



**CATHOLIC
EDUCATION
MELBOURNE**

10 July 2017

SMART PLANNING

Department of Environment, Land, Water and Planning
570 Bourke Street
MELBOURNE VIC 3000

Dear Sir/Madam

RE: SMART PLANNING Reforming the Victoria Planning Provisions and Non-government Schools

I refer to the above matter and thank you for the opportunity to provide feedback to help prioritise potential reforms to the Victoria Planning Provisions.

You may be aware that Catholic education plays a significant role in educating Victorians now and into the future.

Catholic schools currently enrol around 23% of students in the State of Victoria. This highlights the significant role played by Catholic education in the State.

Whilst the majority of students within Catholic schools are Catholic, Catholic schools educate both Catholic and non-Catholic students.

If Catholic education did not provide the educational services that it does, the Department of Education and Training would need to increase the number of schools it provides to meet the shortfall.

Government schools are exempt from requiring a planning permit. Whilst Catholic schools do not enjoy a similar exemption, there are practical solutions that can be implemented to achieve a more efficient Planning Approvals process that results in the timely delivery of essential educational community infrastructure.

Catholic Education Melbourne seeks changes to the planning permit and development process that removes superfluous clauses, create greater codification in the approvals process and provide greater parity with the government school sector. These changes would allow the for more timely delivery of Catholic schools, and would include:

- A Code Assess Certification for non-government schools.
- Exemption of certain categories of electronic advertising signs for non-government schools from requiring a planning permit where set conditions are met.
- A change to the Urban Growth Zone provisions to exempt a planning permit for a non-government school site approved as part of an approved Precinct Structure Plan; Framework Plan or Development Plan. Buildings and Works approvals would continue to require a planning permit albeit through a Certification Process.

The proposed changes are detailed below.

1. Code Assess Certification for Catholic schools resulting in the timely delivery of education infrastructure

Catholic Education Melbourne is seeking a Code Assess planning approval approach for use and/or development for non-government schools.

Catholic Education Melbourne is proposing to have introduced a Code Assess certification process for certain Buildings and Works modelled on the former Planning scheme provision at Clause 52.40 of all Planning Schemes in Victoria for non-government schools, similar to the provisions that were in place with the Building the Education Revolution (BER). This could be achieved by introducing within all Planning Schemes throughout Victoria under Section 52, a special provision for non-government schools exempting a non-government school from planning scheme requirements where certification requirements are met, similar to that seen with the BER. **A draft copy of the suggested Section 52 document is proposed and is enclosed as an Attachment.**

Background

Unlike government schools, non-government providers, including Catholic schools, are required to apply for planning permits for use and/or development. This impacts on the timely and efficient delivery of education infrastructure.

Whilst we are appreciative of the steps the state government has taken to achieve an improved and less onerous regulatory environment for non-government schools, we believe further reform of the current planning process will expedite the delivery of critical school infrastructure and offer significant advantages for new and emerging communities without compromising the rigour required to deliver good urban planning outcomes.

This option provides a clear pathway for development of building and works for Catholic schools. Once agreed, certified code assessment acknowledges the concerns of stakeholders and referral authorities and provides opportunities for review where non-compliance with code is identified.

A Code Assess approach would require meeting set guidelines prior to certification and Ministerial consideration for approval.

The BER saw Planning Schemes throughout Victoria amended to include Clause 52.40 introduced by Amendment VC56 on 22 May 2009. The provisions of Clause 52.40 expired on 30 June 2012.

In particular, VC56 introduced a new particular provision, Clause 52.40 - Government Funded Education Facilities, providing:

- A permit exemption for specified government funded buildings and works.
- Amended the Schedule to Clause 61.01 to establish the Minister for Planning as the responsible authority for approving matters to be done to the satisfaction under Clause 52.40.
- Corrected the general provisions, Clause 62.02-2, to clarify the permit exemption applies to furniture and works normally associated with an education centre.

The re-introduction of similar provisions and process is suggested.

2. Exempt certain categories of electronic signage for Catholic schools from requiring a planning permit where set conditions are met.

Catholic Education Melbourne is seeking a streamlining of the current planning permit process for certain categories of signs.

Catholic Education Melbourne is proposing a Ministerial Amendment, under Section 46M of the Planning and Environment Act 1987 to all Planning Schemes in Victoria, to provide for the Advertising Signs in Category 1 – Commercial areas; Category 2 – Office and Industrial areas; and Category 3 – High amenity areas that a Business identification sign that is electronic, animated, internally illuminated, and/or flood lit is included as a Section 1 – Permit not required sign if the following conditions are met:

- The advertisement area must not exceed 8 square metres per premise.
- Any freestanding sign must not exceed an overall height of 4 metres from ground level.
- The advertisement area for a below verandah sign or, if no verandah, that is less than 3.7 metres above pavement level must not exceed 1.5 square metres.
- Written consent is obtained from VicRoads for a sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004*.
- Level of brightness must not exceed 300 'nits' at night.
- The sign must be more than 30 metres from a residential zone or pedestrian or traffic lights.

An extract of Clause 52 identifying the suggested changes for the respective categories of signs is attached.

Background

Unlike government schools, Catholic schools and other non-government schools are required to apply for a planning permit to display electronic and illuminated signage.

3. Changes to the Urban Growth Zone for new non-government schools identified on an approved Precinct Structure Plan (PSP), Framework Plan or Development Plan

Catholic Education Melbourne is seeking reform of the current planning approvals process to deliver parity with government schools to remove regulatory obstacles that cause delays and detrimentally impact on the delivery of education infrastructure.

Catholic Education Melbourne is proposing a number of options to facilitate this, including:

Enact a Planning Scheme Amendment to change the Urban Growth Zone provisions to allow non-government schools identified in Precinct Structure Plans to be exempt from a permit for use **as supported in the letter from the Department of Transport, Planning and Local Infrastructure dated 28 August 2014**. This undertaking has not yet been acted upon (Refer to letter attached).

This is consistent with the current VPA process for new Catholic schools in the growth corridors, which exempts non-government schools, identified within an approved PSP, from requiring a permit for use within the Urban Growth Zone.

Catholic Education Melbourne is seeking a Ministerial Amendment under Section 20 (4) of the Planning and Environment Act to:

- a. Amend the Urban Growth Zone (UGZ) provisions of all Planning Schemes in Victoria to exempt a planning permit for use for a non-government school if designated on an approved Precinct Structure Plan; Development plan or the like.
- b. This would also capture the earlier approved Precinct Structure Plans that were not privy to the current VPA standard approach for non-government school sites. There are currently 17 Catholic school sites that fall within this category, namely:

Precinct Structure Plan	Future/existing Catholic school affected
PSP 19 Craigieburn (R2)	P47
PSP 21 Greenvale Central	P11
PSP 22 Greenvale North (R1)	E1398
PSP 31 Toolern	P1, P2, P3, S1
PSP 33 Epping North East	P49
PSP 34 Point Cook Homestead Road	E1399 (P41)
PSP 38 Truganina South	P43
PSP 42.2 Blackforest Road South	P35
PSP 1066 Lockerbie	P7, P8, S3
PSP 1073 Diggers Rest	P16
PSP 1079 Rockbank North	P5
PSP 1098 Lockerbie North	P6

Please find enclosed a copy of the brochure “Catholic Schools in Context” providing an insight into Catholic Education for your information.



Attach.

Make an online submission

Consultation is now open and will **close at 5pm on Friday 24 November 2017**.

The consultation questions for each proposal are under the corresponding heading below. Please note proposal 5.1 refers to a table of specific provisions, which are listed under the heading 'Appendix 2'.

Please refer to the discussion paper for more detail on each proposal.

There is a 'submit' button at the bottom of the page (below all of the proposals). Please click 'submit' once you have finished answering (you do not have to answer every question).

Please note, you will not be able to save your answers and submit at a later time. Make sure you have read the discussion paper and have any supporting documents ready to upload, prior to starting your submission.

First Name Required

Last Name Required

Email Address Required

Organisation [Catholic Education Melbourne](#)

You have **255** characters left.

Are you submitting on behalf of an organisation? Required

Yes (please list organisation above)

No

Please click on the link below to read the Privacy Collection Notice.

[Privacy Collection Notice](#)

I agree to the privacy statement Required

Do you wish for your submission to remain confidential?

Submissions may be published with personal details retracted. If you do not wish for us to publish any part of your submission, please select this box.

- I would like my submission to remain confidential

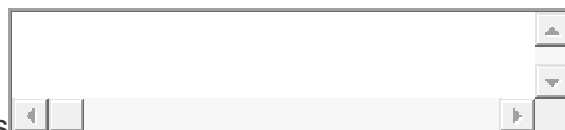
Proposal 1: A simpler VPP structure with VicSmart assessment built in

Read about 'Proposal 1' from page 10 of the discussion paper.

Please indicate below whether you/your organisation agree, disagree or are unsure about each section of Proposal 1.

1.1 Restructure and reform the particular provisions

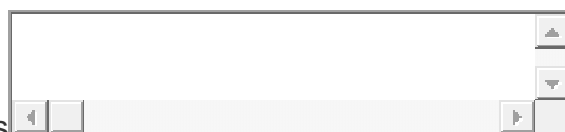
- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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Further comments

1.2 Integrate VicSmart into appropriate particular provisions and overlay schedules

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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Further comments

1.3 Consolidate all administrative provisions

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

What other changes to the VPP structure do you think should be considered?

Proposal 2: An integrated planning policy framework

Read about 'Proposal 2' from page 15 of the discussion paper.

Please indicate below whether you/your organisation agree, disagree or are unsure about each section of Proposal 2.

2.1 Integrate state, regional and local planning policy

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

2.2 Simplify the Municipal Strategic Statement

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

2.3 Expand policy themes

- I agree
- I agree subject to the below comments

I disagree

Unsure

Further comments

2.4 Create a clearer and simpler structure for policy making

I agree

I agree subject to the below comments

I disagree

Unsure

Further comments

2.5 Set new rules and guidelines for writing policy

I agree

I agree subject to the below comments

I disagree

Unsure

Are there any themes that should be added to the proposed PPF thematic framework - shown in Appendix 1 - to ensure that it covers all required policies?

What else could be done to make planning policy easier to apply and understand?

What will be needed to support a transition to a new PPF format?

Proposal 3: Assessment pathways for simple proposals

Read about 'Proposal 3' from page 23 of the discussion paper.

Please indicate below whether you/your organisation agree, disagree or are unsure about each section of Proposal 3.

3.1 Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

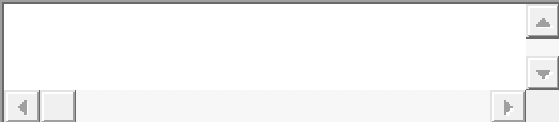
Further comments 

3.2 Introduce new code-based assessment provisions for simple proposals to support small business, industry and homeowners

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

What other matters do you think are suitable for code-based assessment?



Consider "*Education*" as a sector for the introduction of a new code-based assessment provision.

Government caters to 63% of the educational needs of the State; Catholic education caters for 22% of the educational needs of the State and; the Independent education sector caters to 15% of the educational needs of the State.

The Victorian Government is promoting Victoria as the Education State and expects that the Non-Government Sector, including the Catholic Education system to meet their quota in education delivery for the State.

4.3 Create an online Victorian planning library

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

What are the key matters you think a VPP user manual should include?

What planning documents or information do you think should be included in a

Victorian planning library?

Are there other ways the drafting and consistency of planning scheme provisions

could be improved?

Proposal 5: Improve specific provisions

Read about 'Proposal 5' from page 36 of the discussion paper.

Please indicate below whether you/your organisation agree, disagree or are unsure about each section of Proposal 5.

5.1 Improvements to specific provisions

Please scroll to Appendix 2 below to answer these questions.

5.2 Update the definitions section of the VPP

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

5.3 Regularly review and monitor the VPP

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

Appendix 2: Improvements to specific provisions

The following is a list of possible reforms to specific provisions that potentially deliver the improvements set out in section 5.1 of the discussion paper.

Please refer to Appendix 2 (page 45) in the discussion paper for more detail on each specific provision.

1. All zone schedules

Review all zone schedules having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

2. All zones

Review zones having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments◀ ▶

3. All Residential Zones

Review residential zones having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments◀ ▶

4. Mixed Use Zone

Review the Mixed Use Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments◀ ▶

5. Industrial 1 Zone

Review the Industrial 1 Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

6. Industrial 3 Zone

Review the Industrial 3 Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

7. Commercial 2 Zone

Review the Commercial 2 Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

8. All rural zones

Review the rural zones having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

9. Farming Zone

Review the Farming Zone farming having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

10. Urban Floodway Zone

Review the Urban Floodway Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

11. Urban Growth Zone

Review the Urban Growth Zone having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

12. All overlays

Review all overlays having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

13. Environmental and landscape overlays

Review all environmental and landscape overlays having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

14. Heritage overlay

Review the heritage overlay having regard to the details outlined in the discussion paper

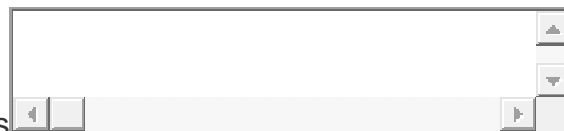
- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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15. Development plan overlay

Review the development plan overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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16. Neighbourhood character overlay

Review the neighbourhood character overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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17. Land management overlays

Review all land management overlays having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

18. Erosion management overlay

Review the erosion management overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

19. Salinity management overlay

Review the salinity management overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

20. Floodway overlay

Review the floodway overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

21. Land subject to inundation overlay

Review the land subject to inundation overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

22. Special building overlay

Review the special building overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

23. Airport environs overlay

Review the airport environs overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

24. City Link Project overlay

Review the City Link Project overlay having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

25. Specific sites and exclusions

Review specific sites and exclusions having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

26. Car parking

Review car parking having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below questions
- I disagree
- Unsure

Further comments 

27. Earth and energy resources industry

Review earth and energy resources industry having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

28. Uses with adverse amenity potential

Review uses with adverse amenity potential having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments 

29. Service stations

Review service stations having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

30. Car wash

Review car wash having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

31. Motor vehicle, boat or caravan sales

Review motor vehicle, boat or caravan sales having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

32. Telecommunications facility

Review telecommunications facility having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

33. Licensed premises

Review licensed premises having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

34. Gaming

Review gaming having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments▶

35. Land adjacent to a road zone category 1 or a public acquisition overlay for a category 1 road

Review land adjacent to a road zone category 1 or a public acquisition overlay for a category 1 road having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

39. Metropolitan green wedge land

Review metropolitan green wedge land having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

40. General provisions

Review general provisions having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

41. Decision guidelines

Review decision guidelines having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

42. Referral and notice provisions

Review referral and notice provisions having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

43. General terms

Review general terms having regard to the details outlined in the discussion paper

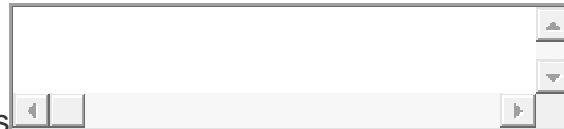
- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

44. Land use terms

Review all land use terms having regard to the details outlined in the discussion paper

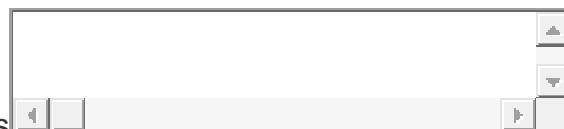
- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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45. Land use terms (regarding commercial battery storage facilities)

Review land use terms having regard to the details outlined in the discussion paper

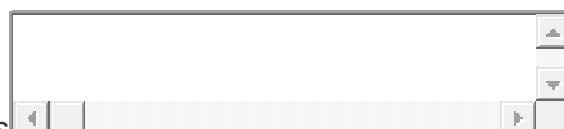
- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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46. Nesting diagrams

Review nesting diagrams having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

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47. Incorporated documents

Review incorporated documents having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

48. Practice notes

Review planning practice notes having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

49. Technology and the availability of documents

Review planning systems having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure

Further comments

50. Section 173 agreements

Review section 173 agreements having regard to the details outlined in the discussion paper

- I agree
- I agree subject to the below comments
- I disagree
- Unsure



Further comments

Supporting documents

If you would like to upload any documents to support to your submission, please attach them here

Choose file...