

1 December 2017

Department of Environment, Land, Water and Planning
Reforming the Victoria Planning Provisions
SMART PLANNING
PO BOX 500
EAST MELBOURNE VIC 8002

Dear Sir / Madam,

Submission to the Victorian Planning Provisions Reform

Spiire commends the Department of Environment, Land, Water and Planning (DELWP) on their commitment to undertaking a thorough review of the Victoria Planning Provisions (VPP). Spiire is generally supportive of the vast majority of the proposed changes which appear to support the on-going changing nature of planning, and the way in which the VPPs are used.

Spiire is one of Australia's largest privately owned property consultants, with over 240 people working across five locations in Victoria and New South Wales. Spiire collaborates with a broad range of public, private and not-for-profit clients to advise, design and deliver on their developments. We solve complex problems by using our skills in urban design, planning, surveying, integrated water, engineering and landscape architecture.

Through this submission, we would like to take the opportunity to identify our support and raise key concerns regarding the proposed changes. These are outlined below.

PROPOSAL 1: A SIMPLER VPP STRUCTURE WITH VICSMART ASSESSMENT BUILT-IN

Proposal 1 aims to deliver a simpler VPP structure in three ways, being to restructure and reform the particular provisions; integrate VicSmart into appropriate particular provisions and overlay schedules; and consolidate all administrative provisions.

Our submission regarding Proposal 1 is outlined below

- ▶ It is generally considered the implementation of Proposal 1 will result in a more integrated and efficient VPP structure.

PROPOSAL 2: AN INTEGRATED PLANNING POLICY FRAMEWORK

Proposal 2 aims to deliver a more integrated Planning Policy Framework. The major change proposed is to merge the State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) into a single policy framework, to be known as the Planning Policy Framework (PPF). It is proposed to have three levels of policy; state, regional and local.

Our submission regarding Proposal 2 is outlined below

- ▶ Spiire generally supports an integrated PPF as a way of simplifying and streamlining the VPPs.
- ▶ In merging the SPPF and LPPF, the opportunity should be taken to simplify the VPP by removing duplicate provisions and by consolidating and rationalising similar themes.

- ▶ It is not clear to us who will be responsible for the development and ongoing review and administration of 'regional policy'. Further details and consultation is required in relation to this matter.

PROPOSAL 3: ASSESSMENT PATHWAYS FOR SIMPLE PROPOSALS

Proposal 3 aims to deliver a simplified assessment pathway for straightforward applications by embedding VicSmart assessment pathways in appropriate particular provisions and overlay schedules, and by introducing new code-based assessment provisions for simple proposals to support small business, industry and homeowners.

Our submission regarding Proposal 3 is outlined below

- ▶ Spiire is generally supportive of this, and the examples proposed in the discussion paper. However it is submitted these "simple proposals" should extend further than the urban zones as proposed. For example, there are application types in rural zones which could benefit from having a similar type of code-based assessment provisions, such as sheds, car ports and other outbuildings, for which a permit requirement may only be triggered by setbacks or overlays.
- ▶ Whilst the current VicSmart provisions include some specific rural zone applications, it is submitted the rural zones could be reviewed in closer detail, with potential to include non-urban code-based assessment provisions as part of the VPP changes moving forward.

PROPOSAL 4: SMARTER PLANNING SCHEME DRAFTING

Proposal 4 intends to create a new VPP user manual, establish a business unit dedicated to VPP and planning scheme amendment drafting and to create an online Victorian planning library.

Our submission regarding Proposal 4 is outlined below

- ▶ Spiire supports the proposed VPP user manual.
- ▶ Spiire also supports the proposal to establish a business unit dedicated to planning scheme drafting. This support is offered on the understanding the proponents of amendments to the planning scheme will remain responsible for establishing the need for, intent and implementation of the policy, and the initial drafting of the policy. It is understood the dedicated business unit would finalise the drafting of the policy to ensure its intent is clear, and the wording is consistent with other policies within the VPP. If input from the planning scheme amendment proponent was not supported or sought by the dedicated business unit, Spiire would have reservations in offering support for operations of this proposal. Given the range of planning policy which will be drafted and implemented across the State, the appreciation of the local context is imperative to the drafting of policy and its implementation moving forward.
- ▶ Spiire is supportive of the idea of an online Victorian planning library, which will include a range of documentation from approved development plans to design guidelines to historic planning documents. Spiire raises the issue of the administration of the Victorian planning library, as it would require constant updating and cross checking to ensure the library is up to date and usable.

PROPOSAL 5: IMPROVE SPECIFIC PROVISIONS

Proposal 5 aims to improve specific provisions, update the Definitions section of the VPP, and regularly review and monitor the VPP.

Our submission regarding Proposal 5 is outlined below

- ▶ Spiire is generally supportive of the changes proposed through Proposal 5.

- ▶ However, Spiire has concerns about the administration of the proposed changes to specific provisions. The discussion paper outlines broad objectives that appear to need further work before the specific changes have been determined. Spiire suggests the Smart Planning program continues into 2019 to ensure this work is completed to a high standard before changing specific provisions in the VPPs.
- ▶ An update of the definitions sections is greatly supported by Spiire. Spiire encourages amendments to the land use table to easily distinguish between similar type land uses, to add new terms and to remove obsolete and unnecessary terms. Again, further consultation to determine these 'obsolete' terms is encouraged, and is something Spiire would be like to be involved with.

URBAN GROWTH ZONE

ID. No 11 within Appendix 2 relates to a review of the Urban Growth Zone (UGZ). Specifically, it is suggested that:

“Upon gazettal of a precinct structure plan, land is rezoned to the applied zones specified within the zone, with the PSP implemented using existing VPP tools, and therefore eliminating the concept of applied zones and removing the need for a later planning scheme amendment”

Spiire appreciates the above recommendation is not proposed as part of the VPP reform, however would like to make the following submission.

- ▶ Spiire strongly objects to this suggestion. The purpose of the UGZ is to identify areas which have been strategically identified for comprehensive development, guided by a Precinct Structure Plan (PSP). It is noted that a PSP is a long term strategic framework that guides development. As such, the PSP necessarily needs to be practically interpreted and applied with a degree of flexibility. Within approved PSP areas the precise location of different areas and land uses including open space, residential development, town centres, schools, community uses and so on regularly need to shift for a variety of reasons (often to the overall benefit of the future community). Often these reasons do not become apparent until detailed investigations and studies have been undertaken as part of the planning permit process. A flexible interim zone, such as the UGZ, is therefore required to enable 'fine-tuning' of the PSP layout to occur without triggering the need for complex and time consuming rezoning processes. Overall, Spiire is not supportive of ID. No 11 within Appendix 2 which specifically relates to the Urban Growth Zone (UGZ).

OTHER COMMENTS

- ▶ Spiire is supportive of the planning scheme transitioning from a document type publication to a web based application with more connectivity between sections of the Planning Scheme to make it user friendly and easily accessible.
- ▶ Spiire is concerned with the short time frame of implementing the proposed changes. It is noted the Smart Planning Program is a two year program which is expected to run until June 2018. As the proposed changes result in the first substantial changes to the VPPs since 1997, Spiire questions if an optimal result will be achieved in the remaining time of the program. Spiire suggests the Smart Planning Program is continued into at least 2019 to help enable a complete and thorough review of the VPP to occur, including appropriate consultation.
- ▶ As part of the Smart Planning Program, Spiire believe it is essential for the State Government to provide further funding and facilitate the implementation of the five proposals outlined in the discussion paper. It is noted an implementation strategy is necessary to be developed by DELWP in consultation with local and regional authorities to ensure the successful implementation of each proposal.

CONCLUSION

In summary, Spiire supports the initiative to undertake a thorough review of the VPP and thanks DELWP for the ability to provide comment at this stage of the project. We welcome the opportunity to discuss our submission with you. [REDACTED]

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