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29 November 2017

Engage Victoria
Department of Environment, Land, Water & Planning
PO Box 500
EAST MELBOURNE VIC 8002

via online submission –engage.vic.gov.au/reform-victoria-planning-provisions

Dear Sir/Madam

**Reforming the Victoria Planning Provisions
Submission from Peet Limited**

Thank you for the opportunity to make a submission in relation to Reforming the Victoria Planning Provisions (VPP).

Peet Limited (Peet) is Australia's largest, publicly listed specialist residential land developer with 57 projects across the nation. We take great pride in our communities and have a strong sense of responsibility to the people who choose to live in them, which is why we invest heavily in the design and implementation of the streetscapes, public spaces and infrastructure at each of our individual communities.

We support plans for reform to the Victorian Planning Provisions as improvements to the provisions will benefit all users of the planning system.

Peet has extensive experience operating in the growth areas of major Australian capital cities. We believe Victoria has one of the most transparent planning systems in the country enabling a sustained supply of new dwellings to support net migration and thus underpinning Victoria's economy. In the years ahead it is essential that the Victorian Planning Provisions position the State planning framework for efficient growth, as envisaged by Plan Melbourne.

While there are many facets to the Victorian Planning Provisions, our submission focuses on residential Greenfield development within Melbourne's growth areas. Peet's response to the proposals are structured into three broad categories of 'supported', 'not supported', and 'additional comments'. Where Peet has not provided a response, it can be assumed that Peet has not formed a position on the proposal.

We welcome the opportunity to discuss our submission further and would be happy to participate in further industry consultation following receipt of all submissions. Please do not hesitate to contact me on (03) 9868 5900.

Yours sincerely

PEET LIMITED



Supported

Proposal 2.1: Integrate state, regional and local planning policy

Peet is wholly supportive of efforts to create a streamlined approach of more clearly aligning local policy objectives within the overarching State Planning Policy Framework (SPPF). Stronger integration of SPPF objectives in the local context will reduce conflict and areas of confusion, ultimately resulting in reduced delays across the development industry and benefitting all users.

This approach will ensure that implementation at a local level remains in accordance with sound planning principles developed at a state level. One example of a common area of conflict for urban development proposals is car parking. There is an ongoing push for increased density in mandated growth areas which is often contradicted by instances of local Councils mandating higher car parking requirements than those required under Clause 52.06. Clearer alignment with the state policy on issues such as these should provide greater clarity for users while lessening the burden of appeal processes through the VCAT system.

Proposal 4.2: Establish a business unit dedicated to VPP and planning scheme amendment drafting

Peet welcomes the proposal to establish dedicated resourcing within the Department of Environment, Land, Water & Planning (DELWP) for the variety of improvements proposed to the VPP, subject to two important considerations.

The establishment of a new business unit within DELWP will naturally place a strain on existing resources. This may result in the need to pull resources from another business unit or external recruitment. Peet encourages DELWP to consider the long-term benefit of the proposed changes and ensure that timeframes on planning scheme amendments do not increase. Furthermore, secondments from local Councils could be explored during the initial period of reform where a high workload is anticipated.

Ongoing funding commitment from government is required to appropriately resource this important initiative. While recruitment of additional resourcing may be required in the short-term, this will ease future workload and ultimately result reform to the VPPs being a cost-neutral exercise. Seeking additional funding from the private sector should be avoided on this basis.

Not supported

Proposal 5.1: Improvements to specific provisions

ID. No. 11: Urban Growth Zone (UGZ)

Peet does not support the proposal to apply a more rigid structure of locking down zone mapping at gazettal of a Precinct Structure Plan (PSP). Removing current flexibility will result in the unintended consequence of additional planning scheme amendments to correct the location of zone boundaries which cannot be confirmed at time of preparing a PSP.

It is vital that current flexibility of 'applied' zoning and the 'generally in accordance' test remains. This is because the exact location of land uses and associated zoning cannot be confirmed without incurring the significant expense of complex assessments, background reports and detailed design commonly associated with submission of a planning permit application for urban development.

Current timeframes involved in preparing a PSP in Melbourne's Growth Areas are approximately 4-5 years. Requiring this level of detail up front during a PSP process will add delays to already lengthy timeframes. In practice, land uses are located on a PSP plan without rigorous assessment of specific boundaries or a guarantee that the property will be acquired for the designated land use (e.g. non-government school sites). The Victorian Planning Authority does so in the full knowledge of existing flexibility within the VPP to confirm the exact location of land uses at the planning permit approval.

Often only sophisticated developers and key Authorities participate heavily in the PSP consultation process. These parties primarily focus on the matters which directly impact their land holding or infrastructure, meaning other issues within a PSP area can be left unresolved. Smaller landowners and non-sophisticated developers are often not aware of the practical implementation issues associated with a new PSP and could be presented with a barrier to development as a planning scheme amendment may be required to correct errors in the PSP zone mapping impacting their land holding.

In the implementation of PSPs across Melbourne, Peet is commonly involved in resolving conflicts between statutory authorities on land uses at key interfaces. These conflicts arise from the delicate balancing act of unlocking developable land in accordance with State planning policy and committing additional time and resources to resolving the finer details during a PSP process. Removing the flexibility to cater to the requirements of statutory authorities once a PSP is approved will add further strain to the planning system, with statutory authorities being unable to allow development to proceed prior to zoning issues being corrected via a scheme amendment.

PSPs are long term plans for the development of an area. It is not unreasonable to expect that the land requirements of a future school operator may differ from what is currently designated within a PSP, or change as servicing strategies evolve over time. The acquisition of school sites by government and non-government entities can involve a re-design of the size and shape of a site to suit the proposed layout of the operator. As needs change over time, so too will school sites. It is therefore essential that the flexibility of 'applied' zoning remains.

Additional Comments

The below comments are provided in response to "Tell us More" (page 14)

'Digital first'

Peet applauds the introduction of 'Digital first' as a new principle at Figure 1 'Principles of a modern planning scheme'. We encourage this principle to be built upon through mandating use of online tools such as SPEAR in the submission and review of all planning applications. The SPEAR service provides increased efficiency for users while it also has the benefit of a more transparent interface between Applicants, Referral Authorities and Responsible Authorities. Through the introduction of SPEAR for all planning applications, common bottlenecks in the planning system can be identified and resolved in a timely manner.

Standard permit conditions

The discussion of an increased scope for VicSmart assessment pathways on page 26 raises the consideration of standard permit conditions being issued where code requirements are met.

Increasing the scope of VicSmart and the introduction of standard permit conditions are both positive steps however DELWP must take steps to prevent local Councils from adding additional permit conditions which may result in conflict with applicants and contradict the overarching intention of codified assessment pathways. If standard permit conditions are modified by local Councils, a higher frequency of appeal processes will occur, thus losing the intended efficiency of VicSmart assessment pathways.