

20 November 2017

Smart Planning Team  
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Dear Smart Planning Team,

### **Reforming the Victoria Planning Provisions – Alpine Shire Council response**

Thank you for the opportunity to provide comment on the 'Reforming the Victoria Planning Provisions' discussion paper. Alpine Shire Council is supportive of the overall intent of the reforms outlined in the discussion paper. Specific issues and concerns are outlined below.

#### **Proposal One: A simpler VPP structure with VicSmart assessment built in**

##### *Proposal 1.1: Restructure and reform the particular provisions*

This proposal is supported. The biggest issue for Council at this point is remembering the Particular Provisions are there when assessing an application. The proposed restructure will make it a little easier to find Particular Provisions than at present. In addition to the proposed restructure, Council would support cross referencing of the Particular Provisions in the zones, overlays and PPF.

##### *Proposal 1.2: Integrate VicSmart into appropriate particular provisions and overlay schedules.*

Council supports a more integrated VicSmart assessment pathway

##### *Proposal 1.3: Consolidate all administrative provisions*

This proposal is supported. A better solution to link specific sites, areas and exclusions would be supported. Ideally specific sites, areas and exclusions should be mapped with an overlay tool that links to the particular provision.

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

- Cross referencing, ideally through hyperlinks
- Map specific sites, areas and exclusions with an overlay tool to make them less likely to be missed.

## **Proposal Two: An integrated planning policy framework**

### *Proposal 2.1: Integrate state, regional and local planning policy*

Council supports the idea of an integrated planning policy framework. An additional 'layering option' would improve on what's proposed to allow for policy that relates to specific areas or conditions to be applied just to the affected municipalities. For example:

- Alpine issues which would only affect Alpine Shire, Mansfield Shire, Baw Baw Shire, East Gippsland Shire and Wellington Shire.
- Coastal issues which would only affect some of the Great South Coast shires, the Barwon shires, some of the metropolitan councils, some of the Gippsland shires.

Enabling this sort of additional layering option would mean that issues can be planned spatially rather than along municipal or regional lines and provide the scheme with greater flexibility over time. Examples of this sort of spatial or regional layering include planning policy relating to:

- River catchments (Murray Darling Basin, Yarra Basin etc.)
- Ground water basins (Murray Basin, Western Port Basin, Otway Basin etc.)
- Bioregions and EVC's
- Energy (for example windfarm policy only relates to a handful of municipalities)
- Regional economies (e.g. Bendigo economic region).

Alpine Shire Council consider this level of flexibility and scheme nimbleness was one of the best features of the PPF proposal made by the Ministerial Advisory Committee for the Review of the SPPF, and it should be retained.

The proposed move towards a 'data base' system of managing the PPF's for the state will enable this level of flexibility to be built in with very little additional resourcing required.

Some comments about the proposed table of contents:

- A state and regional context should be included (see proposal 2.2)
- A state vision should be included (see proposal 2.2)
- Water policy should be brought together: 12.03, 14.02. Having water policy spread out so broadly in the scheme makes integrated planning difficult. Protection of / planning for ground water should also be included
- From a rural perspective, agriculture (14.01) is an economic development issue and would sit better there.
- Erosion and landslip (13.04-2) are quite separate planning issues and should be separated.
- There is no section for gaming and liquor licencing, although both have particular provisions.
- Policy about buffers needs to be strengthened. This includes buffers around local, regional and state resources such as tip sites, recycling centres, water treatment plants and so on. Ideally a spatial overlay (a little like the State Resources Overlay) could be introduced or modified to deal with this.

- Open space shouldn't be tucked away under infrastructure. Open space crosses many themes including settlement, environmental and landscape values and transport. It is a building block from a strategic planning perspective and should remain in settlement or have its own clause.
- Likewise, community infrastructure is a strategic planning building block and should be either in the settlement chapter or have its own clause.
- The settlement chapter is silent about planning in small and medium rural municipalities. Room should be made for rural policy here. A state context and vision statement would assist with this, as would policy in relation to subdivision of land. The focus is all about urban growth. Settlement is broader than that. It may be appropriate to move some of the agricultural policy to settlement (and the rest to economic development) to achieve this.

*Proposal 2.2: Simplify the Municipal Strategic Statement.*

This proposal is supported. Council also considers a state and regional context and a state vision would be helpful to provide overall context for planning and direct appropriate investment to Alpine Shire.

*Proposal 2.3: Expand policy themes*

The proposal of expanding the policy themes is supported, however under the proposed PPF structure local policy could only be included under a state heading. There are examples where a local policy is required which doesn't 'fit in' to a state heading – gaming is an example, as is student housing and caretaker's housing. There will undoubtedly be others in the future.

*Transition to a new PPF*

As a rural municipality with a small rate base, Alpine Shire Council would require significant resources to transition the existing scheme to the PPF style scheme.

The best way that support could be provided to Alpine Shire Council is in the provision of an expert consultant / planning practitioner who was able to spend some time at the Shire offices to work with staff to deal with any translation issues as they arise.

To give an indication of resources, Council currently has three planning positions available, two of which are vacant. Recruitment of experienced staff in our region is challenging.

**Proposal Three: Assessment pathways for simple proposals**

*Proposal 3.1: Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules.*

Council supports a more integrated VicSmart assessment pathway.

*Proposal 3.2: Introduce new code based assessment provisions for simple proposals to support small business, industry and homeowners.*

Council supports a new code based assessment for simple proposals. Council would support the ability to introduce local variations where applicable to the municipality or region.



*Other issues:*

- An increase in VicSmart applications is likely to be a short term resourcing issue for Council, but this would even out over time.
- Council strongly support integration of the existing VicSmart classes into the VPP.
- Council has concerns about the way in which the VicSmart subdivision controls work. Assessment pathways and planning outcomes are completely different depending on whether a BMO applies to all or part of the Farming Zone land being subdivided and this is inequitable.

## **Proposal Four: Smarter planning scheme drafting**

*Proposal 4.1: Create a new VPP user manual*

Council supports this proposal. The user manual should be web based and should be responsive to feedback from scheme users and changes in planning schemes to remain up to date and relevant.

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

Council supports this proposal.

Council currently experiences frustration and delays working with the regional offices on drafting matters. The focus seem to be on finding mistakes and making unnecessary changes rather than taking a facilitative approach to supporting the new or revised policy through the amendment process. There is a lot of hiding behind the 'Form and Content' Ministerial Direction and Planning Practice Notes, many of which have numerous inconsistencies and different interpretations which the department hasn't resolved.

Moreover, our experience is that the regional offices don't seem to get helpful and supportive advice from the central office which clearly makes it hard for the regional staff to provide Council with support. This prevents councils like Alpine Shire Council, with limited resources, from getting on with the job of keeping the planning scheme up to date and facilitating good planning outcomes.

There is an opportunity for a new drafting team to operate in a more facilitative, efficient and helpful way in much the same way as the planning scheme mapping team do.

*Proposal 4.3 Create an online Victorian Planning Library*

Council thinks the creation of an online planning library is a great idea!

## **Proposal Five: Improve specific provisions**

*Proposal 5.1: Improvements to specific provisions*

Council generally supports this proposal but is not able to provide detailed comments on the proposals in Appendix 2 at this time.



*Proposal 5.2: Update the definitions of the VPP*

Council supports this proposal.

*Proposal 5.3: Regularly review and monitor the VPP*

Council supports this proposal.

Thank you for the opportunity to comment on the proposed reform of the Victoria Planning Provisions.

Yours faithfully

