



30 May 2017

Mr Martin Dixon MP  
Shop 1, McCrae Plaza, Corner Point Nepean Road and Lonsdale Street  
McCRAE VIC 3938

**MORNINGTON PENINSULA PLANNING SCHEME  
GENERAL RESIDENTIAL ZONE HEIGHT CONTROLS**

Dear Mr Dixon,

I am writing to inform you that the current State government is having no regard to its own Plan Melbourne Strategy or recognition of the *Mornington Peninsula Localised Planning Statement, July 2014* which forms the State policy basis for land use planning on the Mornington Peninsula. The localised planning statement has now been given clear bipartisan support with the release of this most recent Plan Melbourne strategy.

Unfortunately, it is very concerning to Council that this government has introduced significant changes to the General Residential Zone without any consultation with the local community or Council. The significant increase in height that is allowed within the new General Residential Zone up to 11 metres (including up to three storeys) is at complete odds with the above State policy direction, which is to protect the residential character of the Mornington Peninsula. This policy direction has now been given clear bipartisan support.

There is ability for land owners to build new homes or additions to existing homes up to three storeys without a planning permit. This is a fundamental threat to the intrinsic coastal character of the Mornington Peninsula and exactly what the localised planning statement is attempting to protect.

The *Mornington Peninsula Localised Planning Statement, July 2014* which highlights the use of mandatory controls and standards, where necessary, due to the particular pressures on the Peninsula and the risk of overdevelopment at the expense of neighbourhood character. The localised planning statement recognises the importance of the special character of the Mornington Peninsula (refer to attachment one, which includes an extract of the relevant objectives and strategies).

Furthermore, the recently released Plan Melbourne Strategy clearly supports the Localised Planning Statements to ensure that the Mornington Peninsula is protected from inappropriate development. The metropolitan strategy has a clear definition of what these statements are attempting to achieve;

*Long-term policies for the future planning and development of areas identified as having significance to the broader Victorian community. (Page 139)*

The status of the localised planning statement has been further supported by this State government by retaining it within the State Planning Policy Framework at Clause 11.05 of the Victoria Planning Provisions (refer to attachment two).

Having regard to the Mornington Peninsula Localised Planning Statement and the significance of our towns and settlements, it is critical our residential character is not devastated by the recent changes to the General Residential Zone.

Council therefore seeks your support to write to the Minister for Planning to apply interim Design and Development Overlays (DDO's) to all towns and settlements where the General Residential Zone applies (with currently no overlays) in light of the changes to the number of storeys allowed. We seek to implement interim DDO's for a period of two years in the following towns:

- Capel Sound
- Rosebud
- Dromana
- Mount Martha
- Mornington East (recently refused Amendment C201)
- Baxter
- Somerville
- Tyabb
- Hastings
- Bittern

In light of the above inconsistency between the State policy and the new General Residential Zone, Council is extremely disappointed in the Minister's recent decision to refuse the Mornington East interim DDO (Amendment C201). Council has the aim of introducing a permanent DDO for Mornington East and the other townships listed above, following the adoption of the Housing and Settlement Strategy.

Council is currently finalising the Housing and Settlement Strategy to clearly identify where the moderate growth can occur (as referred to within the Localised Planning Statement). Once the strategy is exhibited and adopted Council will be seeking rezoning to the Neighbourhood Residential Zone for most residential land within the municipality and the retention of the existing Design and Development Overlays which control the scale and heights that maintain the existing valued character of each town and settlement.

The special character and uniqueness of the Mornington Peninsula has now been given bipartisan support and we request that you write to the Minister for Planning and support Council's bid to introduce appropriate height controls for the residential neighbourhoods. Council has urgently sought a meeting with the Minister for Planning to discuss this critical neighbourhood character element to ensure the Mornington Peninsula maintains its special values.

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**MORNINGTON  
PENINSULA**  
*Shire*

If you require any clarification regarding the above material please contact Mr David Bergin, Executive Manager – Planning Services on 5950 1087 or [david.bergin@mornpen.vic.gov.au](mailto:david.bergin@mornpen.vic.gov.au).

Yours sincerely,

**Cr Bev Colomb**  
**Mayor**  
**Mornington Peninsula Shire**

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## ATTACHMENT 1 – RELEVANT OBJECTIVES AND STRATEGIES FROM THE MORNINGTON PENINSULA LOCALISED PLANNING STATEMENT

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### INTRODUCTION

The role and value of the Mornington Peninsula to the State of Victoria

**The Mornington Peninsula will be planned as an area of special character and importance with a role clearly distinct from and complementary to metropolitan Melbourne and designated growth areas** (emphasis added).

The Mornington Peninsula is one of Melbourne's greatest assets, characterised by contained townships, a substantial and diverse local economy, and areas of national and international conservation significance.

The Mornington Peninsula is critical to the future liveability, sustainability and prosperity of the wider metropolitan region.

As an area near to, but with a role distinct from, the growing metropolitan area there are ever increasing pressures and demands placed on the Mornington Peninsula. For this reason it is necessary to put in place clear policy directions for the long term benefit of both local communities and the wider Melbourne population.

This includes:

- **recognising, maintaining and enhancing the special values of the Mornington Peninsula** (emphasis added);
- appreciating the existing diversity and delicate balance of land-use which has been carefully planned over a long period on the Mornington Peninsula and the economic, social and environmental benefits of maintaining this balance;
- providing for a clear separation of the Mornington Peninsula from metropolitan Melbourne, preventing expansion of the metropolitan area onto the Peninsula and maintaining the current settlement patterns;
- **expressing the planning priorities for the Mornington Peninsula which are different from and complementary to those which apply in other areas** (emphasis added);
- integrating environmental, social and economic considerations; and
- supporting a strong land-use planning framework, **providing certainty for landowners and the community over time** (emphasis added).

### Objective

- To recognise that maintaining the special values of the Mornington Peninsula is dependent on integrated and balanced planning, involving all agencies and having regard to the needs and aspirations of current and future generations.

### Strategies

1. Planning for the Mornington Peninsula will be directed towards the planning and management necessary to achieve the following objectives:
  - Sustaining the economic, social and environmental contributions of the Peninsula to the metropolitan region.
  - **Maintaining and enhancing the character and role of the settlements, towns and villages on the Mornington Peninsula, both individually and as part of a hierarchy of settlements, and to effectively managing future change** (emphasis added).
  - Providing for engagement and involvement of the community in shaping long term decisions.

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MORNINGTON PENINSULA LOCALISED PLANNING STATEMENT

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2. **This planning policy will guide decision making on the Mornington Peninsula by every Department** (emphasis added), Public Authority, Council and Responsible Authority.
3. Planning for the Mornington Peninsula will take into account the interests of both the Victorian community as a whole and the particular needs and interests of the Peninsula's local communities and will have regard to the impact on both current and future generations.
4. **The Mornington Peninsula will not accommodate major population growth** (emphasis added) and the existing Urban Growth Boundary and Green Wedge rural area will be maintained.
5. Urban development, including residential and low density residential development in whatever form, will be limited to areas within the Urban Growth Boundary.
7. The establishment of a strong and consistent overall policy framework for future land use and development is essential, **including the use of mandatory controls and standards where necessary** (emphasis added), due to the particular pressures on the Peninsula's rural landscapes, coasts, towns and villages, and the risk of unintended and unplanned change through cumulative impacts.

Objective

- To protect the role and character of the Mornington Peninsula's settlements, towns and villages.

Strategies

18. The hierarchy of settlements on the Mornington Peninsula will be recognised and maintained, with provisions to reinforce the distinction between major activity centres and other townships through appropriate density, height and built form controls and provisions to avoid out of centre commercial development. For the purposes of commercial centre planning the Mornington Peninsula will be considered separate from metropolitan Melbourne.
19. The townships of the Mornington Peninsula are expected to **accommodate at most moderate and generally low levels of housing growth** (emphasis added), with many smaller towns and villages intended to accommodate very limited further development. Special regard should be given to the provision for appropriate housing growth in the Western Port area, having regard to employment growth over time associated with the further development of the Port of Hastings and the opportunities this provides.
20. Development within the Urban Growth Boundary, whether within residential, commercial or other areas, will be of a **type and scale that maintains the existing valued character of each town or settlement** (emphasis added), or supports a change to a preferred future character that is clearly established through community consultation and the adoption of a relevant local area plan. In the assessment of any planning permit application, priority will be given to any local character statement or policy adopted by the responsible authority.

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21. The character and functions of the towns and villages will be protected and there will be no linear development between towns along the coast or expansion into the areas between townships. **Development within each settlement will only be of a scale and character appropriate to the role, function and location of that settlement** (emphasis added).
  
22. Future planning for the settlements on the Peninsula will be based on principles of good design, Integrated Local Area Planning and Environmentally Sustainable Development, all in accordance with the character, scale, role and functions of each settlement, including:
  - a) ensuring a proper balance and coordination between increases in housing and population and access to employment, services, health and education facilities, open space, parkland and other infrastructure that meets the needs of the community
  - b) provision for commercial development, tourism and other activities that contribute to the development of local employment opportunities, the vitality of town centres and the economic wellbeing and prosperity of the community, and located to reinforce the role of different townships and activity centres on the Peninsula
  - c) integration of transport, access and land use planning
  - d) the provision of appropriate drainage, sewerage and other infrastructure to manage the impact of human settlement and activity on the environment
  - e) careful attention to achieving good design which responds to and is appropriate to the character and function of the particular place, including consideration of built form and scale, access and connectivity, environmentally sensitive design, heritage, streetscape and landscape values, including the retention of vegetation where this is a key element of township character
  - f) consideration and protection of the heritage values of each township.

### **11.05-2 Distinctive areas of state significance**

#### **Objective**

To protect and enhance the valued attributes of the distinctive areas of the Bellarine Peninsula, Macedon Ranges, Mornington Peninsula and the Yarra Valley and Dandenong Ranges.

#### **Strategies**

Recognise the significant geographic and physical features of these areas.

Protect the identified key values and activities of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Recognise the important role these areas play in the state as tourist destinations.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

#### **Policy guidelines**

Planning must consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015).
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014).