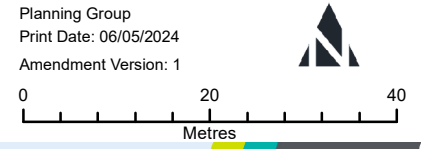
# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



- LEGEND**
-  HO - Heritage Overlay
  -  Local Government Area

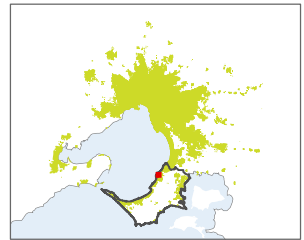
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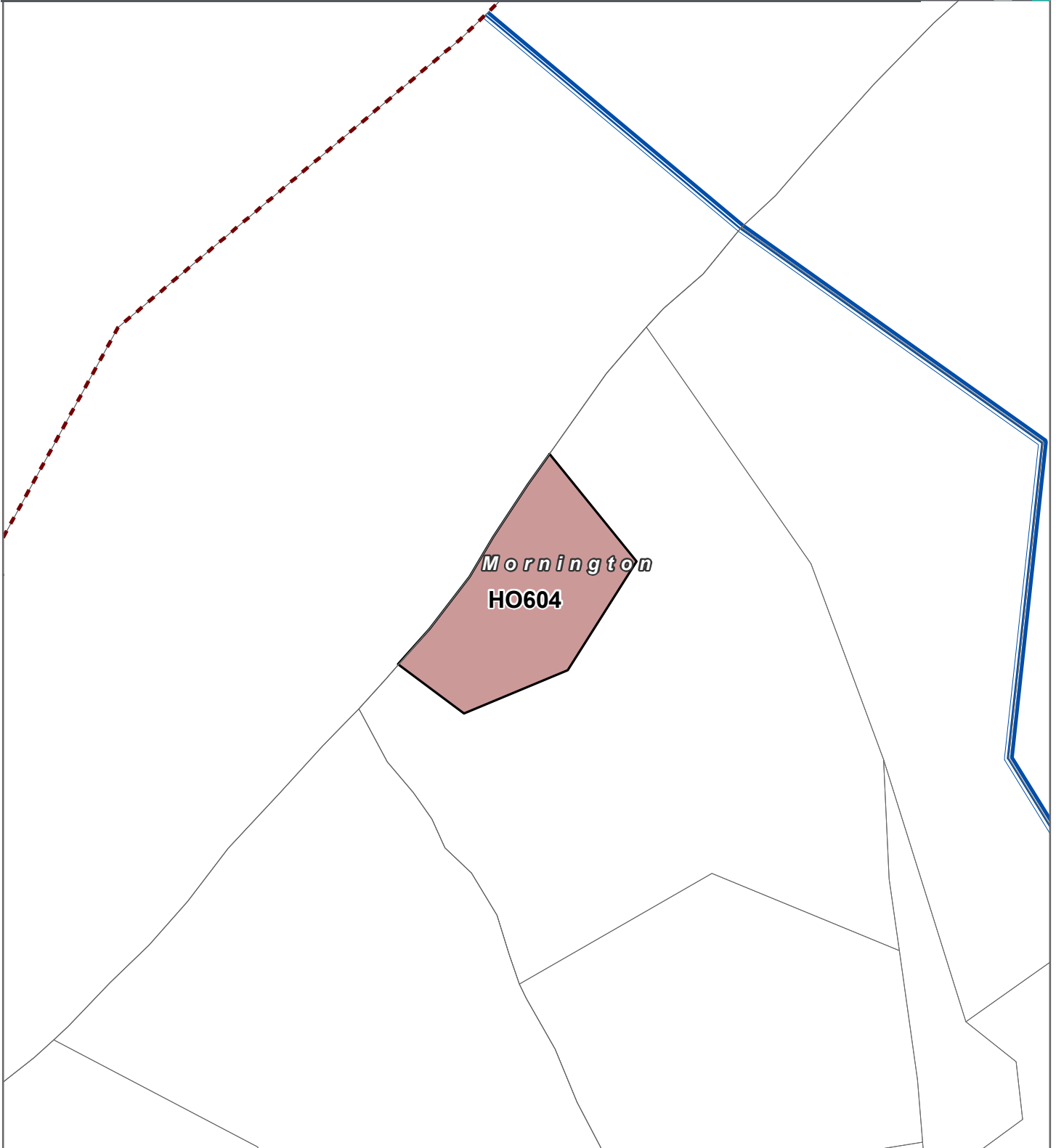


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Part of Planning Scheme Map 5HO

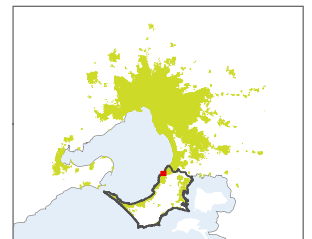


# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary



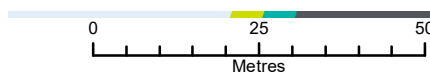
Part of Planning Scheme Map 6HO

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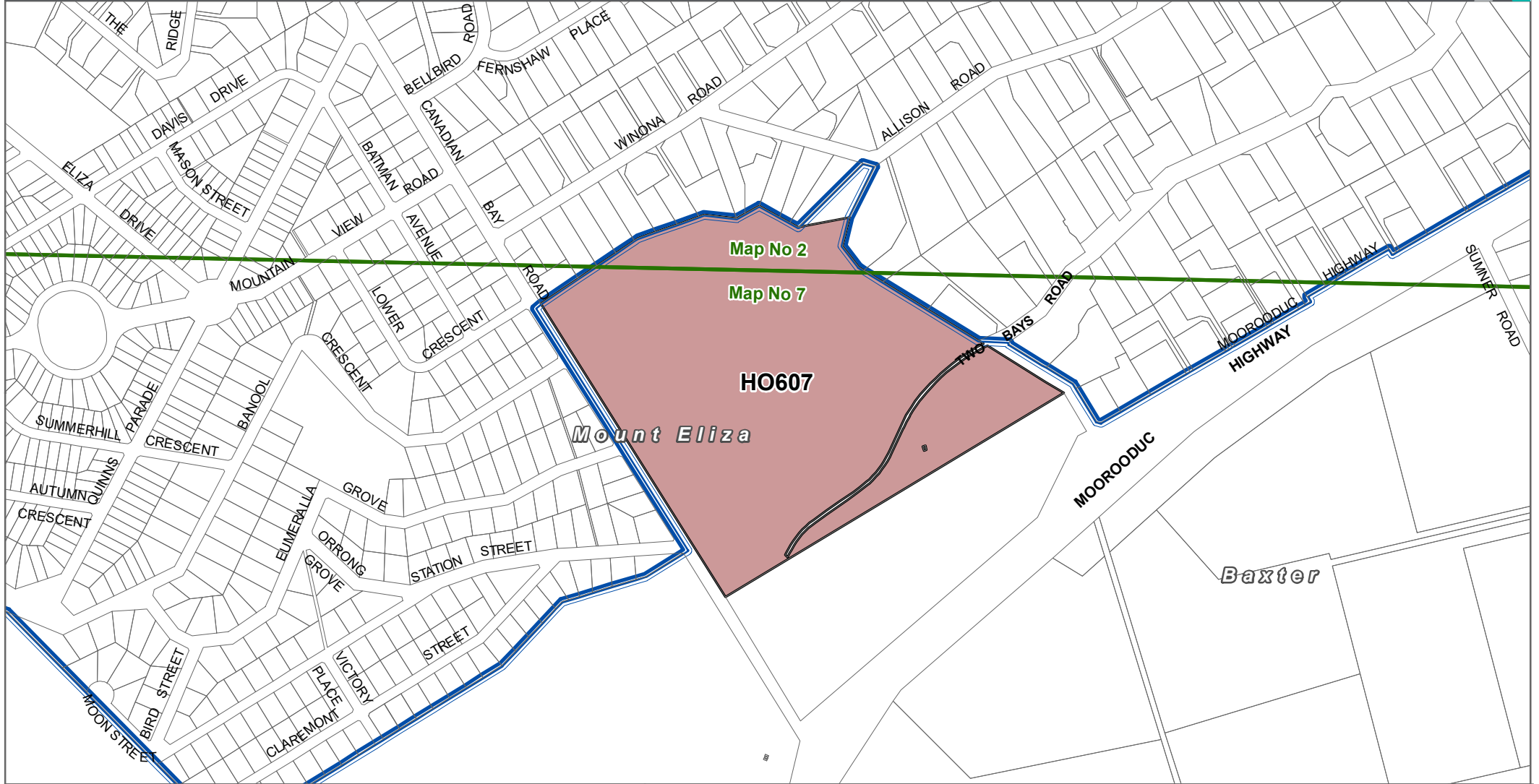
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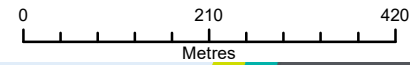
## LEGEND

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

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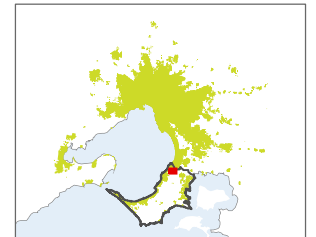
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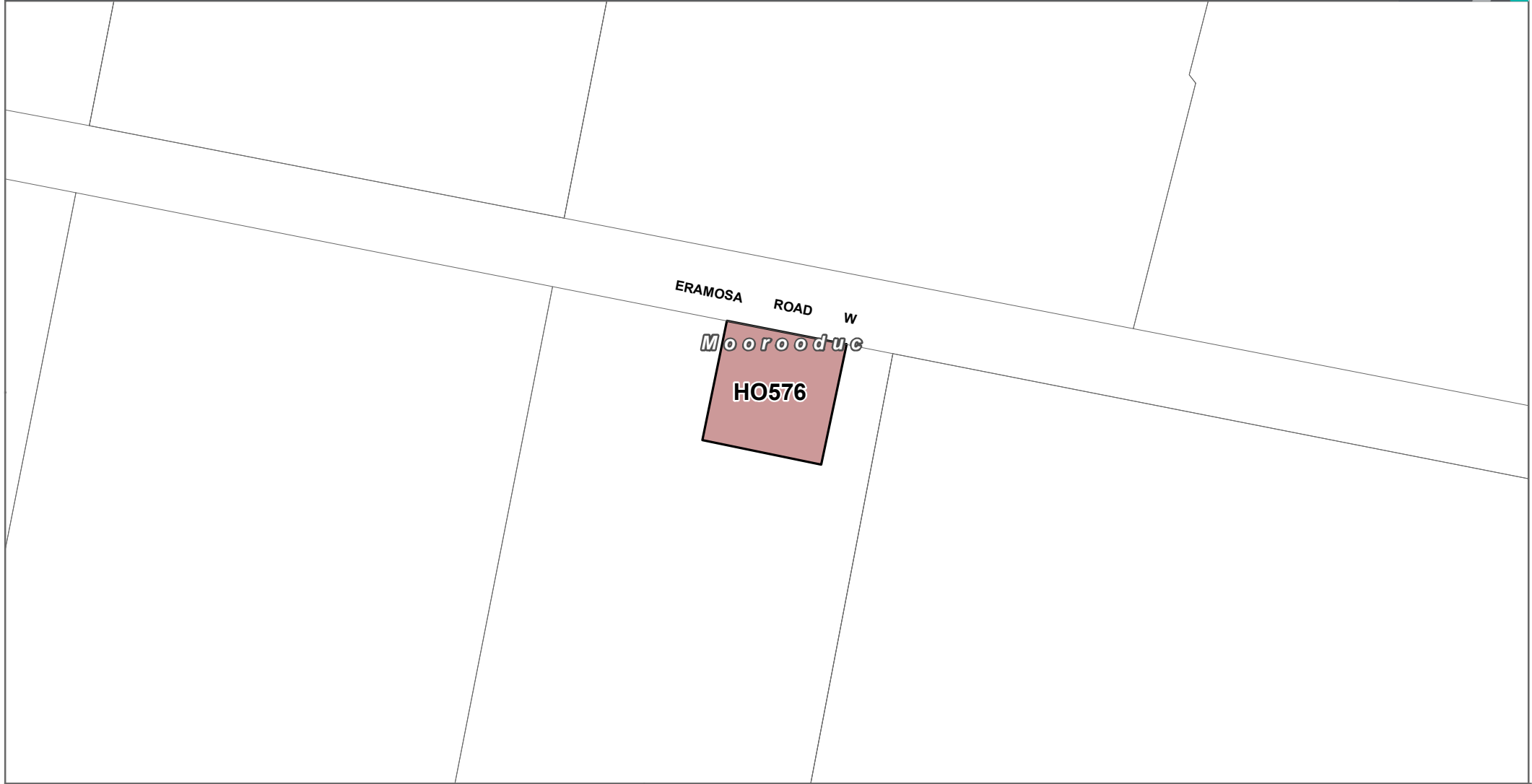


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Part of Planning Scheme Maps 2HO & 7HO



# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



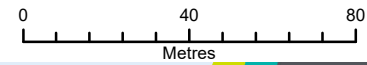
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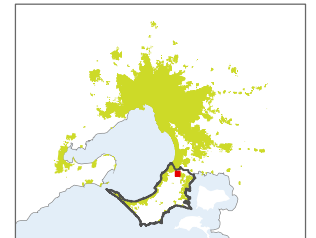
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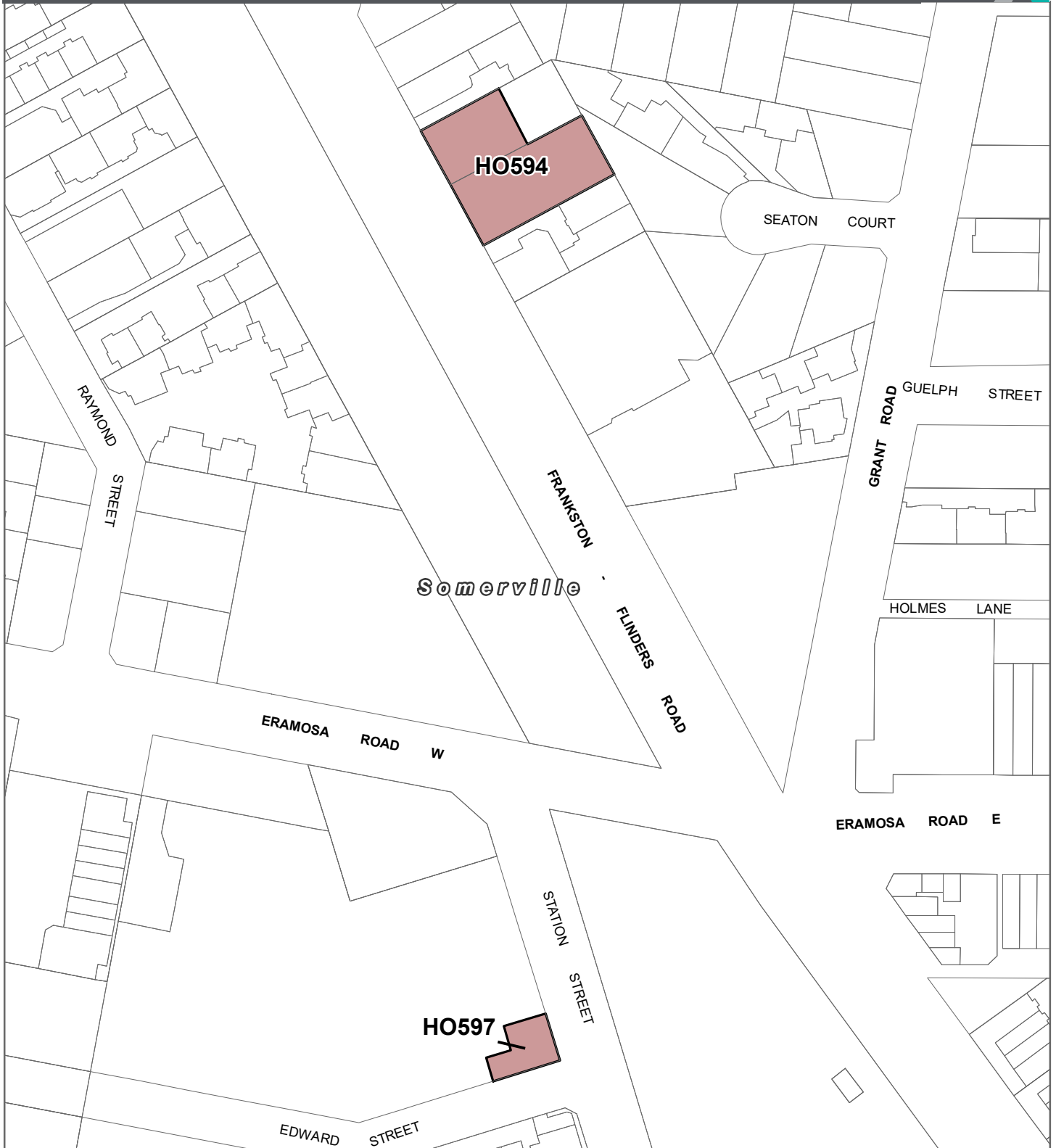


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Part of Planning Scheme Map 8HO

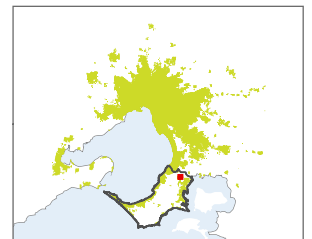


# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



## LEGEND

-  HO - Heritage Overlay
-  Local Government Area



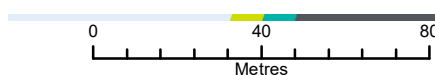
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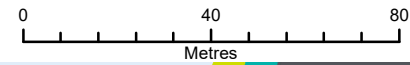
## LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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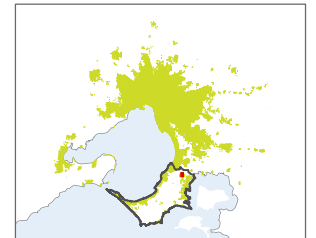
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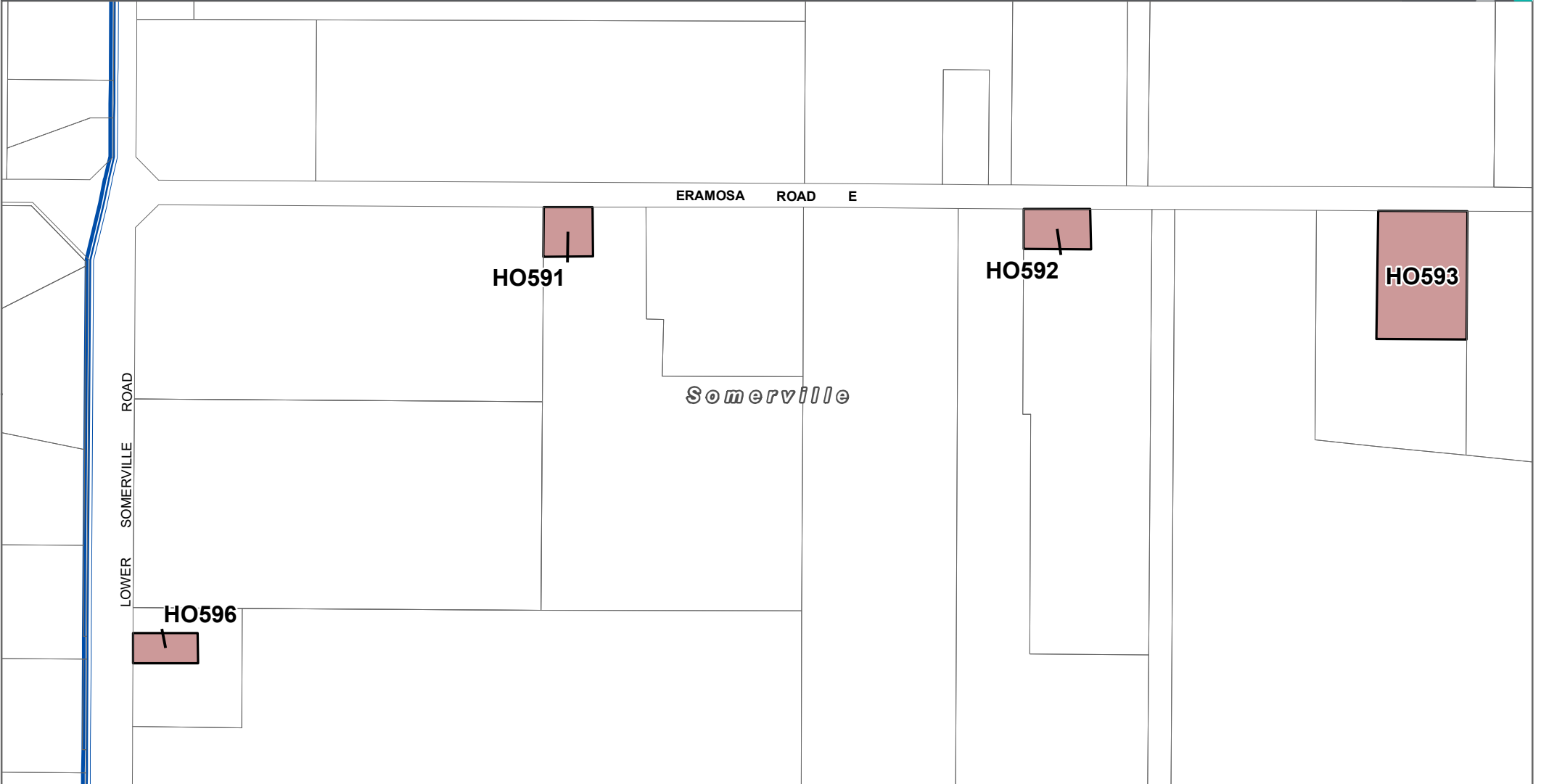


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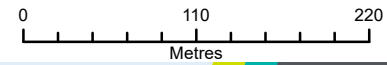
**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

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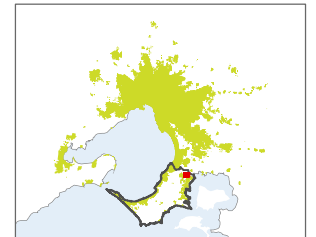
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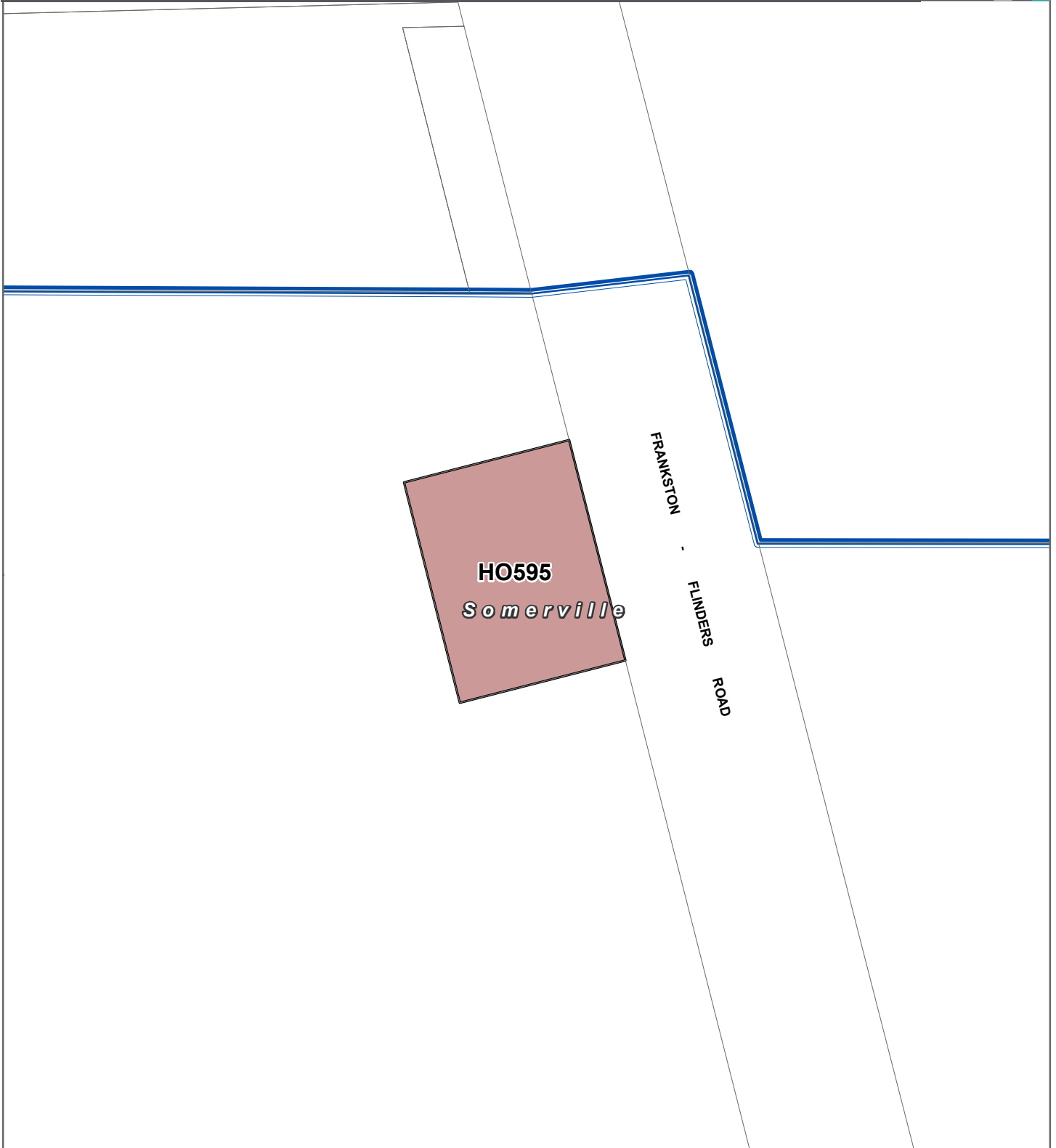


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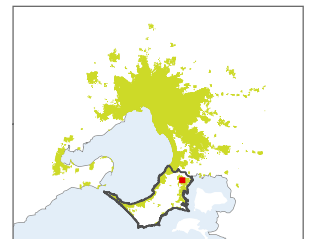


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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

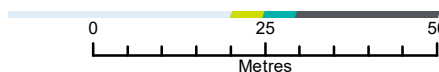


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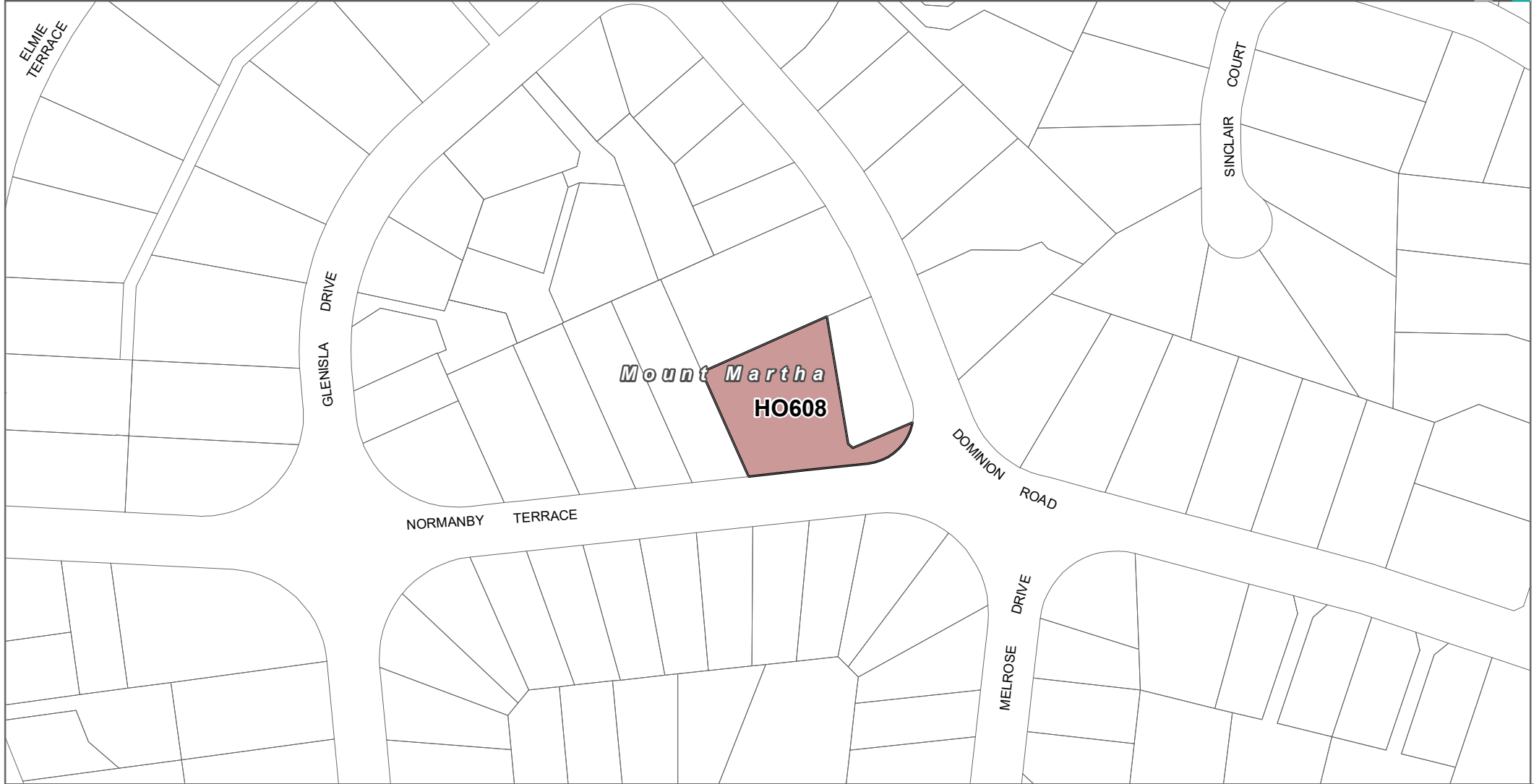
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## AMENDMENT C302morn



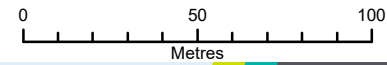
### LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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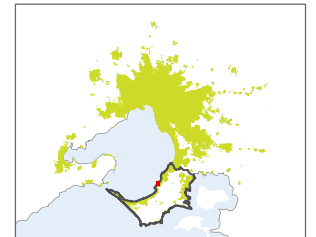
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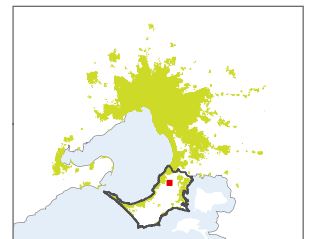


# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area



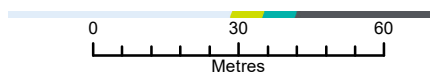
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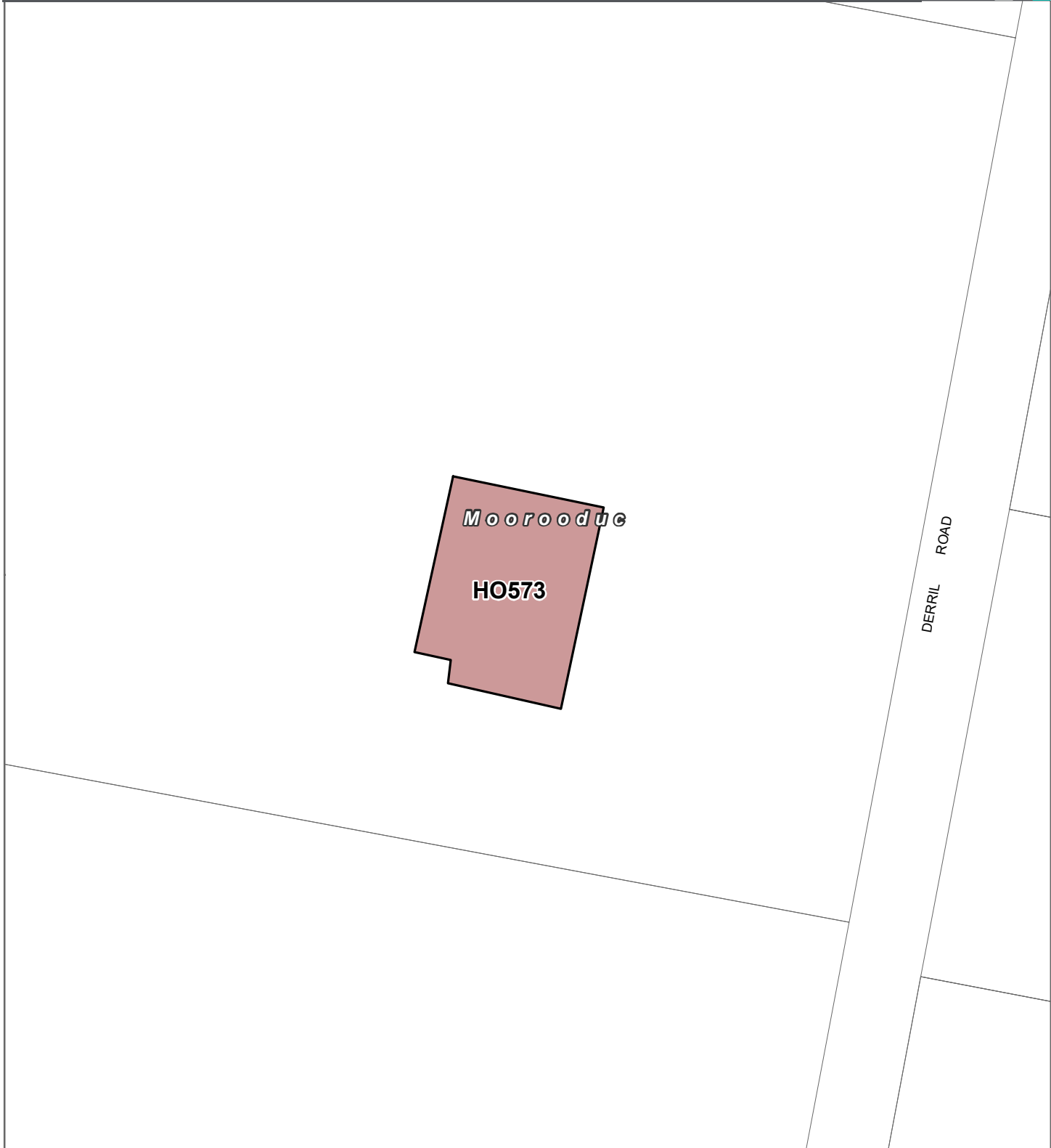
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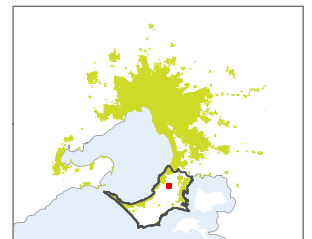
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## LEGEND

-  HO - Heritage Overlay
-  Local Government Area



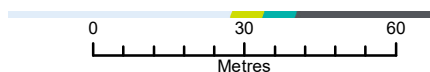
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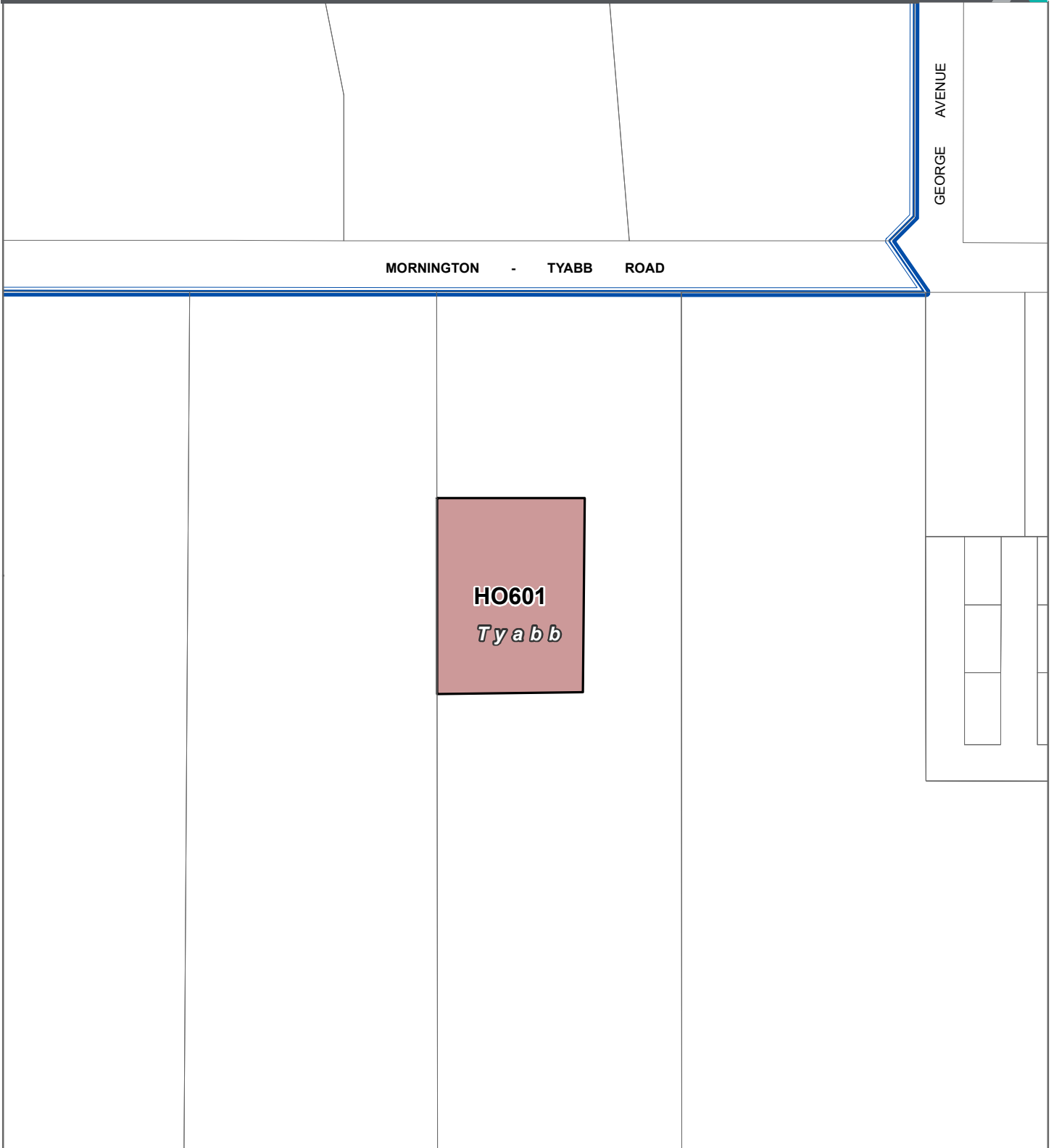
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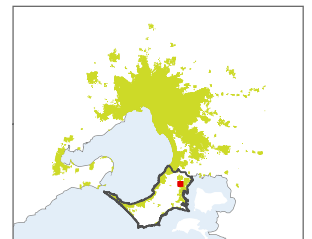
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# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

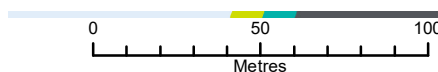


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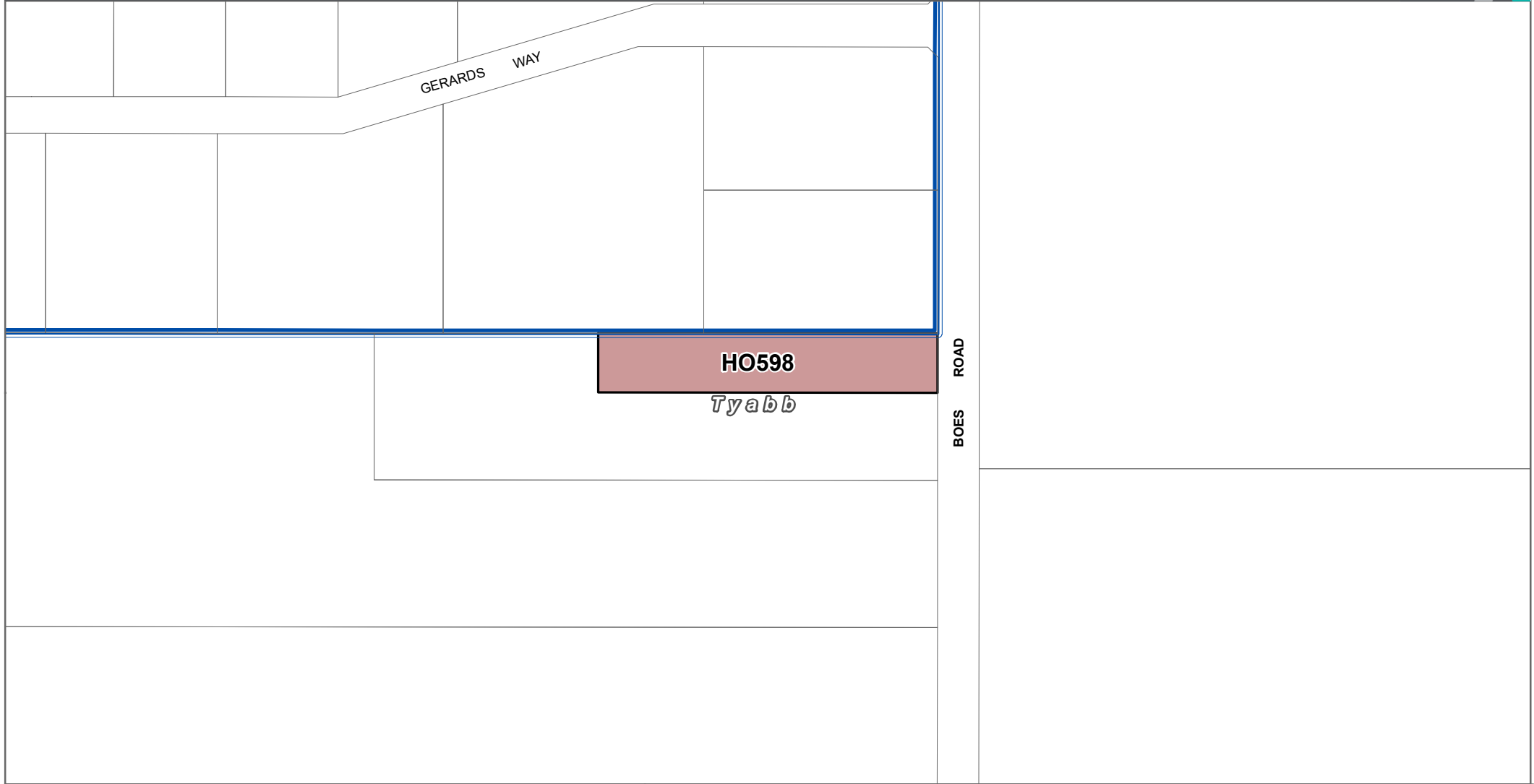
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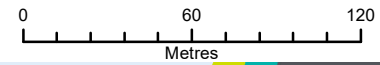
**LEGEND**

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-  Local Government Area
-  Urban Growth Boundary

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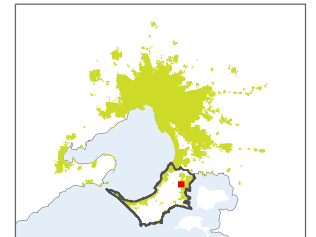
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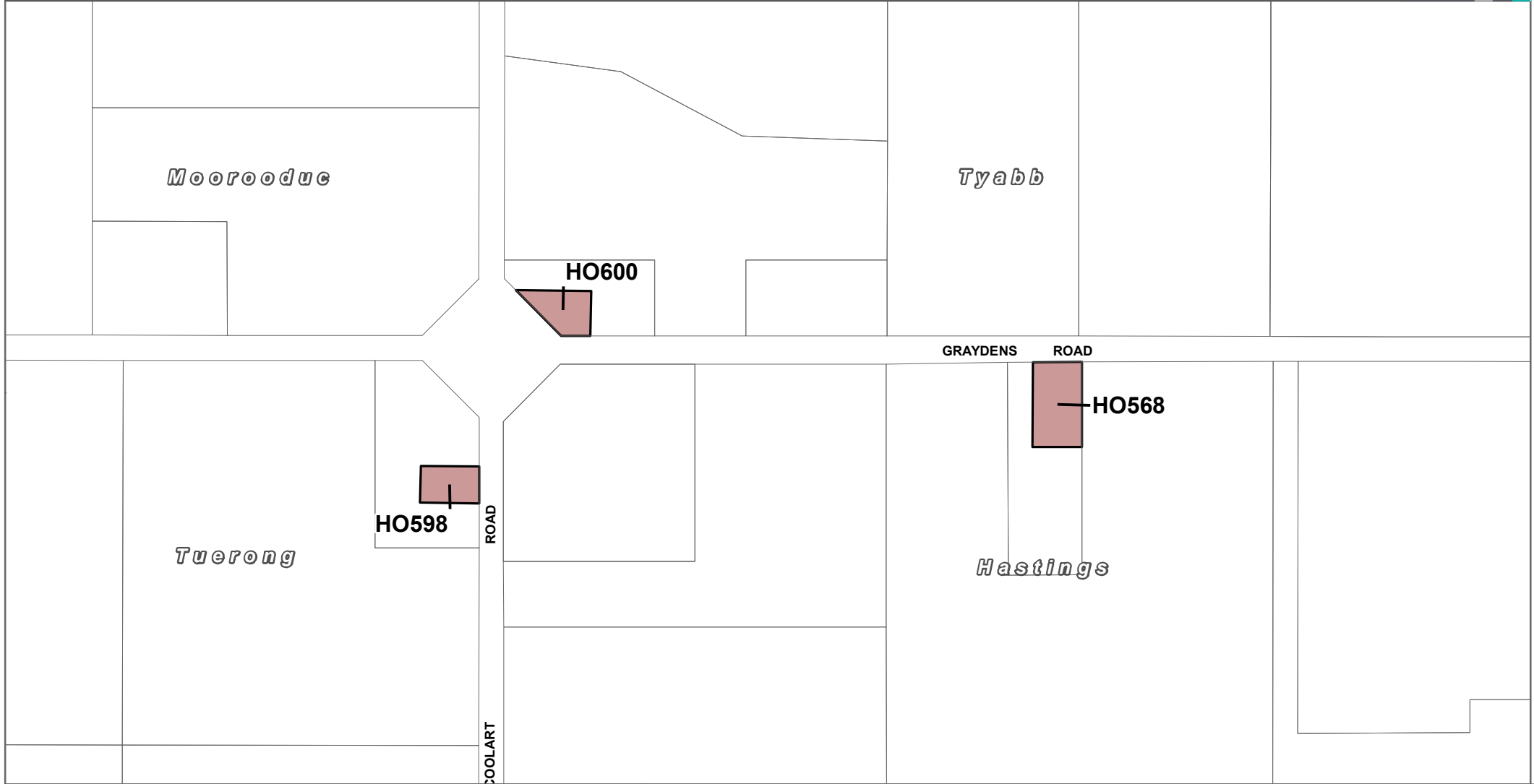


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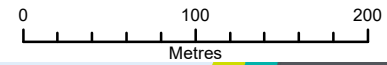


**LEGEND**  
 HO - Heritage Overlay  
 Local Government Area

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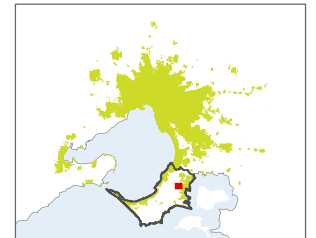
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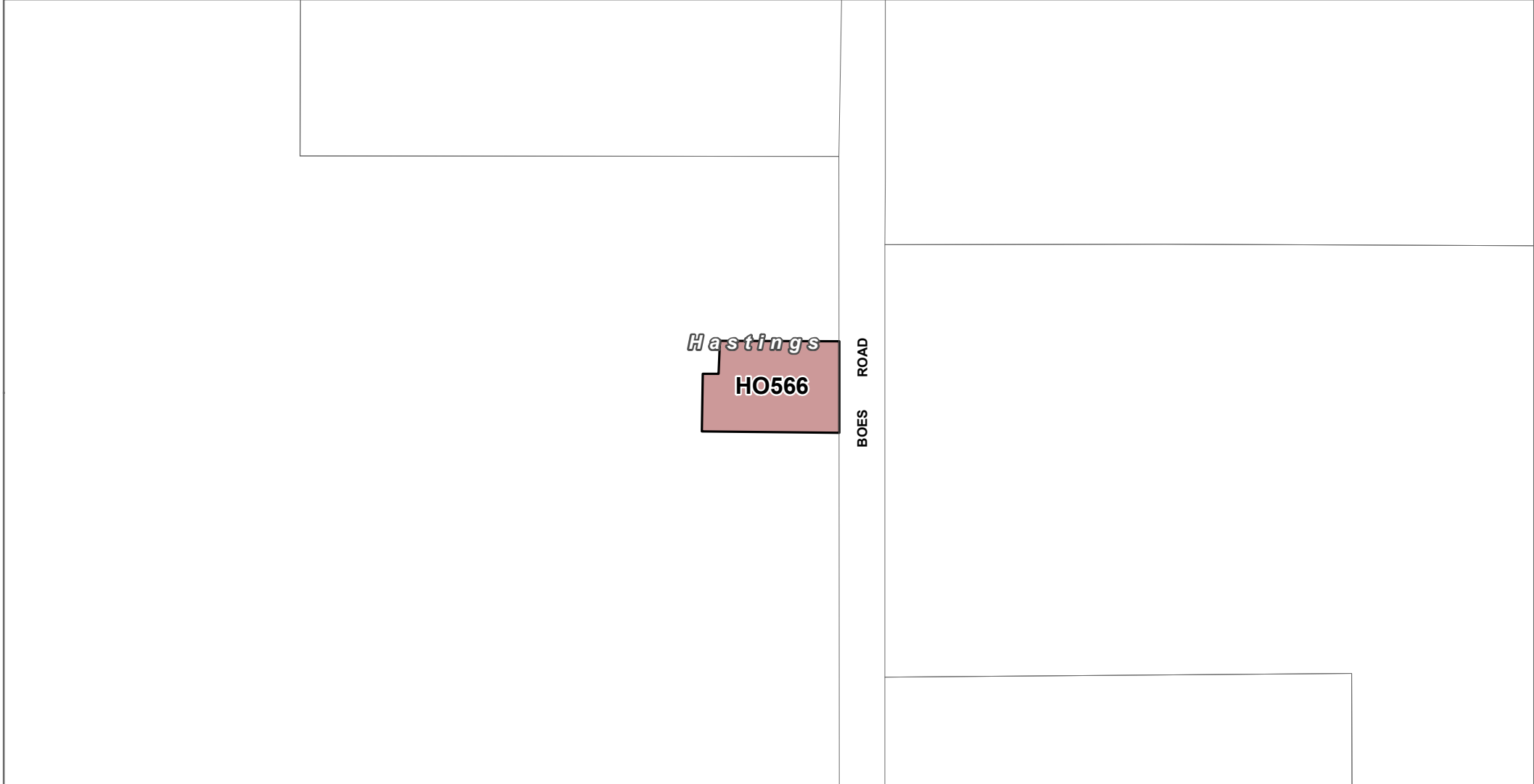
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## AMENDMENT C302morn



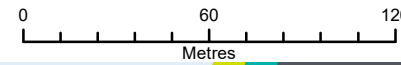
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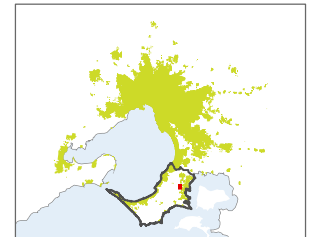
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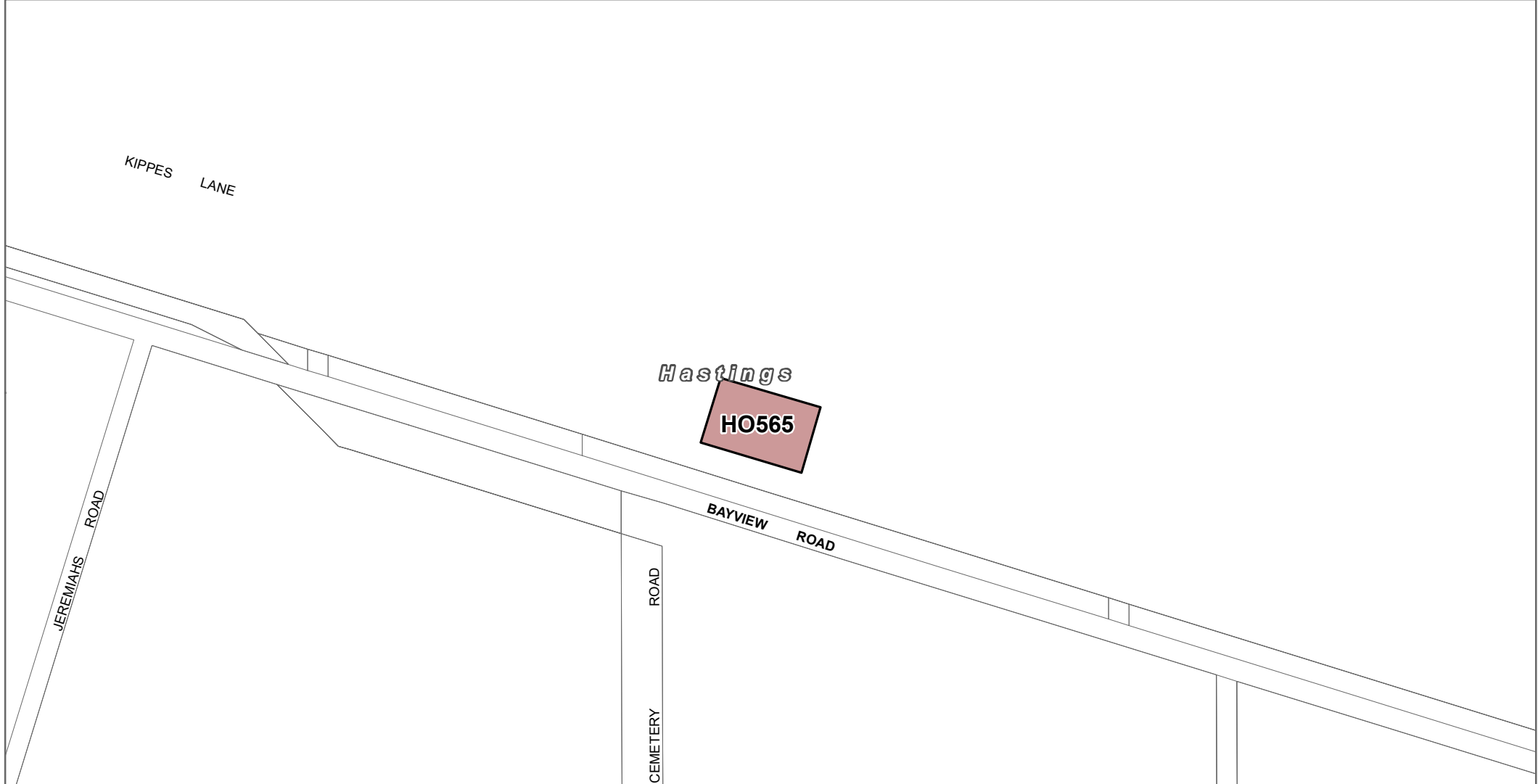


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Part of Planning Scheme Map 14HO



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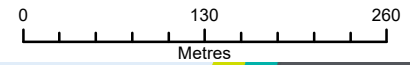
**LEGEND**

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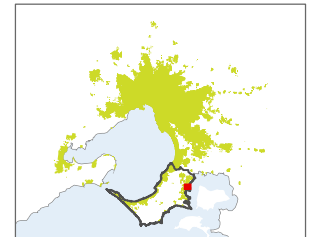
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# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn

*Balnarring*



COOLART ROAD



**HO551**

*Bittern*

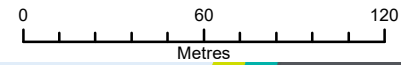
**LEGEND**

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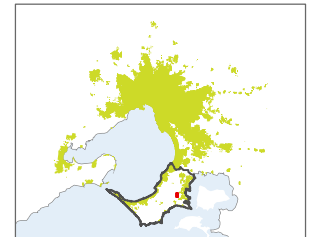
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Part of Planning Scheme Map 18HO





# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn

*Bittern*   
HO555

MYERS ROAD

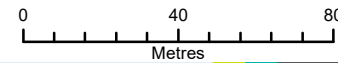
## LEGEND

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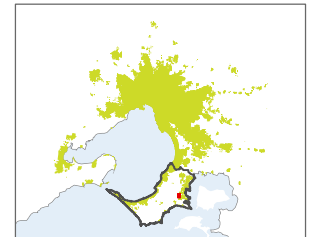
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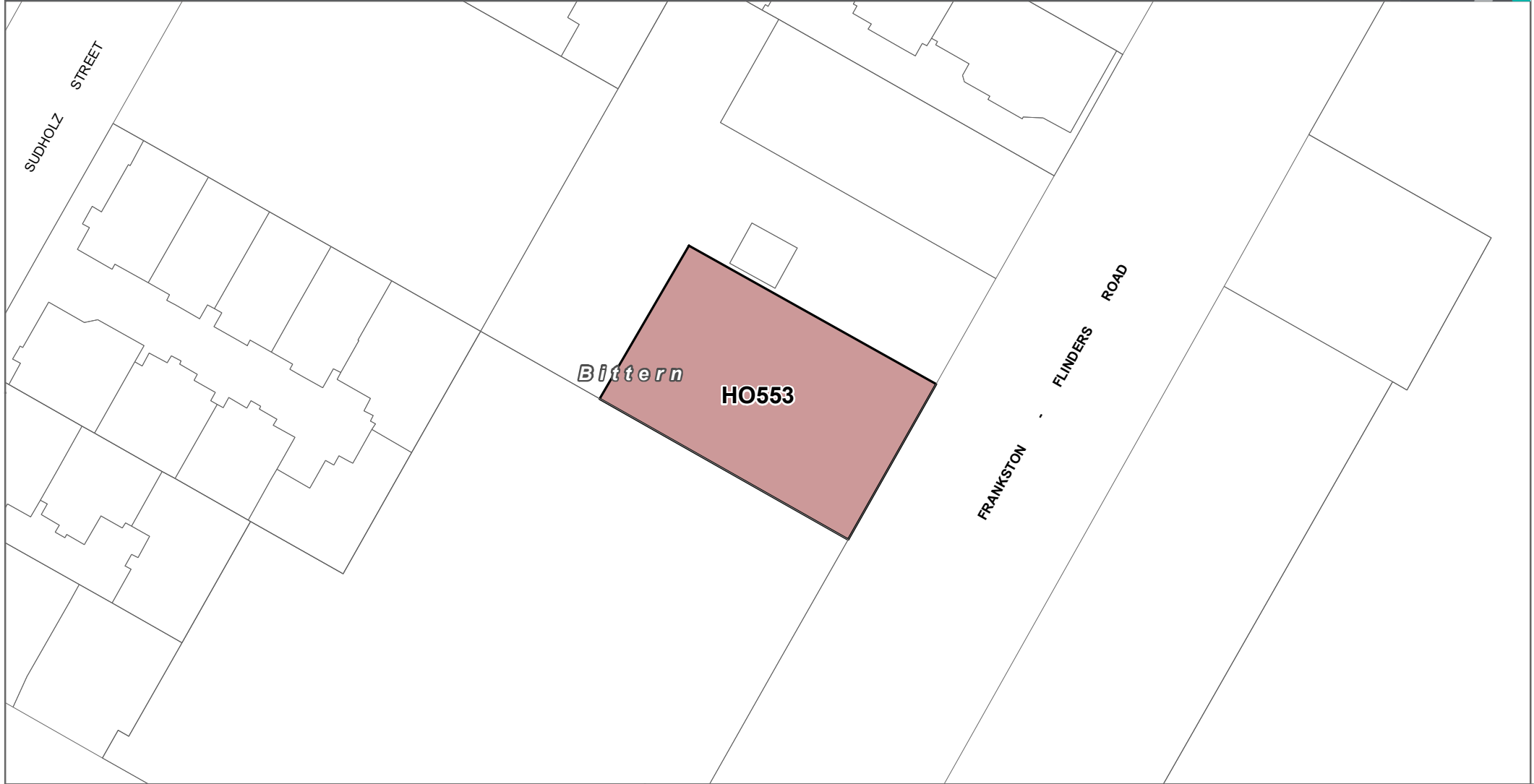


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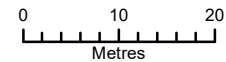
## LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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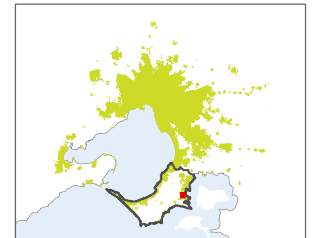
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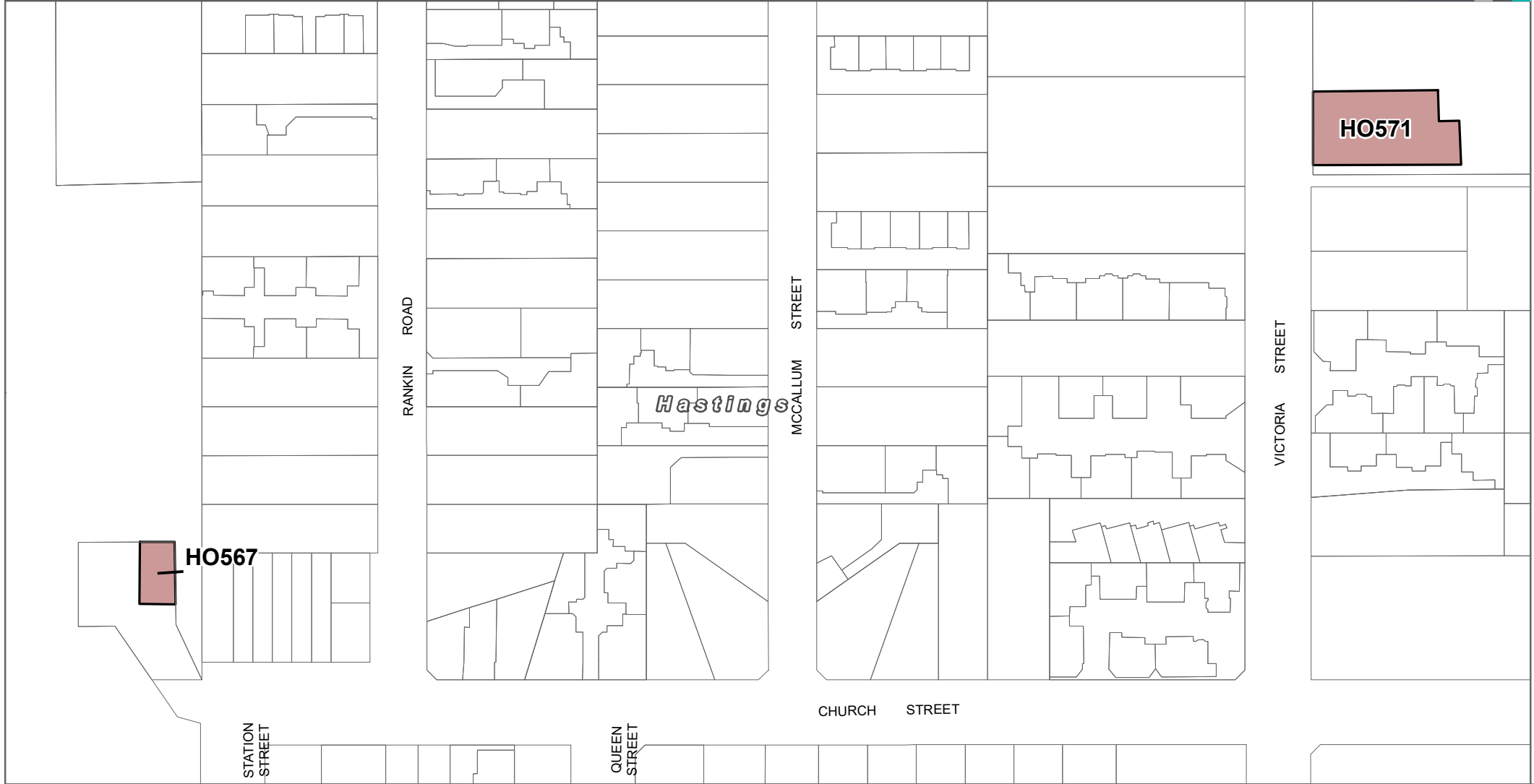
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# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION

## AMENDMENT C302morn



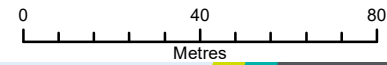
### LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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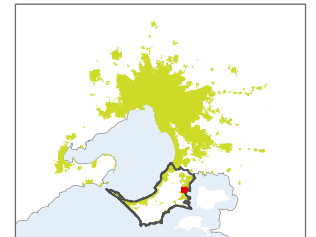
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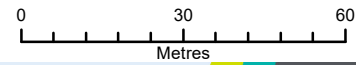
-  HO - Heritage Overlay
-  Local Government Area

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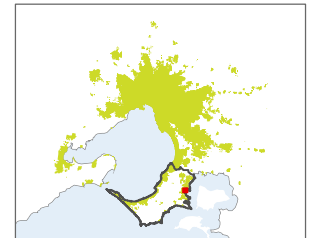
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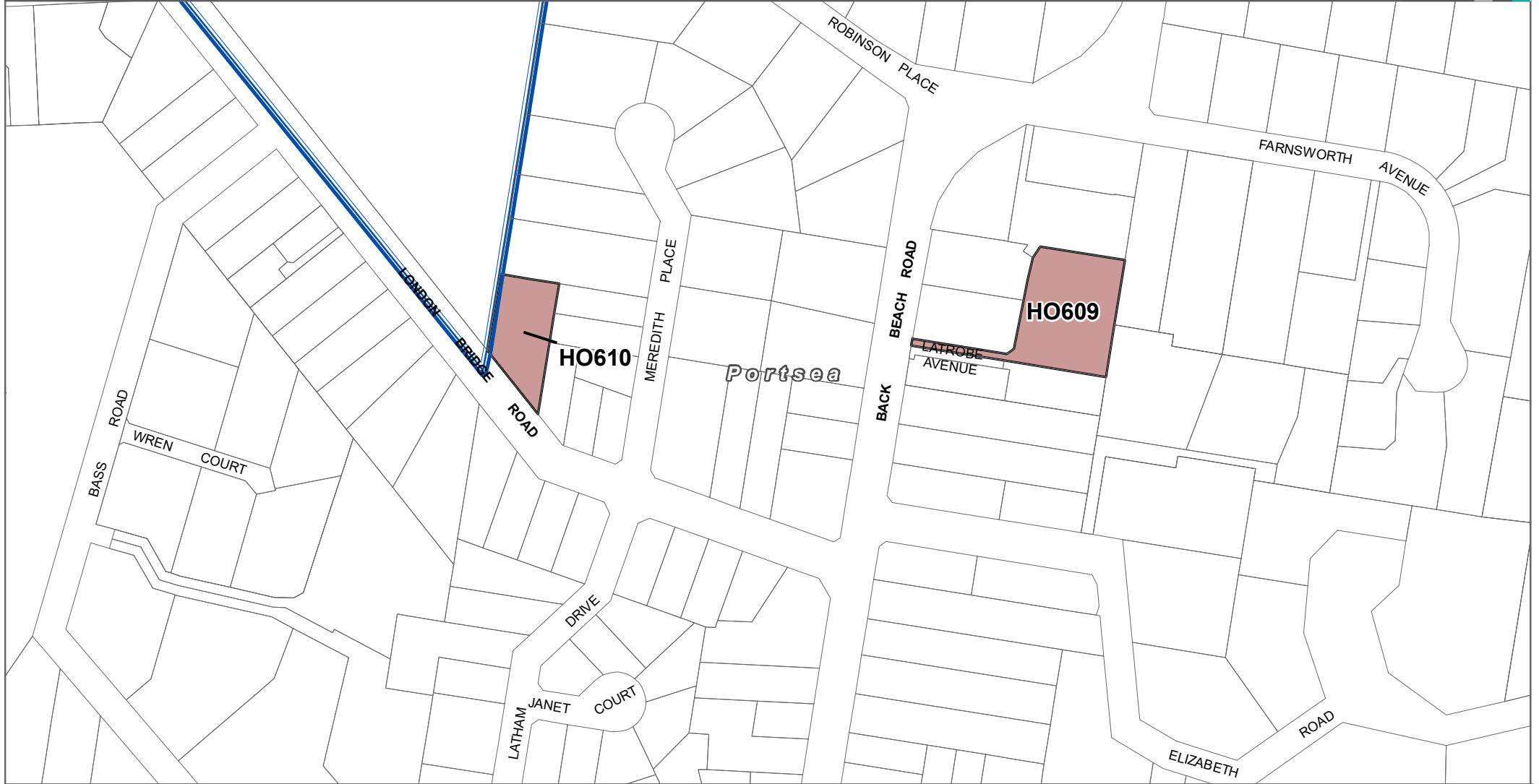


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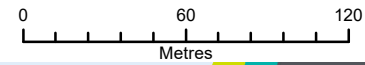
## LEGEND

- HO - Heritage Overlay
- Local Government Area
- Urban Growth Boundary

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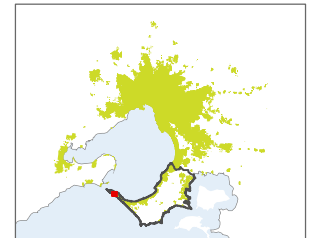
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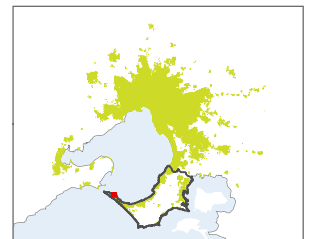


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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area



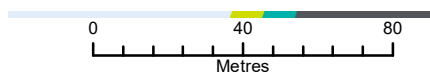
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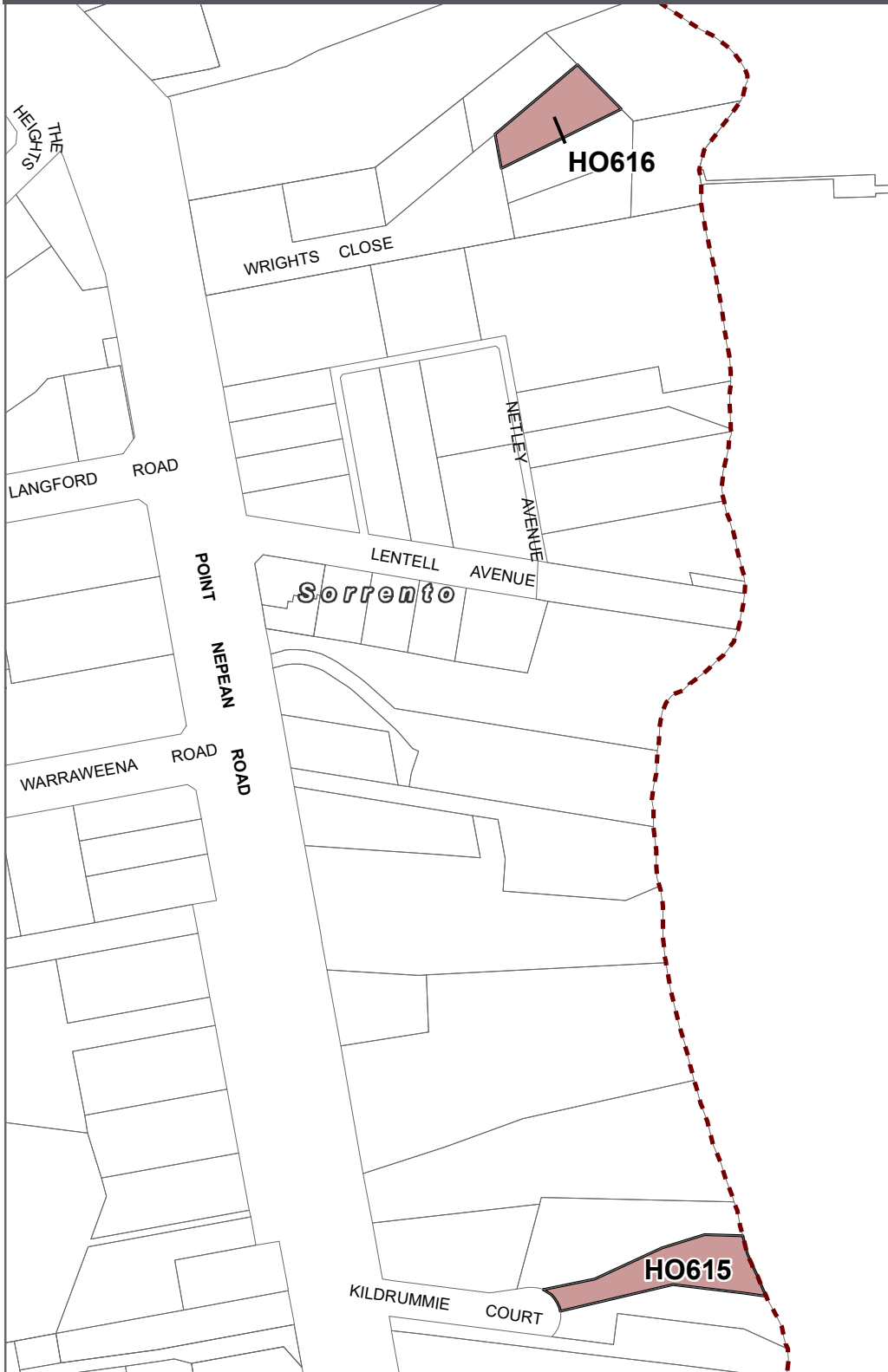
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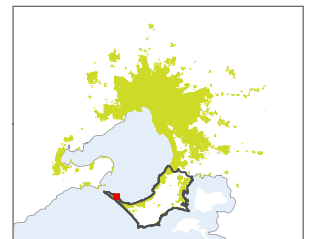
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**LEGEND**

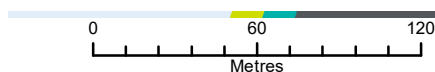
-  HO - Heritage Overlay
-  Local Government Area



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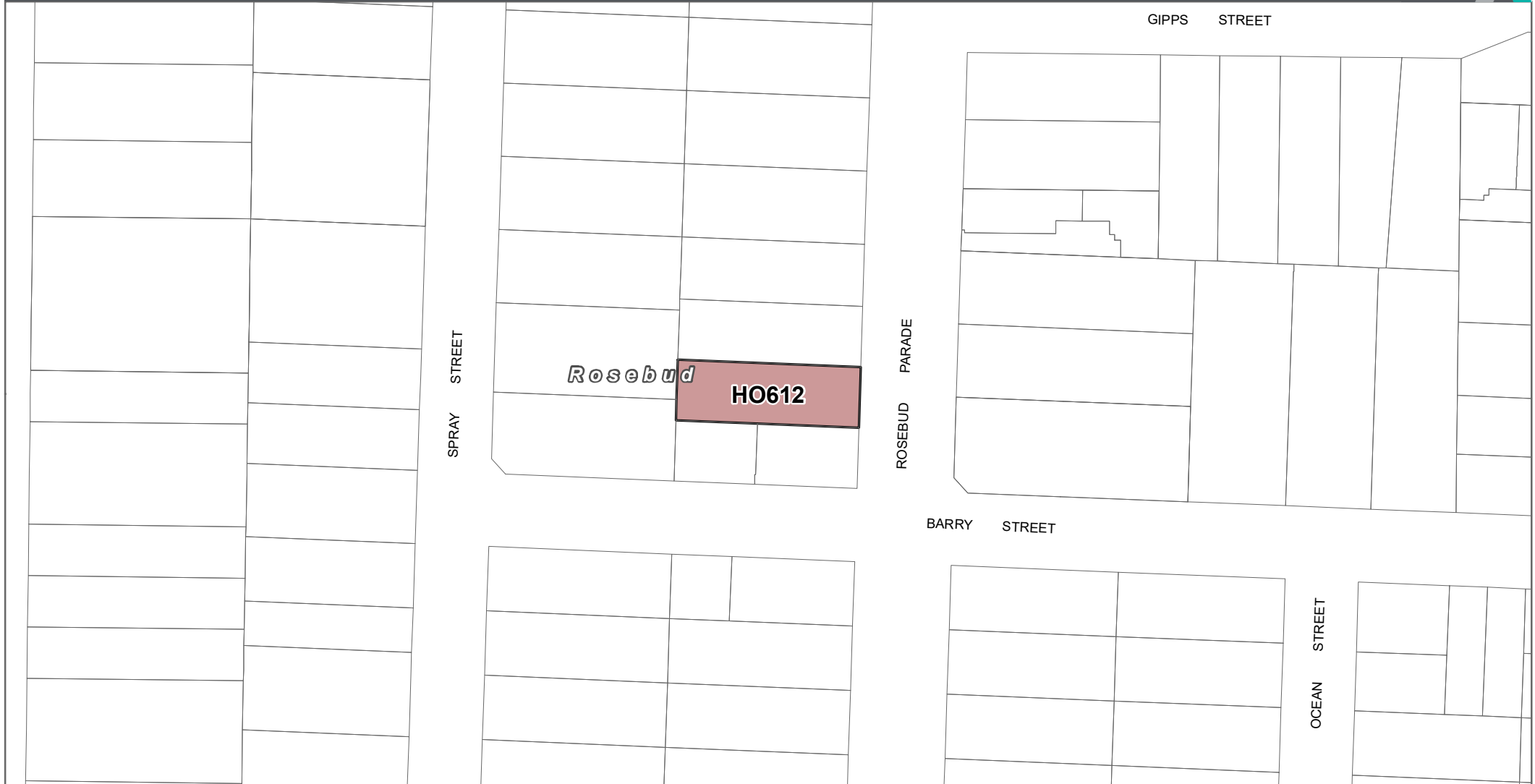
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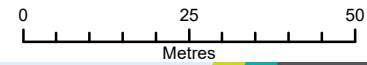
### LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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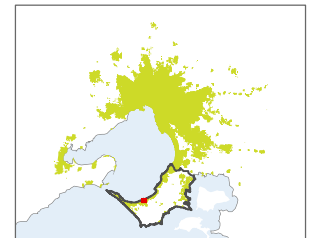
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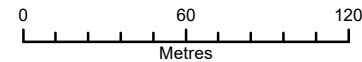
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-  HO - Heritage Overlay
-  Local Government Area

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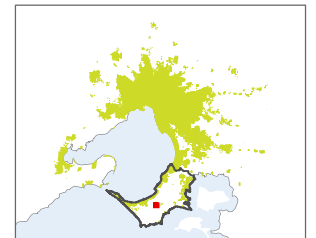
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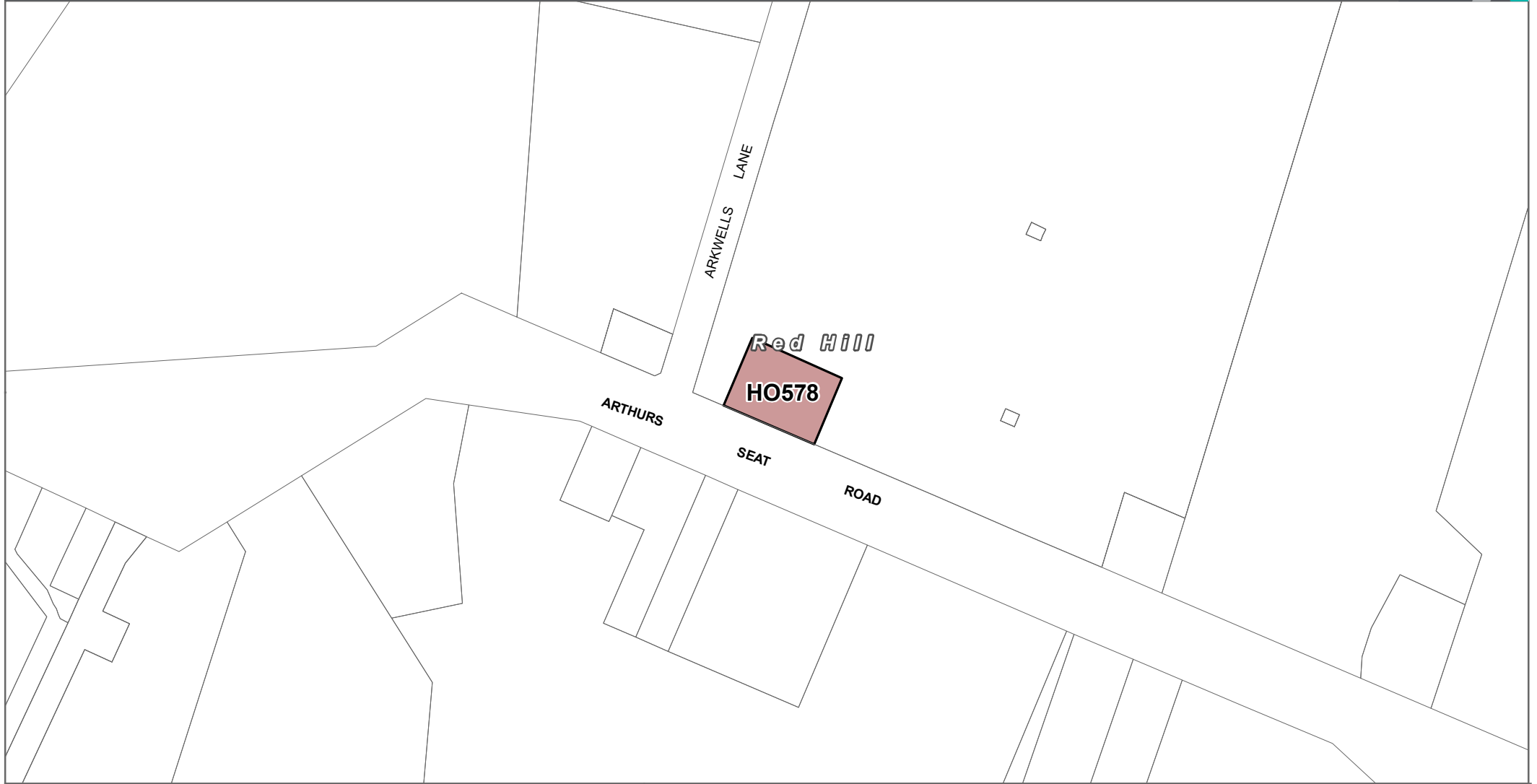


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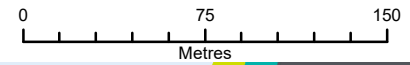
### LEGEND

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-  Local Government Area

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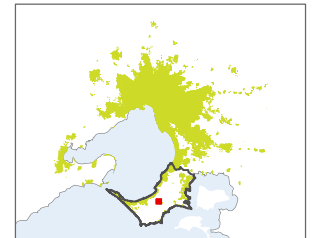
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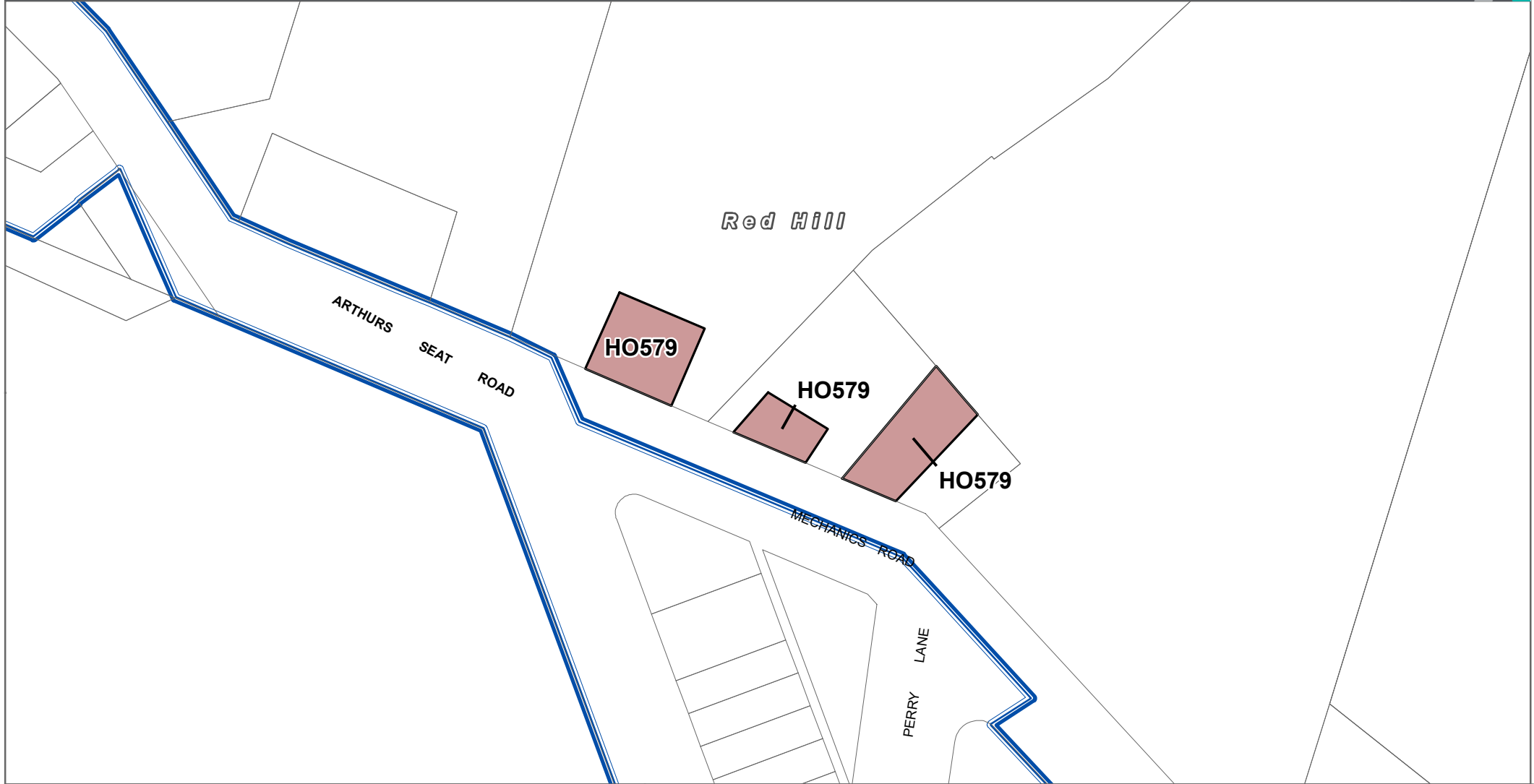


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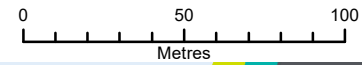
**LEGEND**

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-  Local Government Area
-  Urban Growth Boundary

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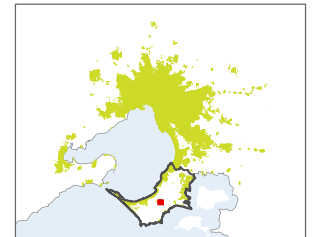
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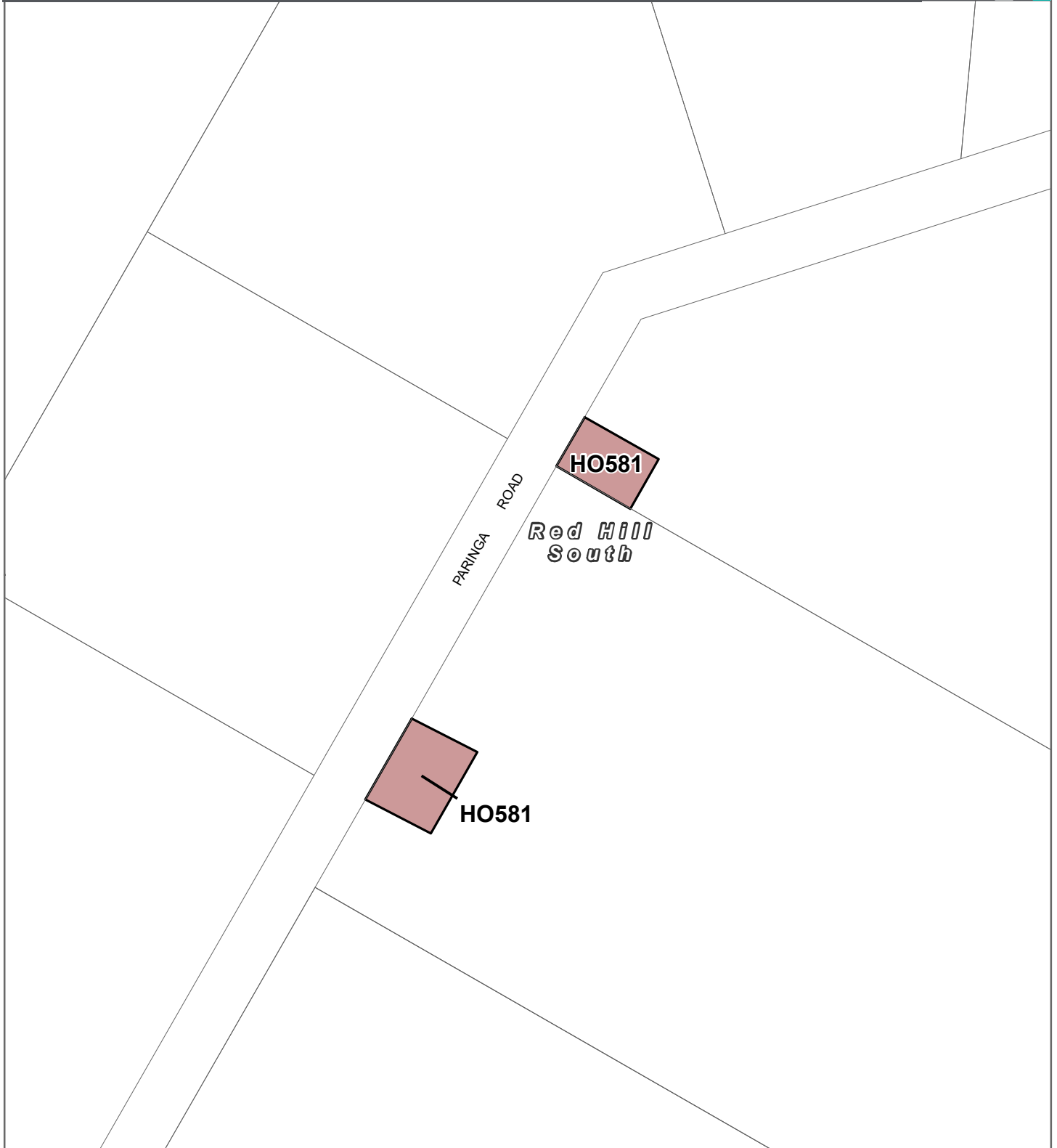


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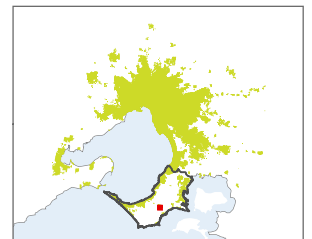


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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area



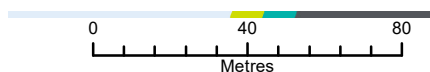
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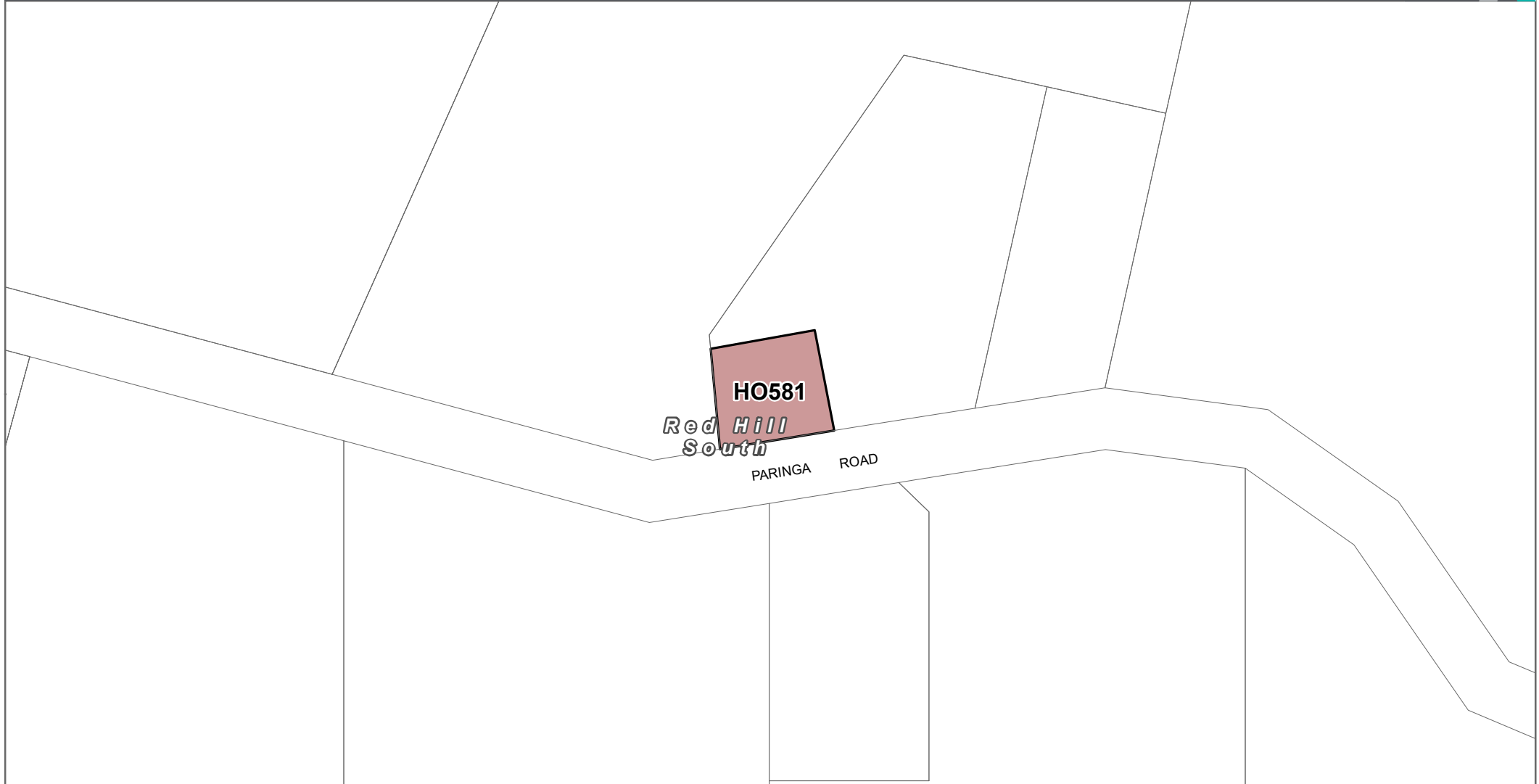
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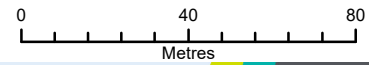
## LEGEND

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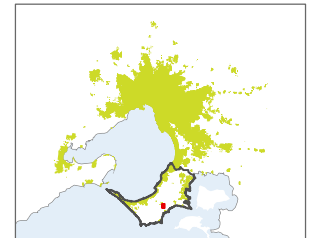
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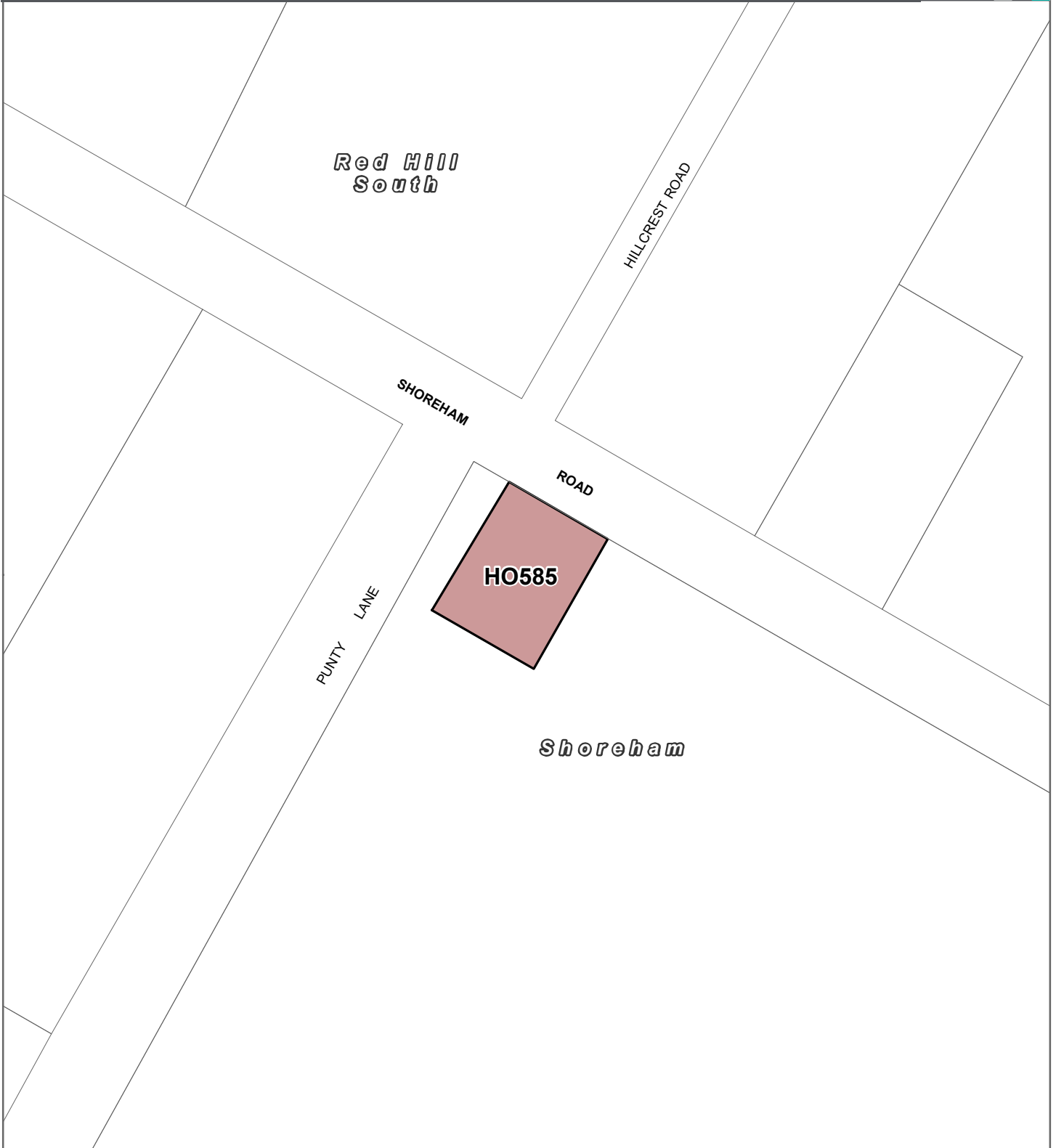


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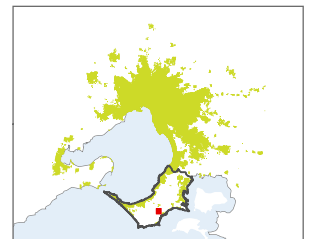


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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area

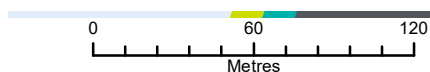


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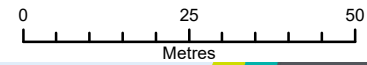
**LEGEND**

- HO - Heritage Overlay
- Local Government Area
- Urban Growth Boundary

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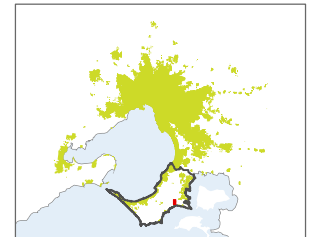
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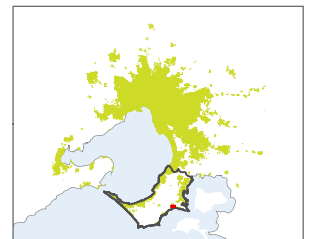


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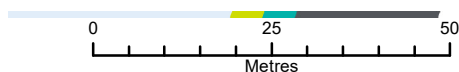
-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary



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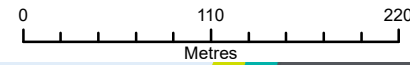
## LEGEND

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-  Local Government Area

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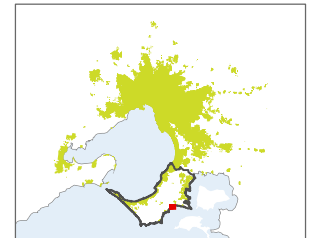
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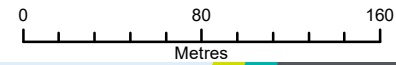
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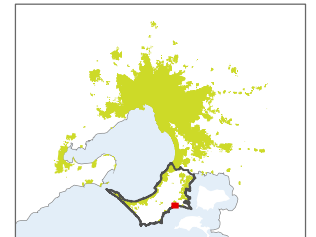
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## LEGEND

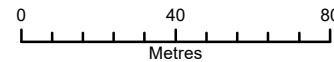
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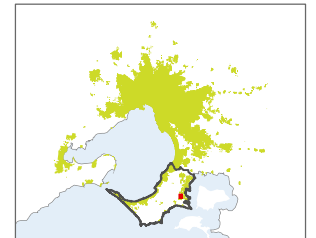
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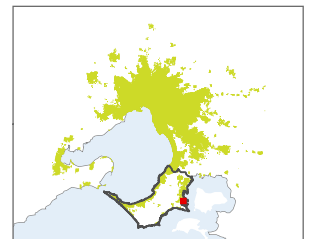


# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

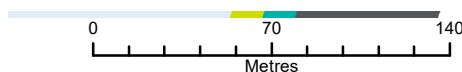


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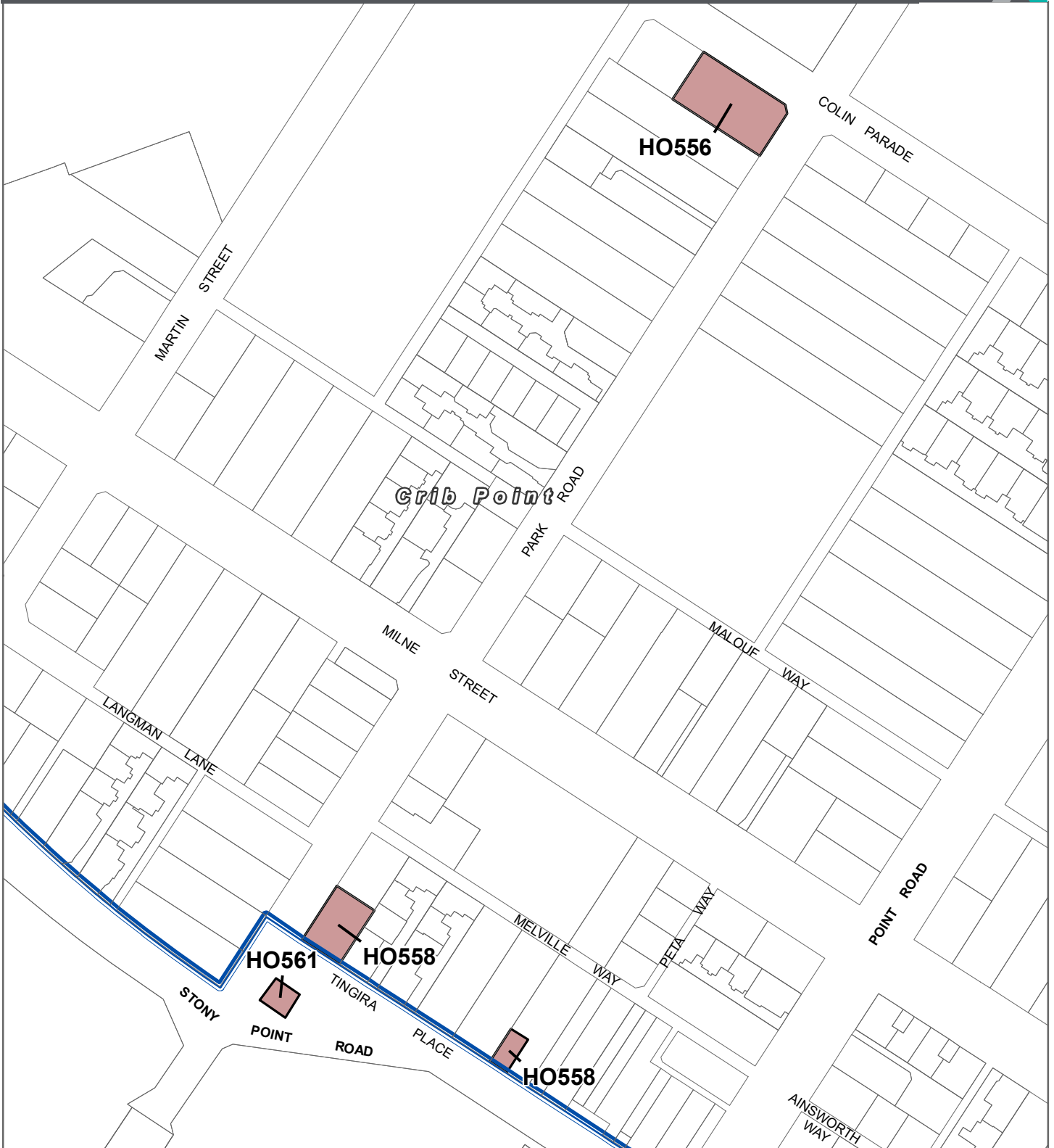
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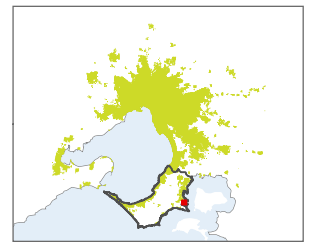
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**LEGEND**

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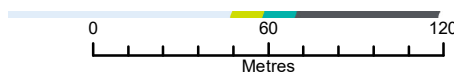


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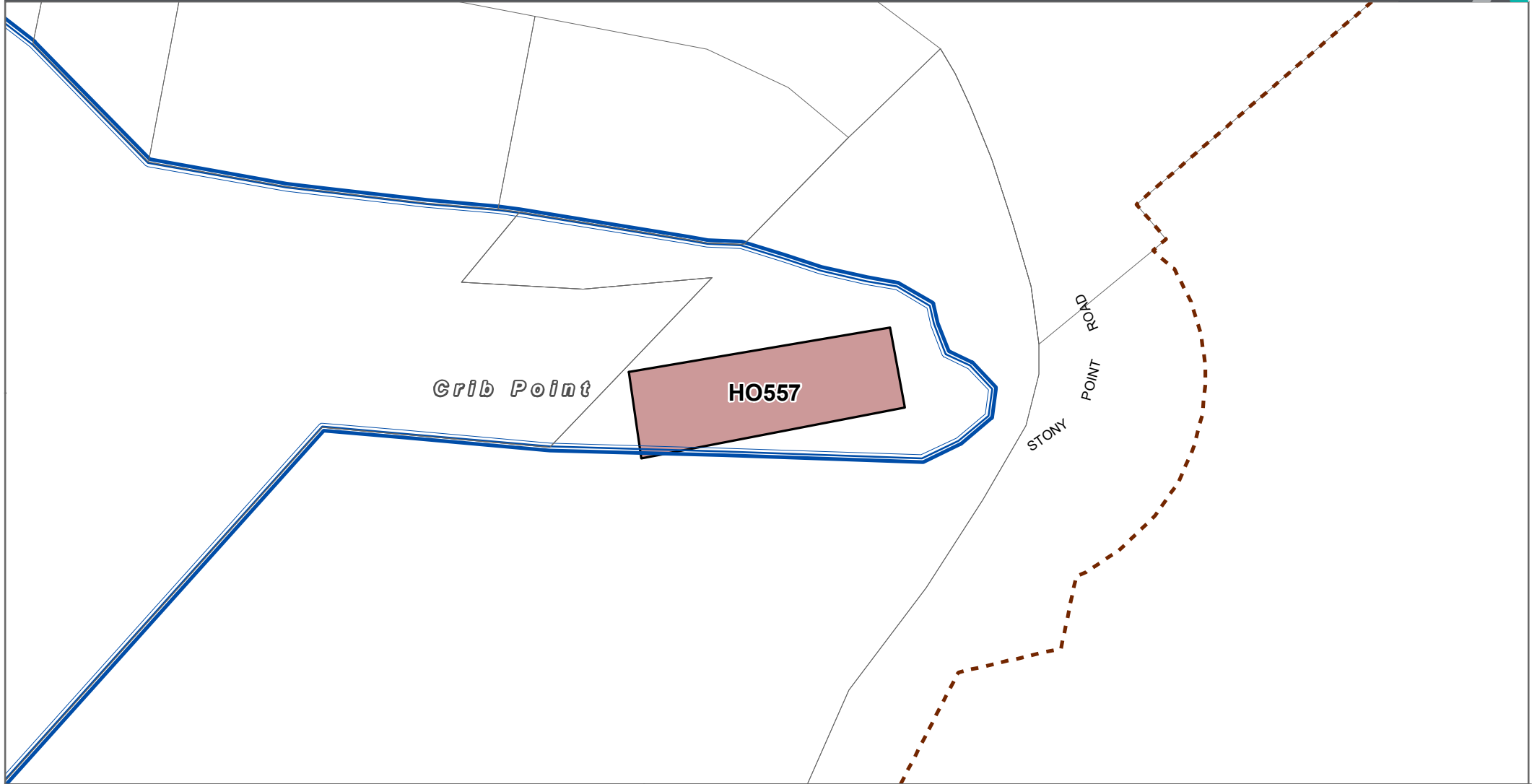
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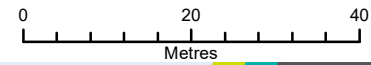
## LEGEND

- HO - Heritage Overlay
- Local Government Area
- Urban Growth Boundary

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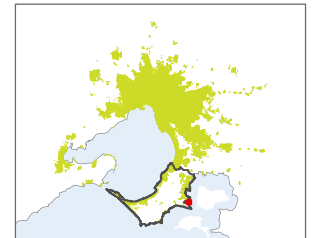
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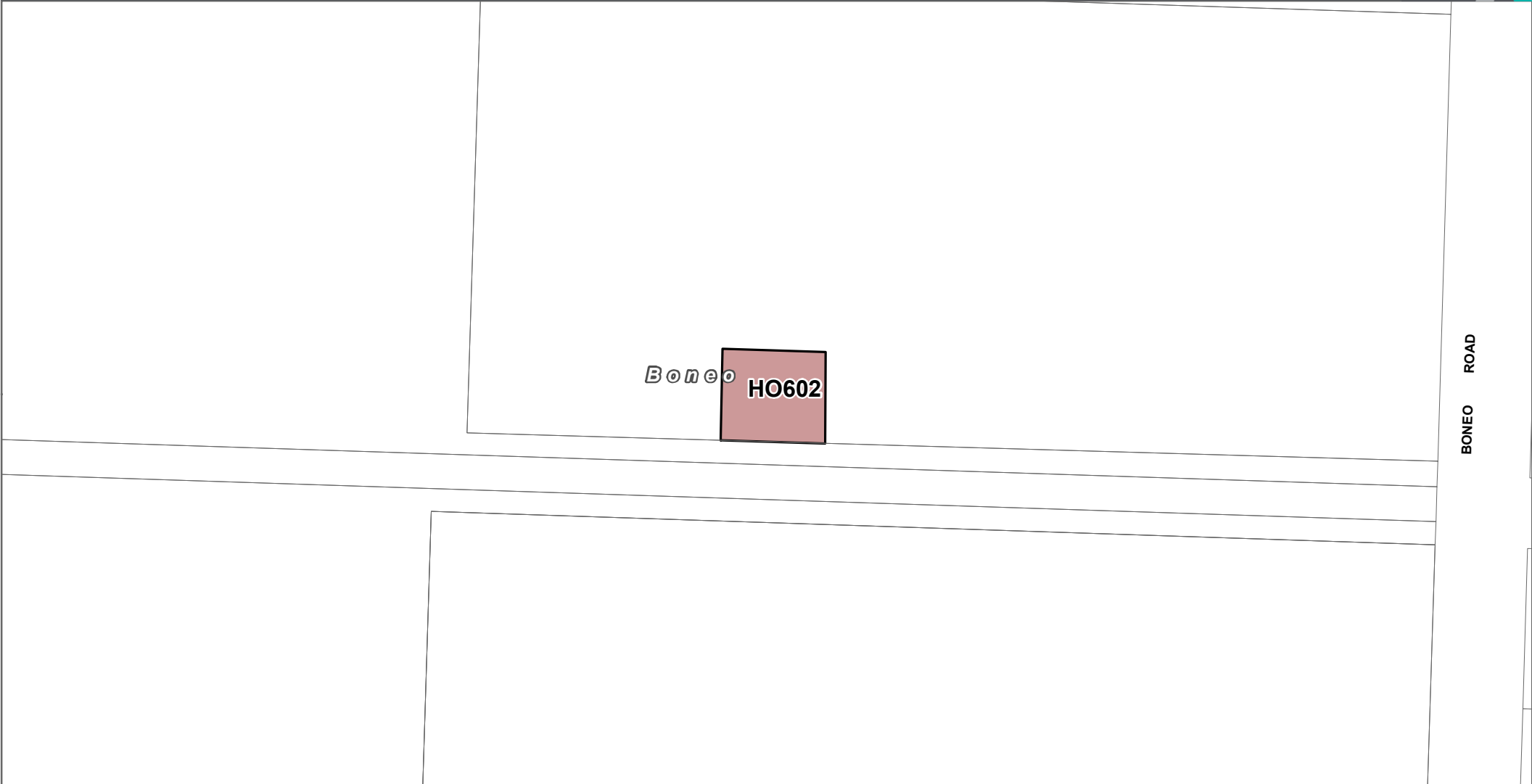


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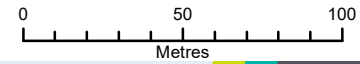
## LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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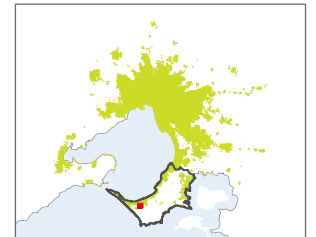
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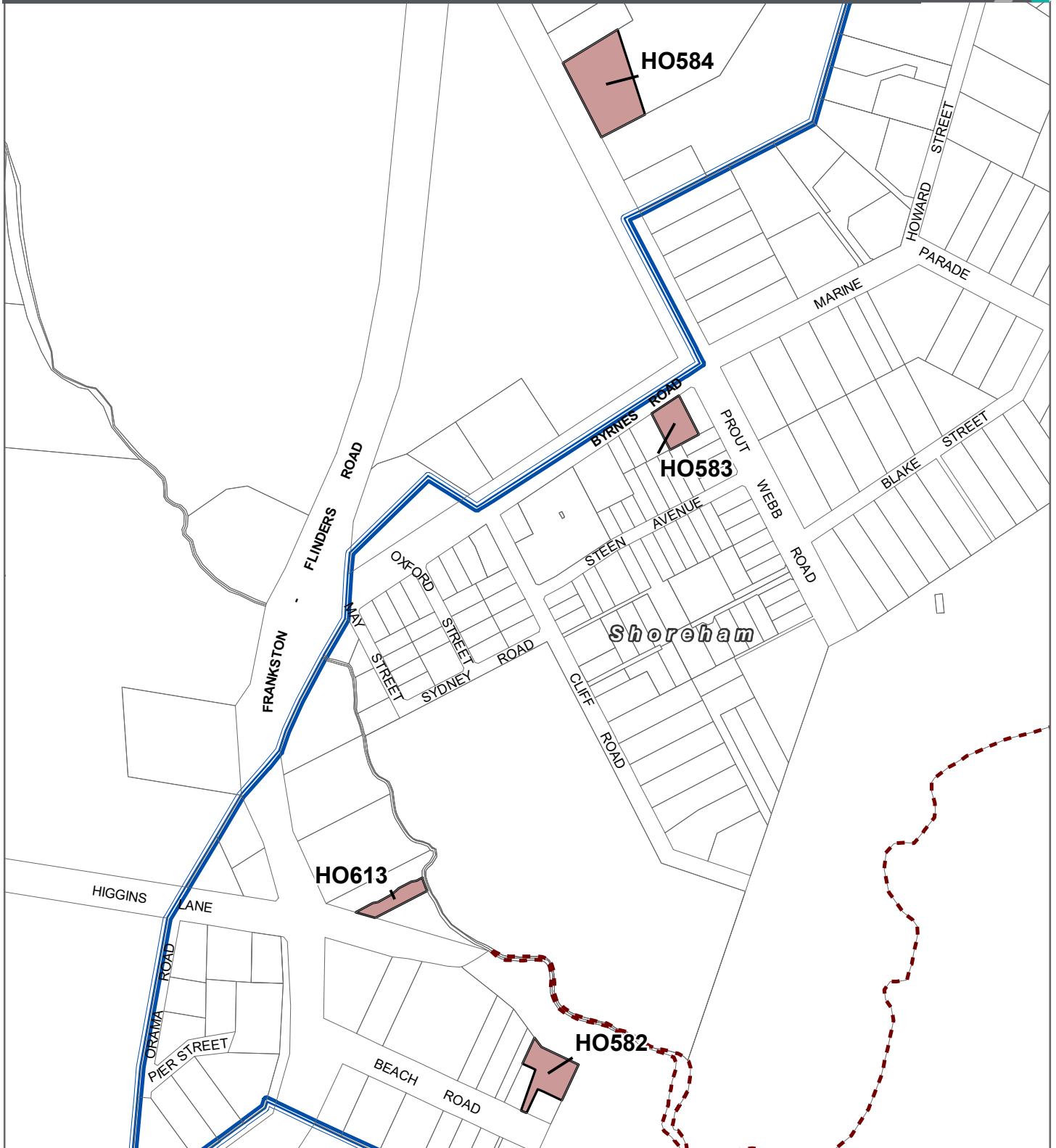


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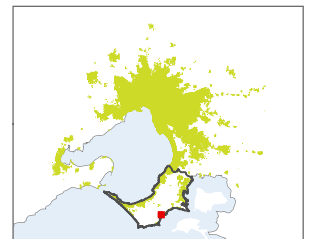


# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



## LEGEND

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary



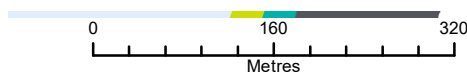
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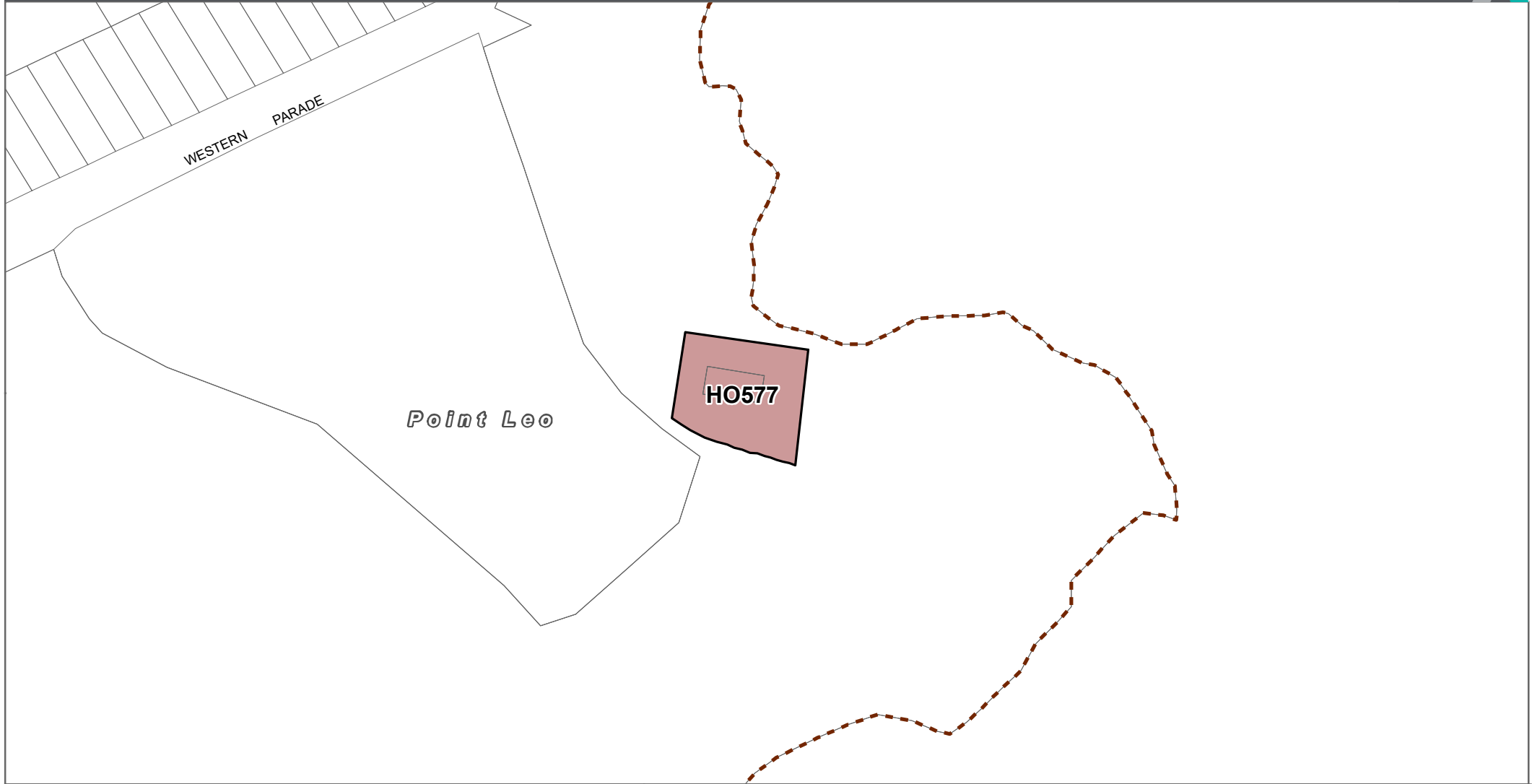
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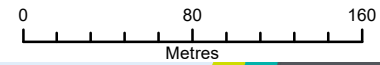
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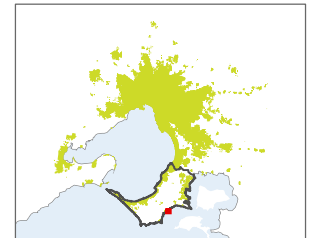
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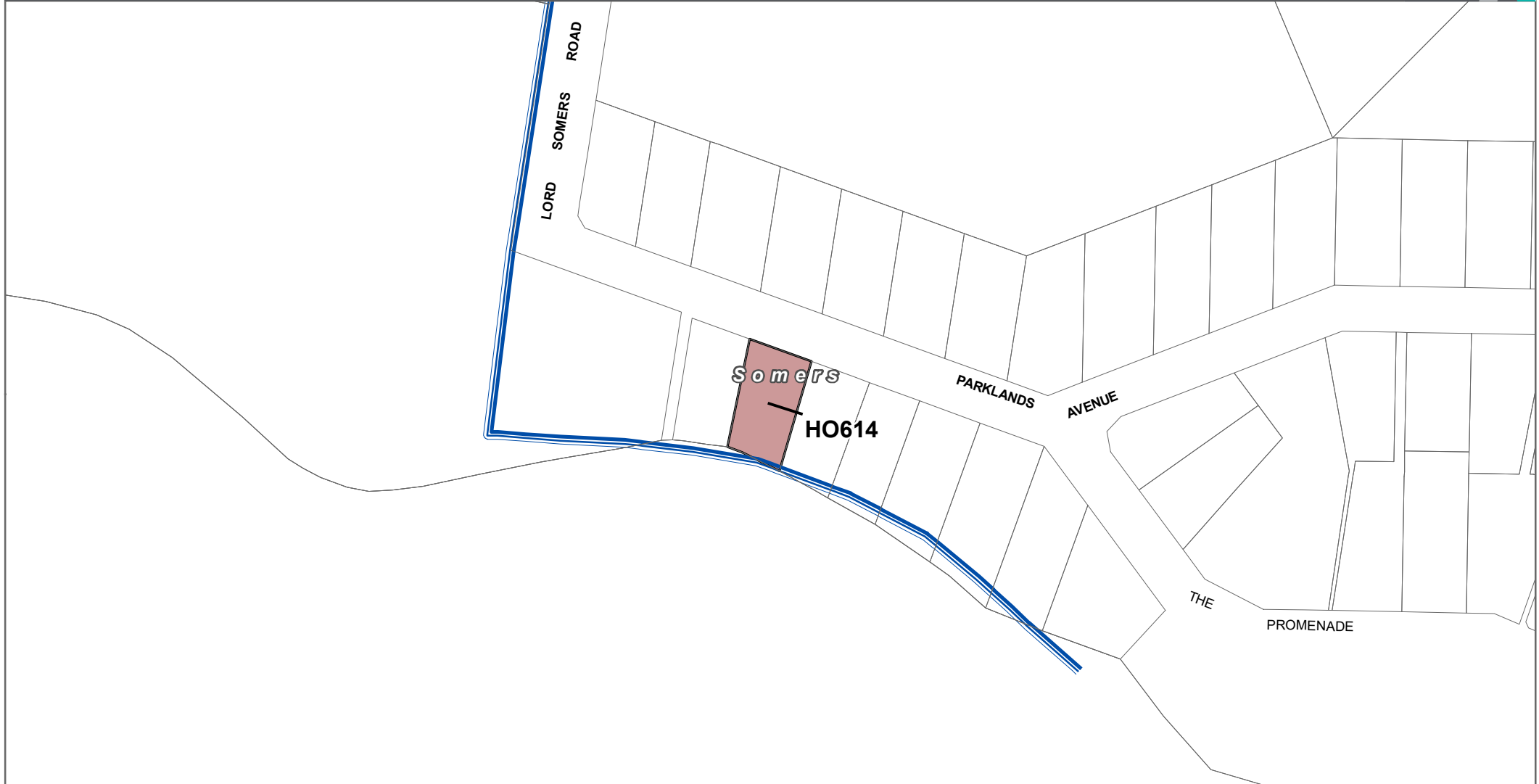


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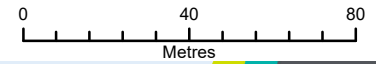
**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

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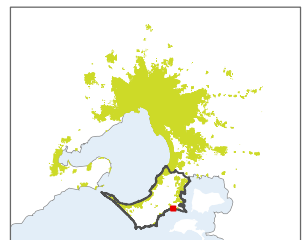
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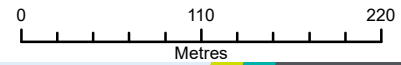
## LEGEND

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

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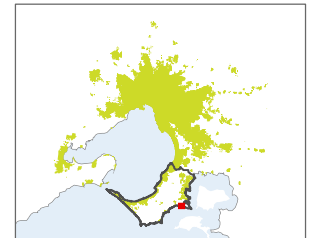
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## AMENDMENT C302morn



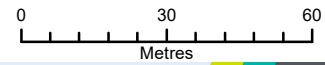
### LEGEND

-  HO - Heritage Overlay
-  Local Government Area

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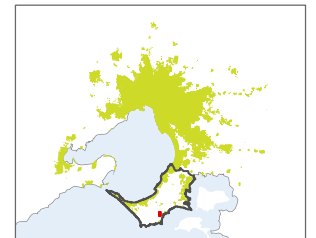
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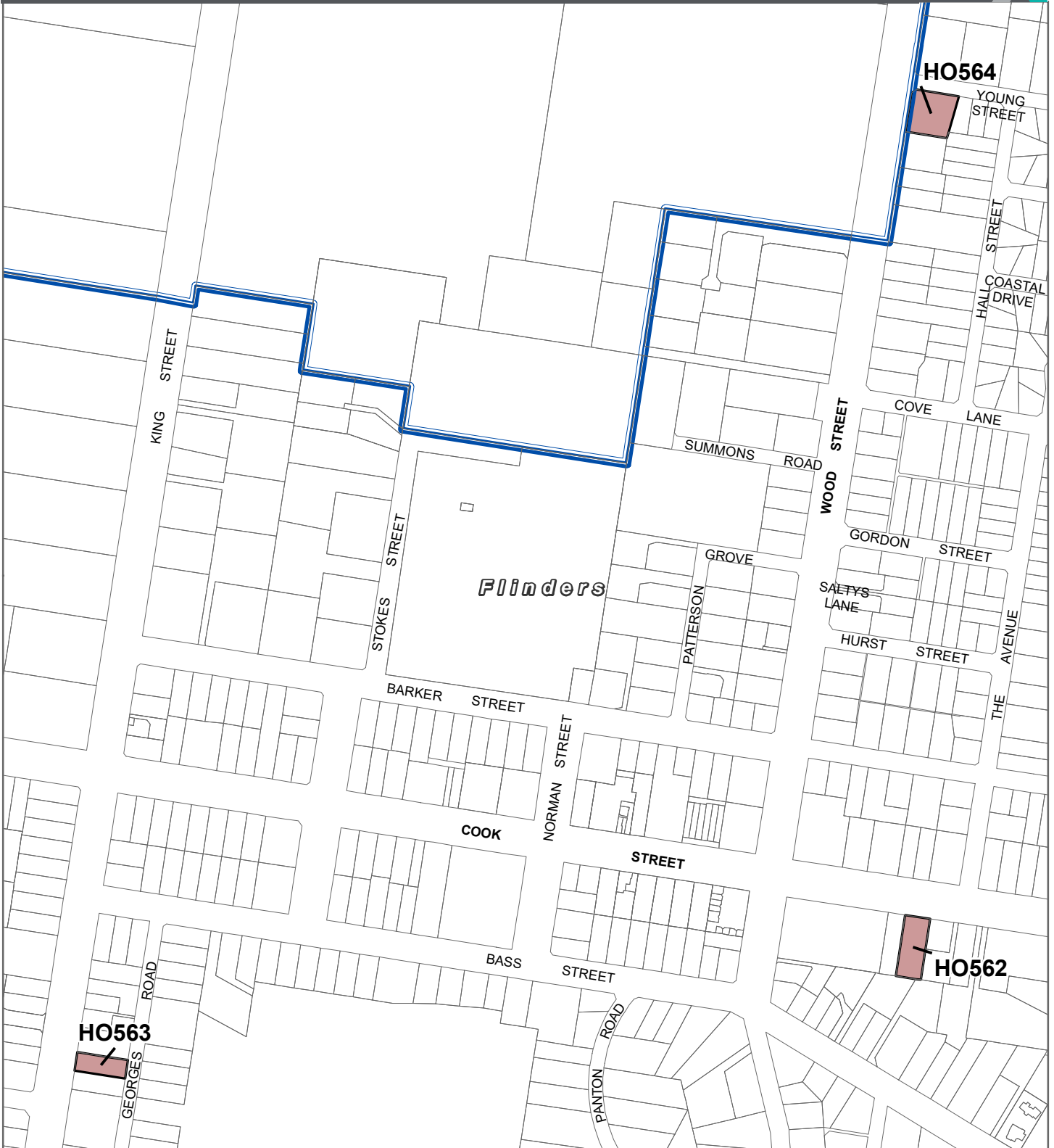


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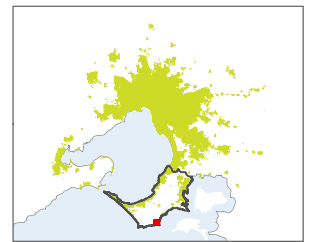


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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

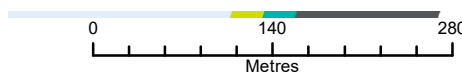


Part of Planning Scheme Map 45HO

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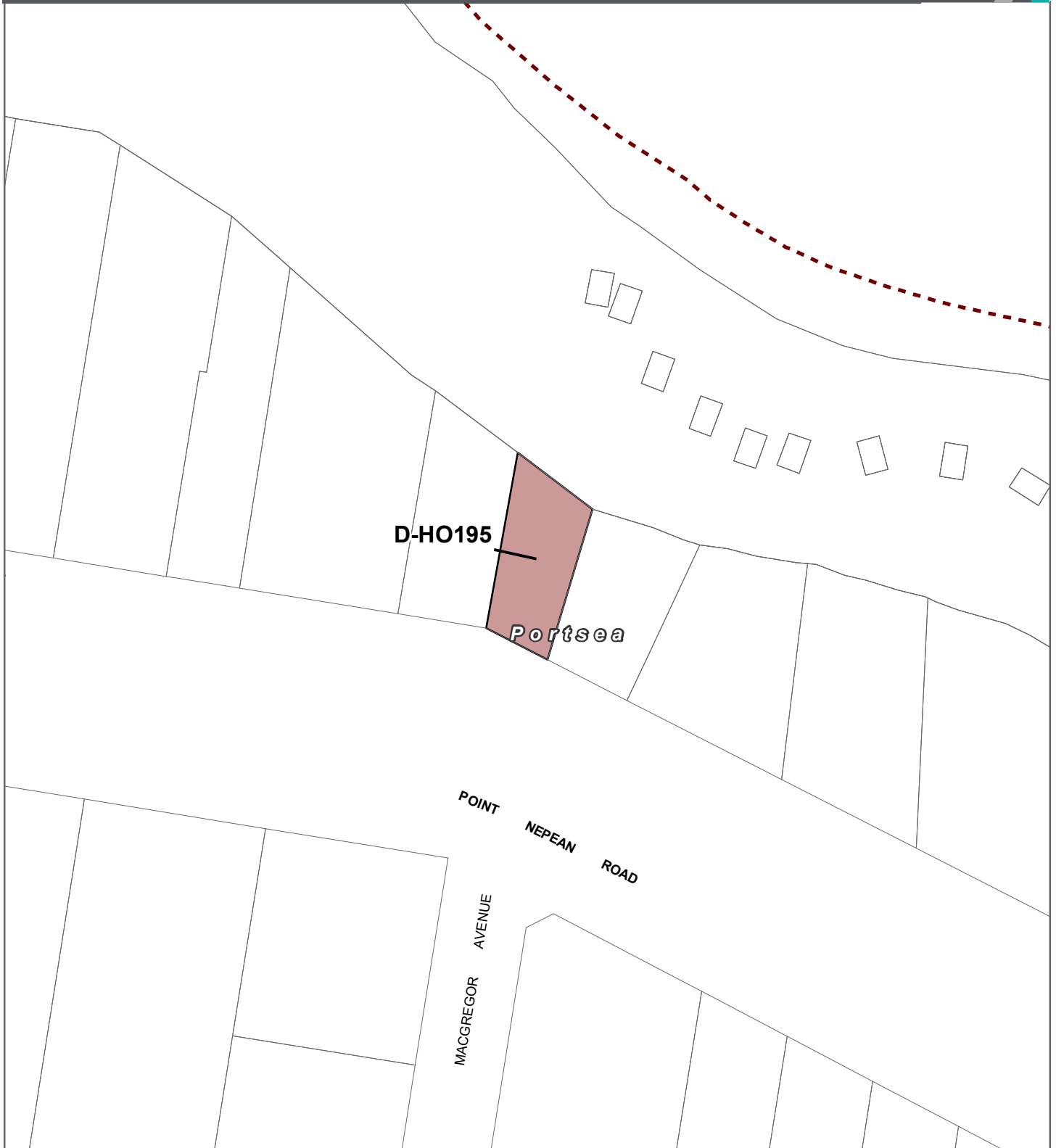
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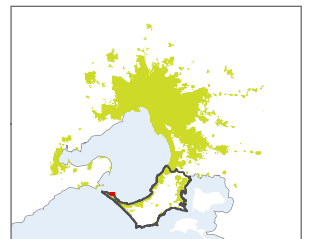
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## LEGEND

-  D-HO - Area to be deleted from a Heritage Overlay
-  Local Government Area



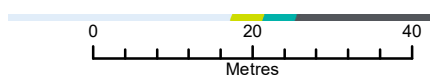
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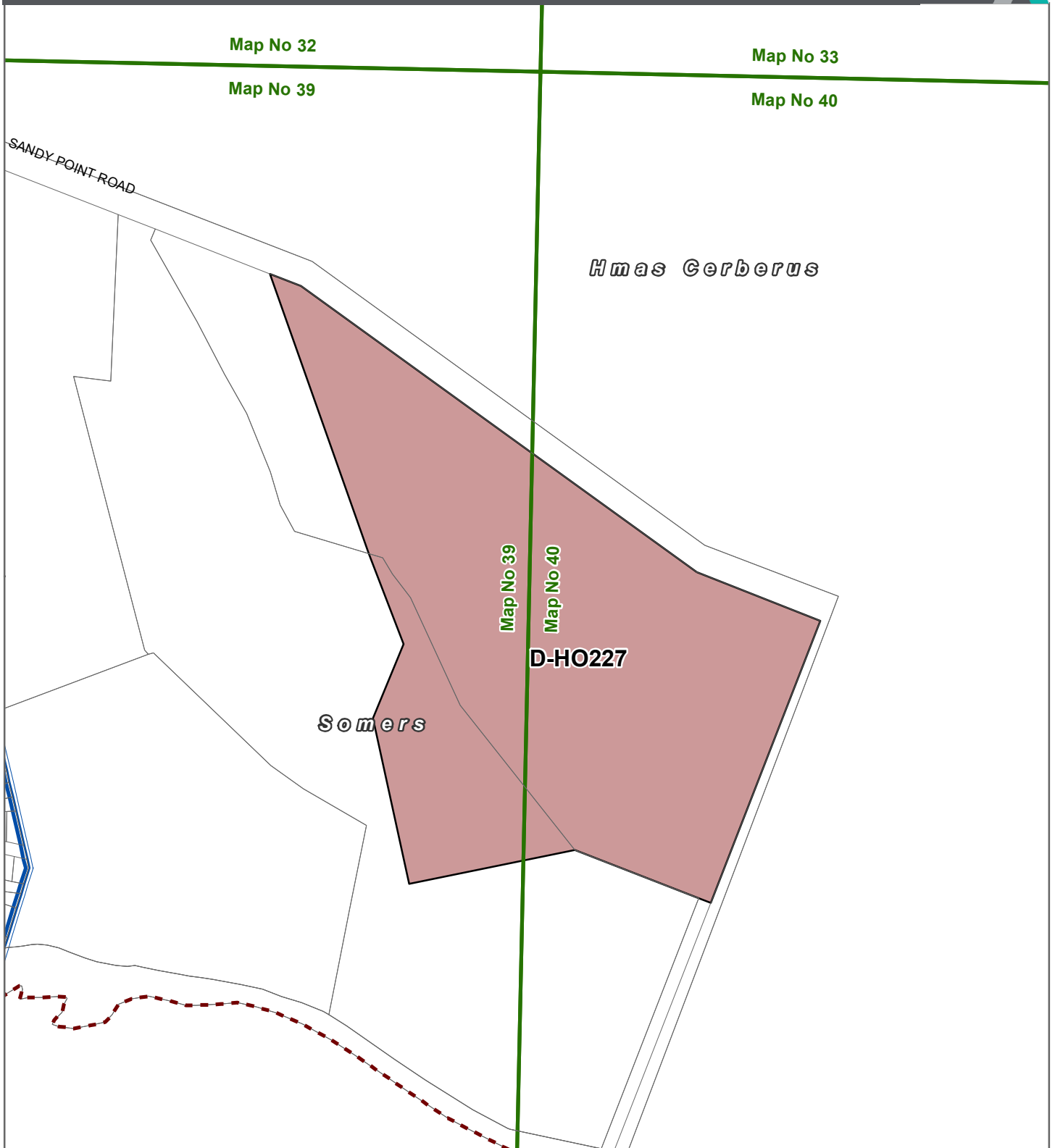
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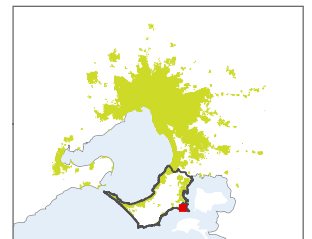
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**LEGEND**

-  D-HO - Area to be deleted from a Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary



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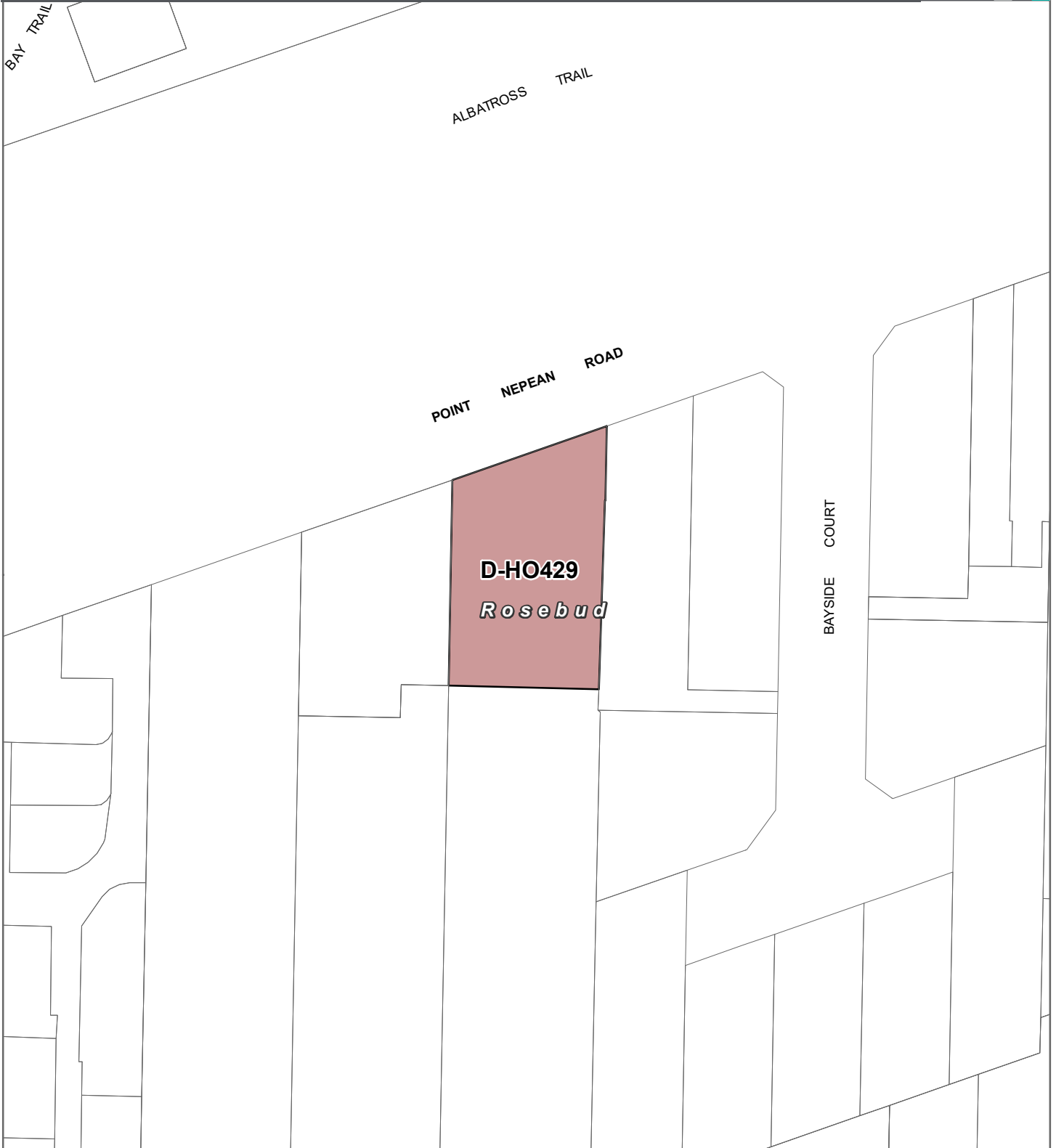
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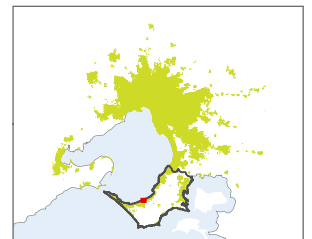
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**LEGEND**

-  D-HO - Area to be deleted from a Heritage Overlay
-  Local Government Area

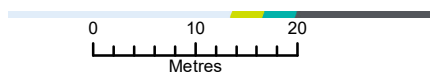


Part of Planning Scheme Map 27HO

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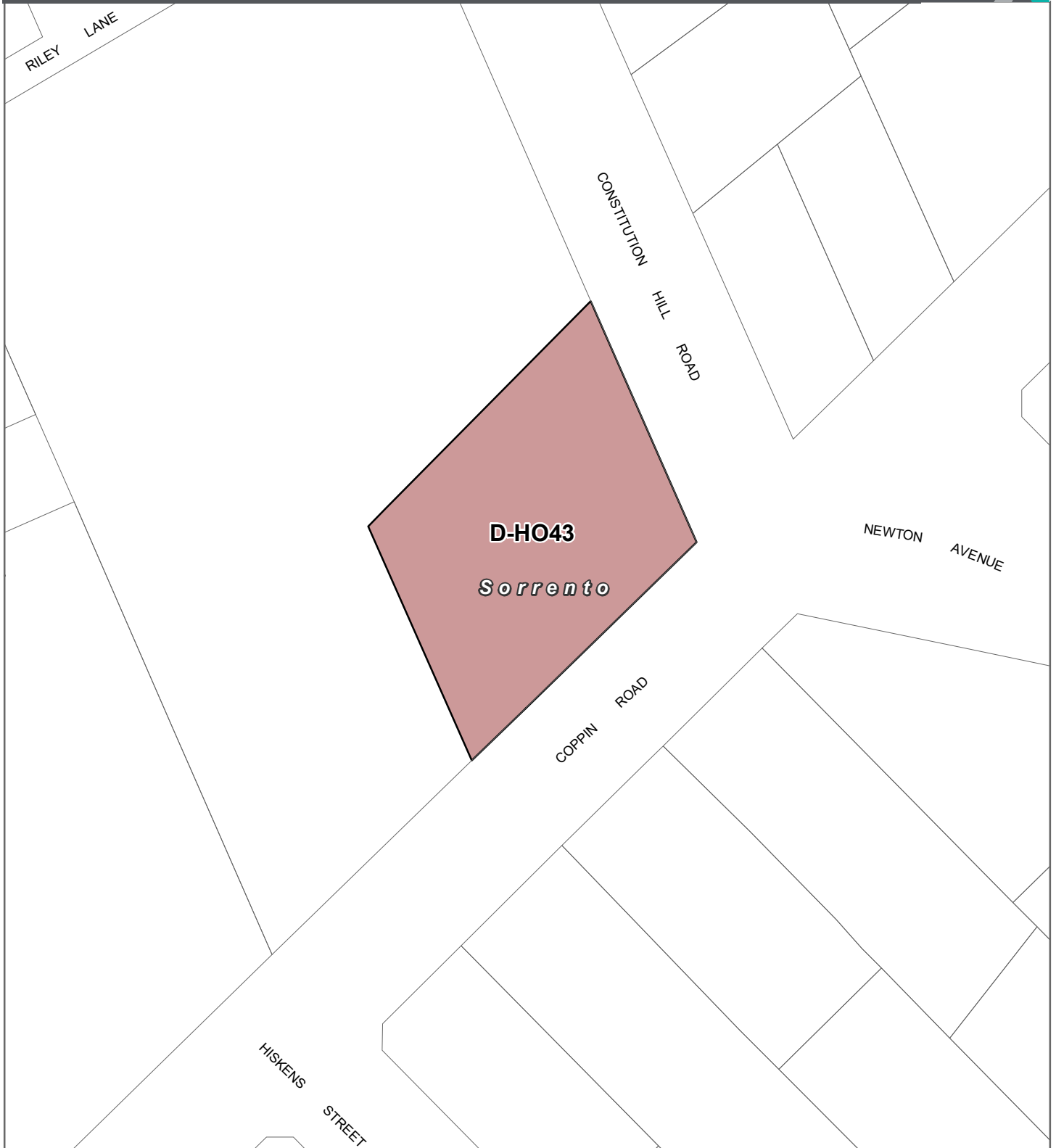
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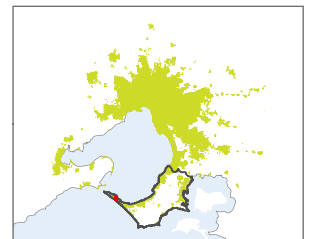
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**LEGEND**

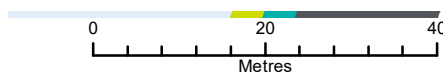
-  D-HO - Area to be deleted from a Heritage Overlay
-  Local Government Area



Part of Planning Scheme Map 22HO

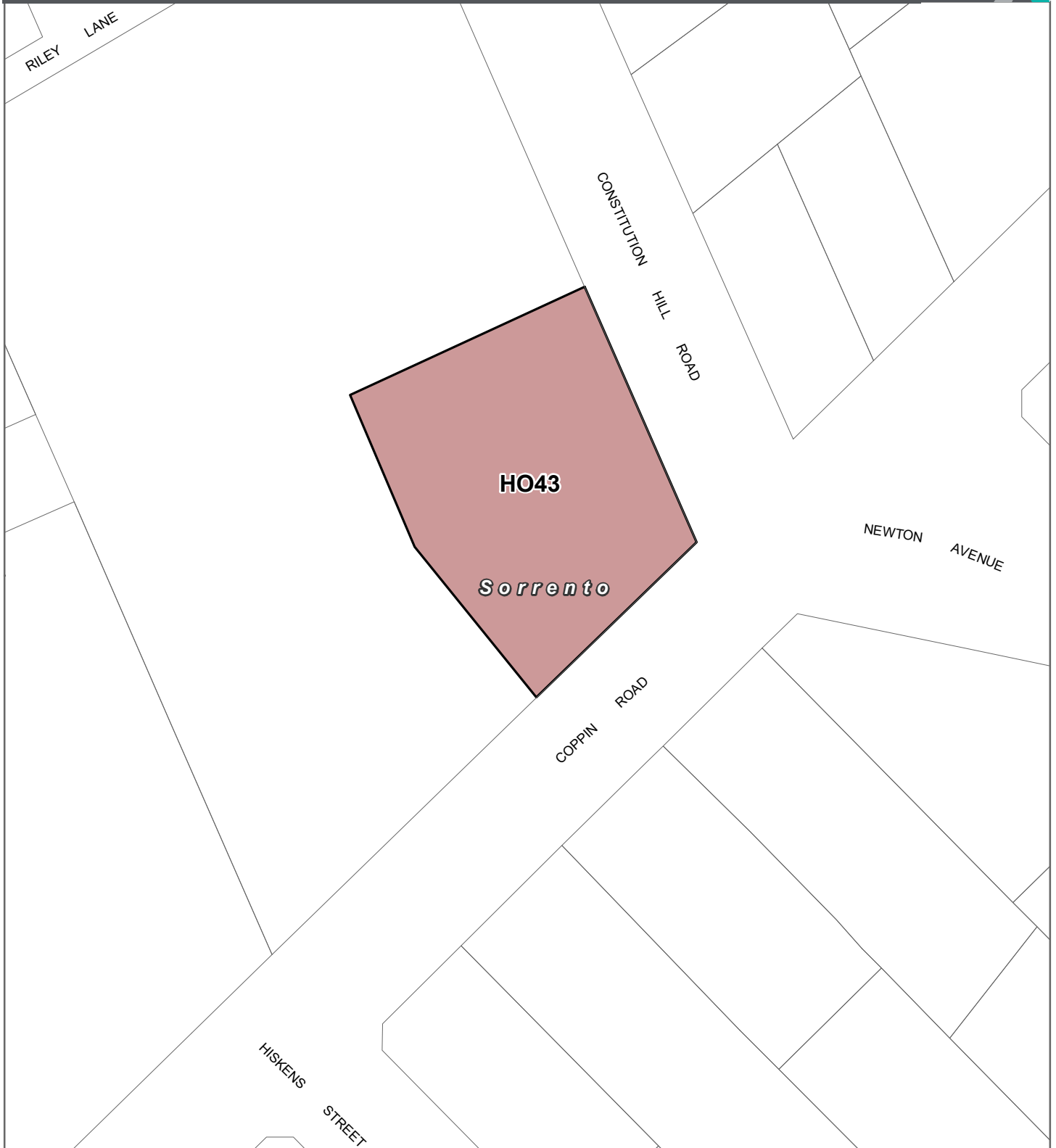
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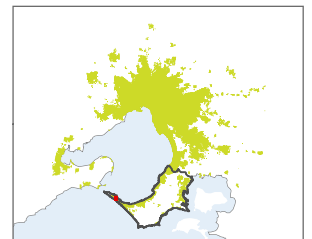
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**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area

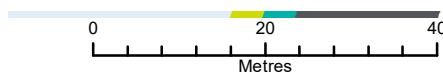


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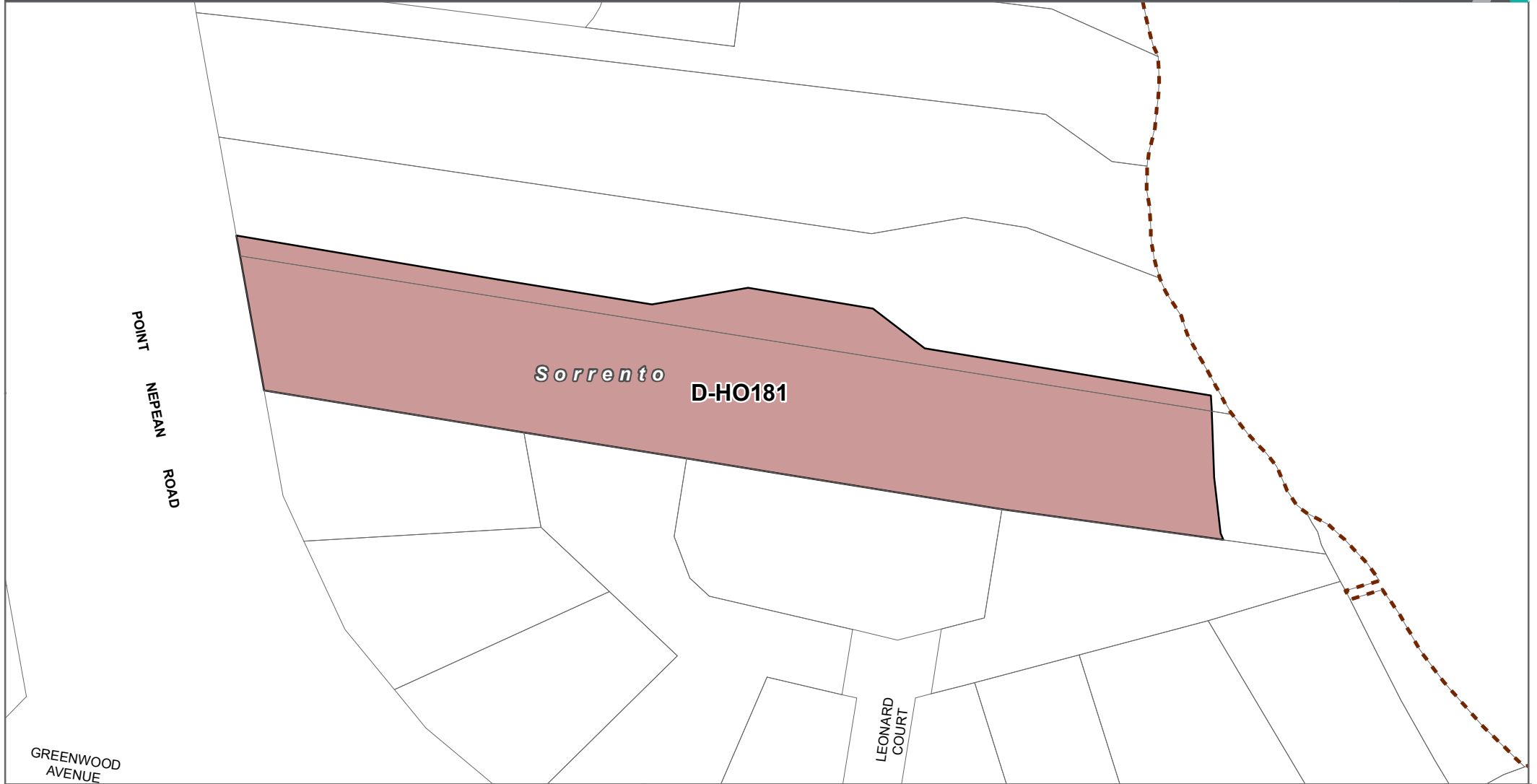
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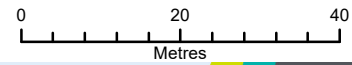
## LEGEND

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-  Local Government Area

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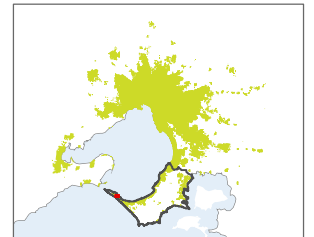
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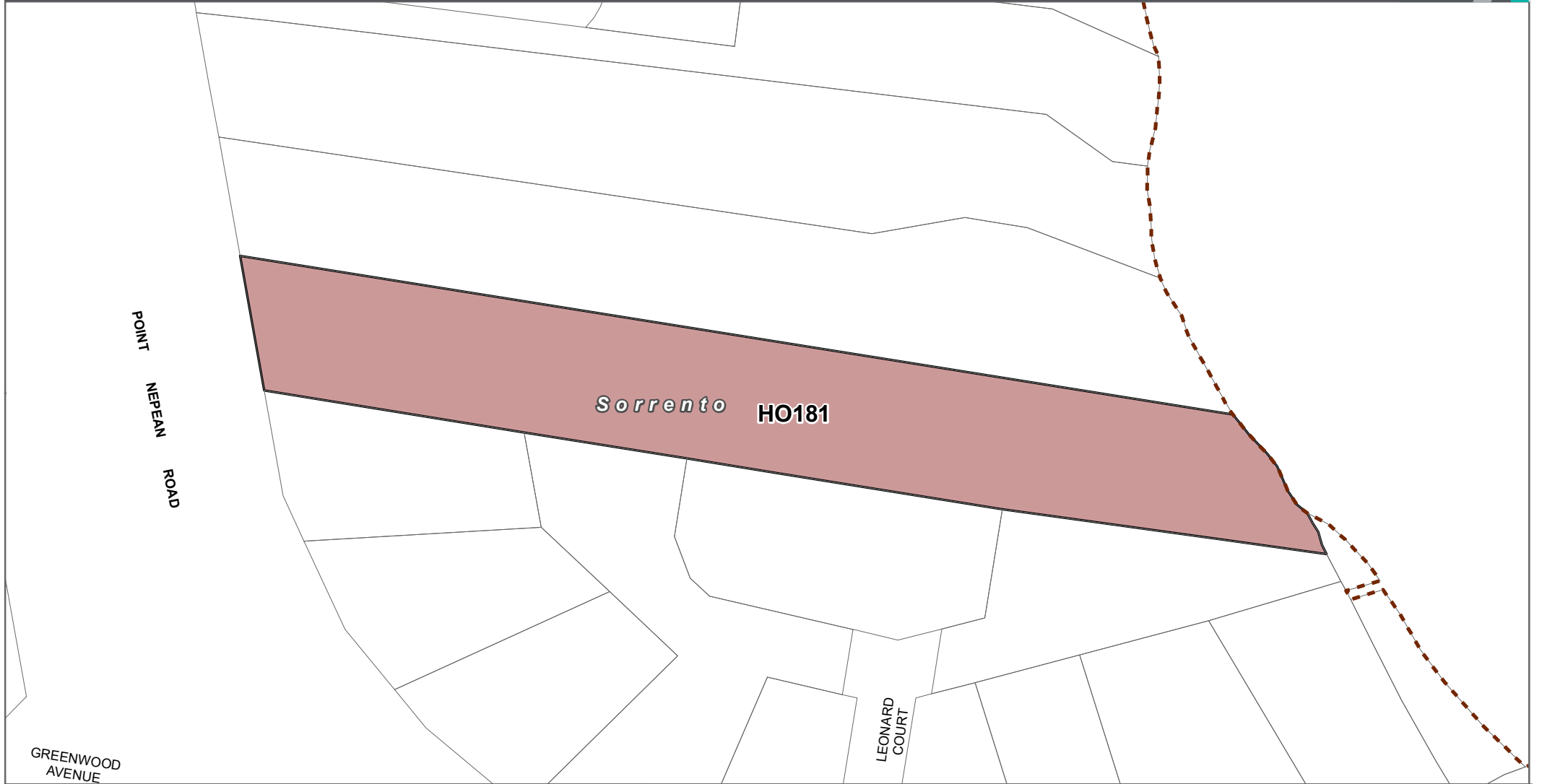


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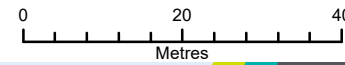
## LEGEND

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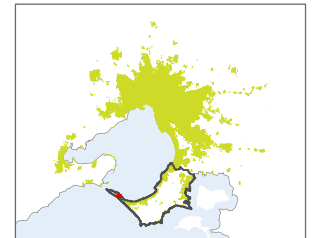
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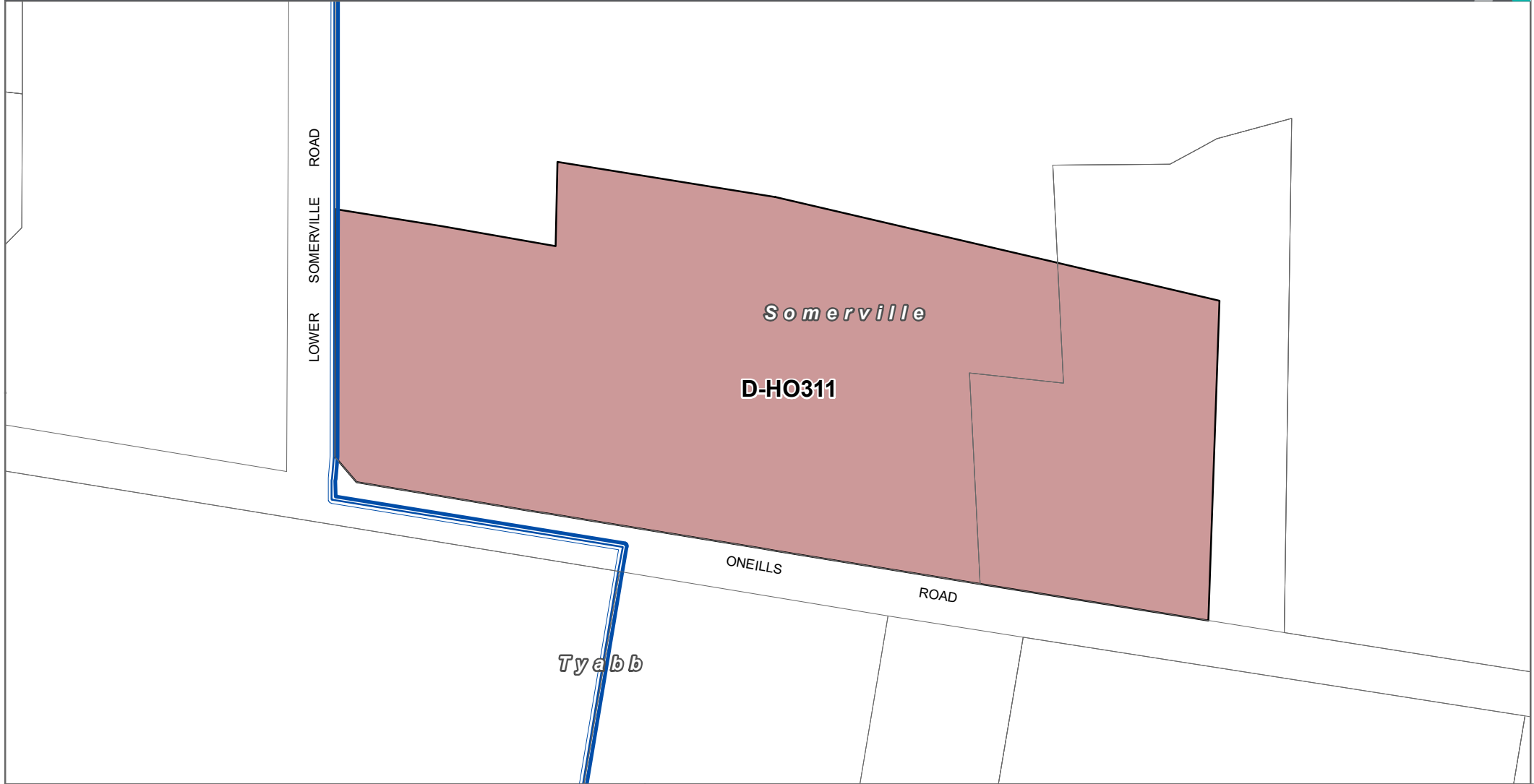


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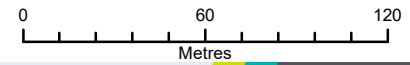
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- Local Government Area
- Urban Growth Boundary

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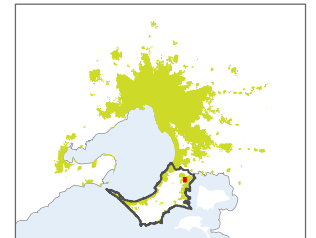
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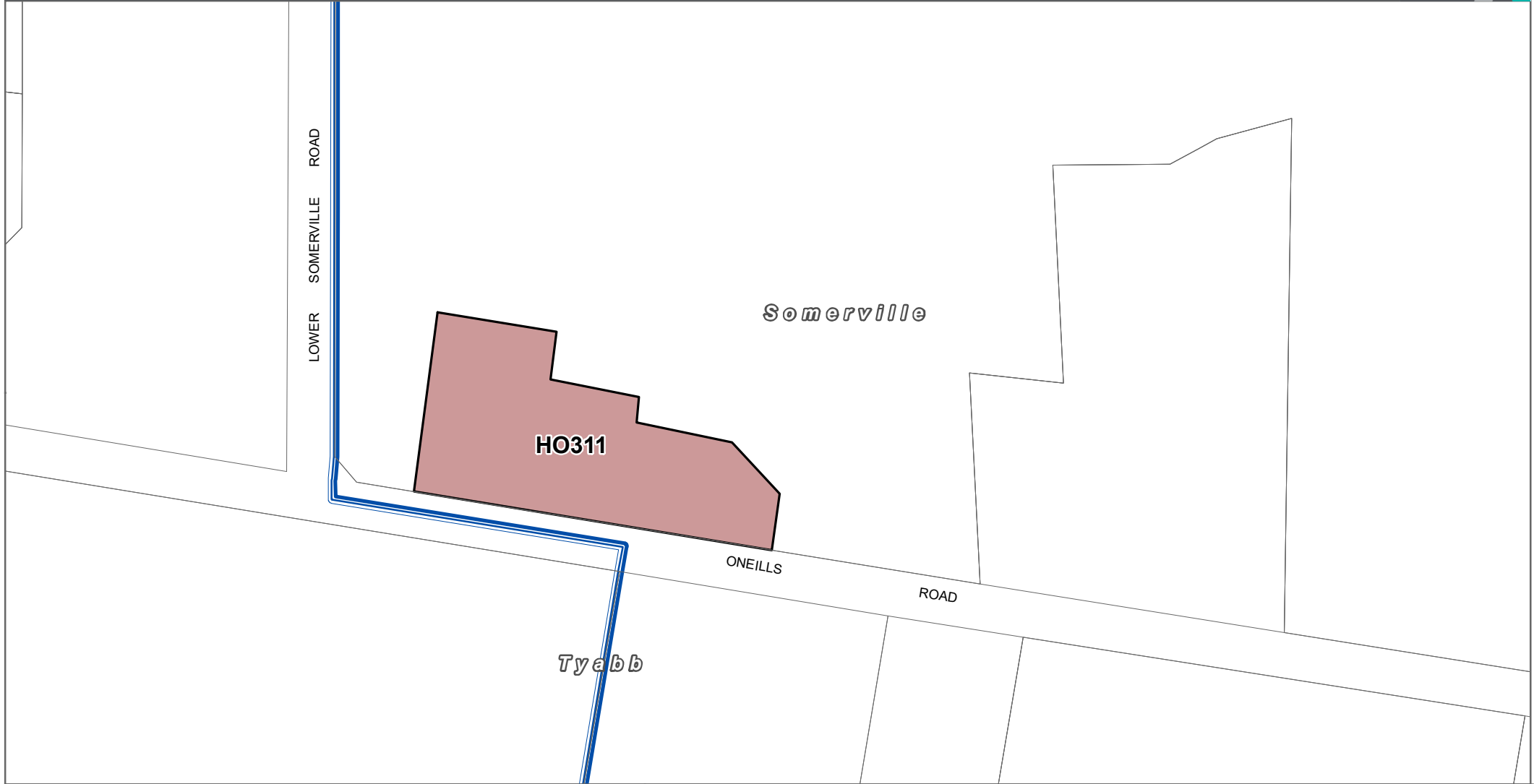


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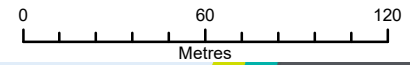
**LEGEND**

- HO - Heritage Overlay
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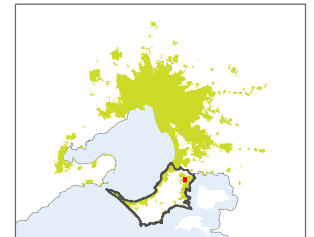
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TUBBARUBBA ROAD



BITTERN - DROMANA ROAD

**D-HO543**

*Merricks North*

MERRICKS ROAD

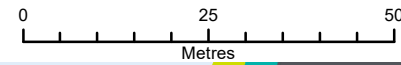
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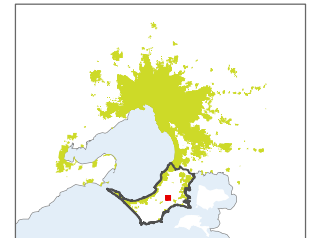
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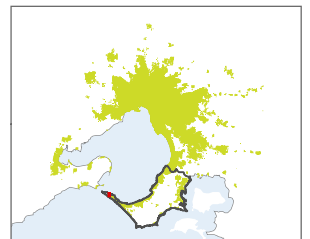


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**LEGEND**

-  D-HO - Area to be deleted from a Heritage Overlay
-  Local Government Area

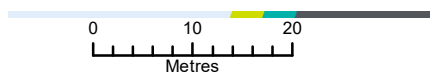


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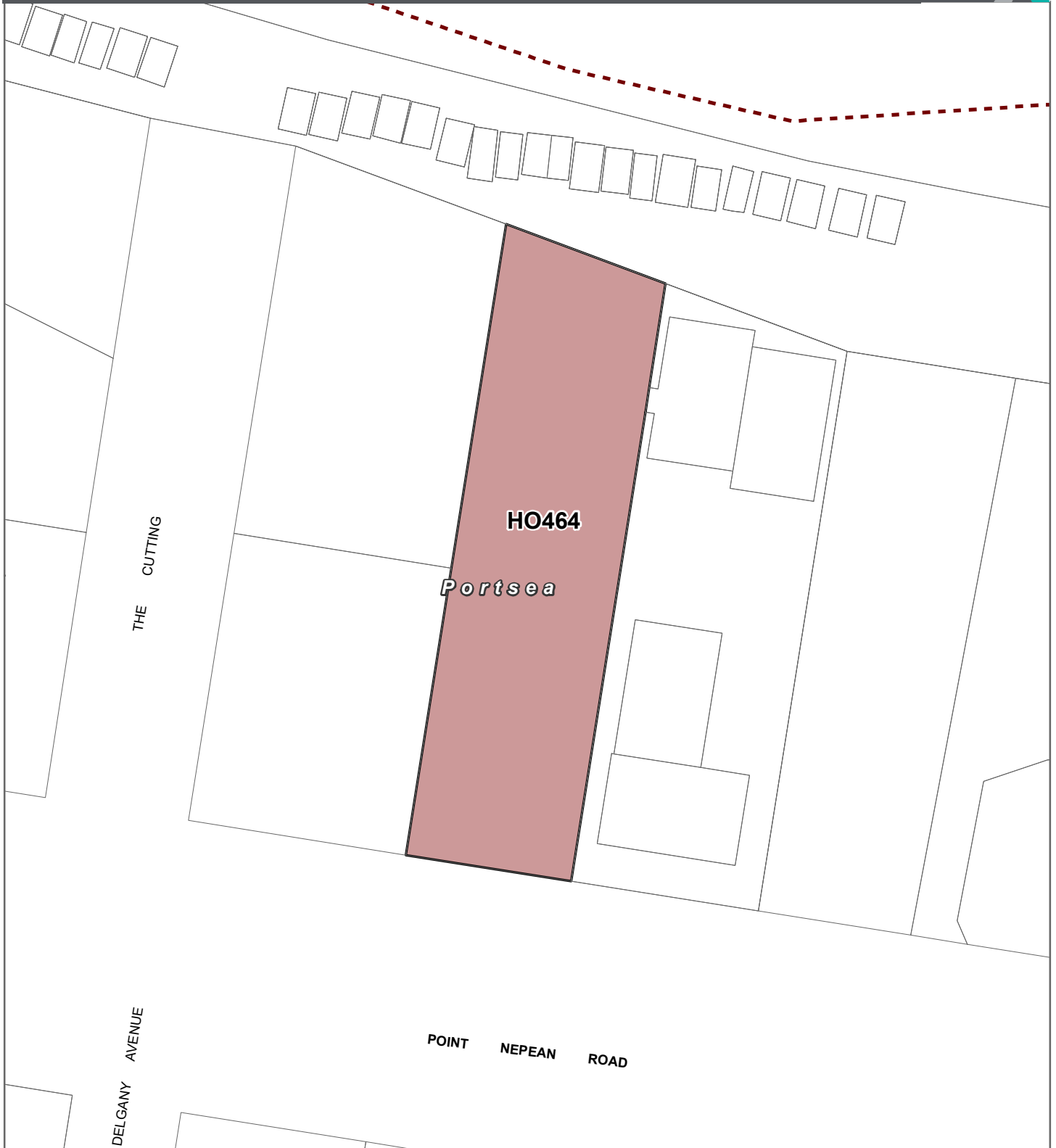
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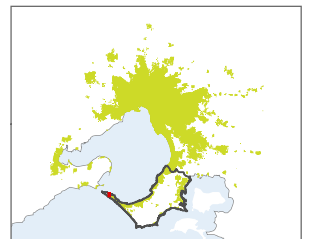
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# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area



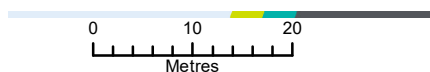
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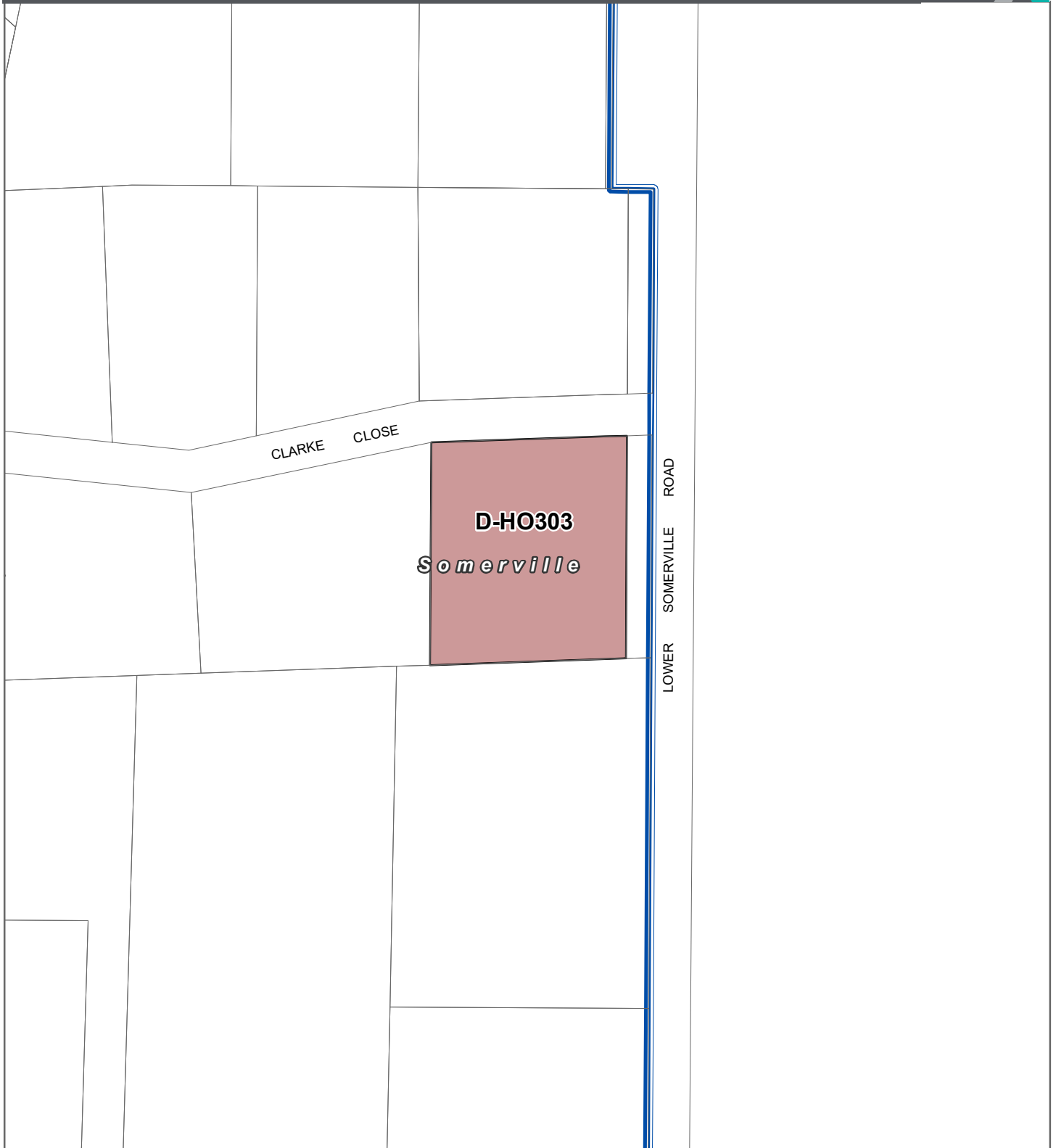
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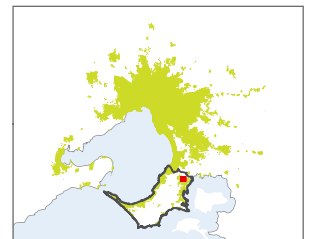
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# MORNINGTON PENINSULA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C302morn



**LEGEND**

- D-HO - Area to be deleted from a Heritage Overlay
- Local Government Area
- Urban Growth Boundary



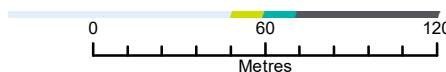
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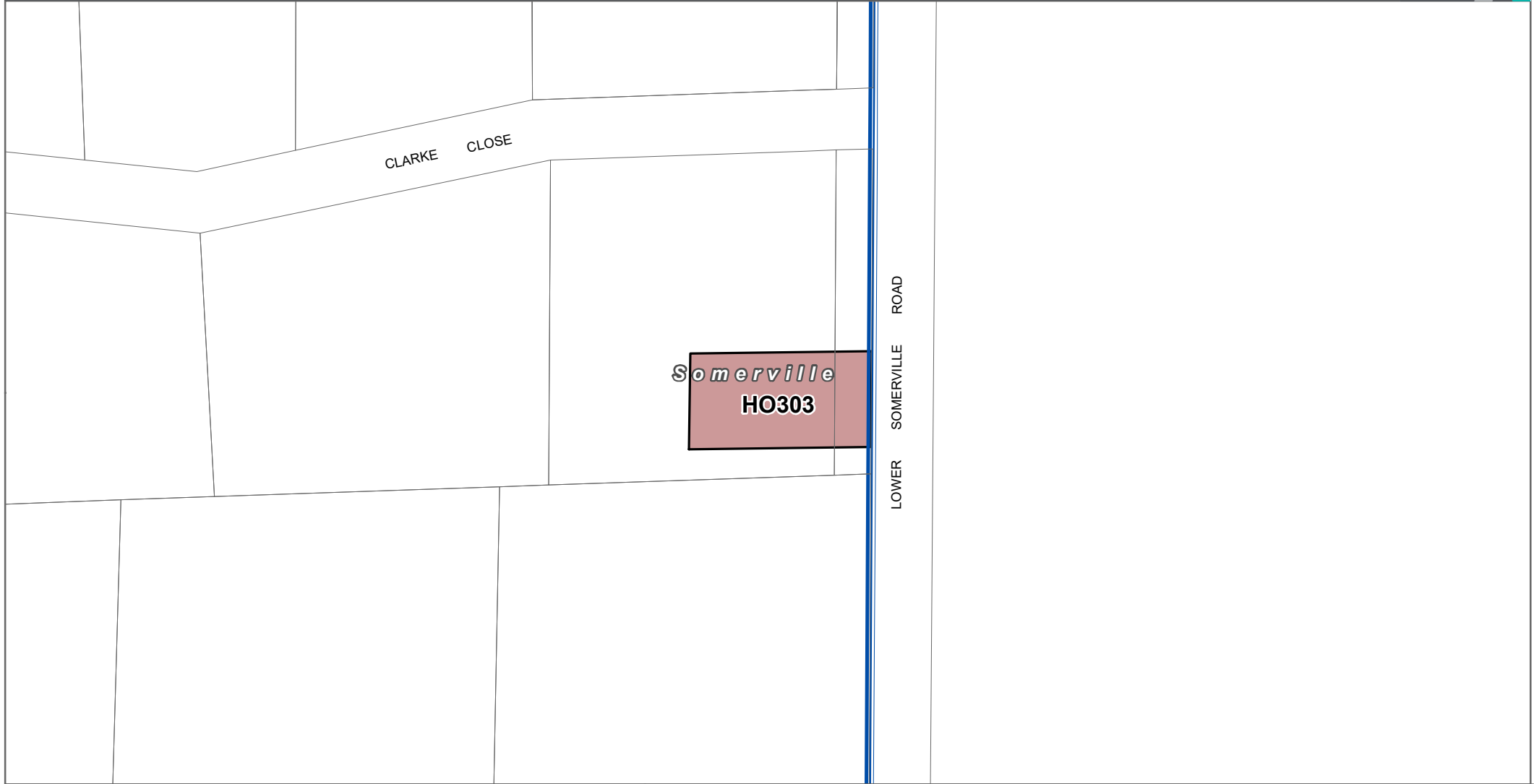
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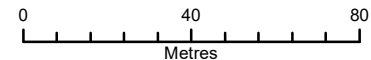
**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area
-  Urban Growth Boundary

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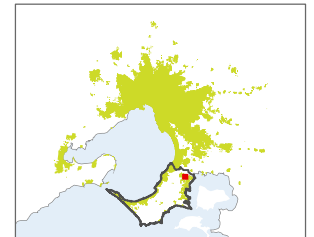
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TUBBARUBBA ROAD



BITTERN - DROMANA ROAD

*Merricks North*

**HO543**

MERRICKS ROAD

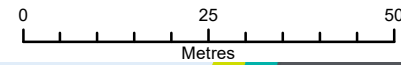
**LEGEND**

-  HO - Heritage Overlay
-  Local Government Area

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