

GOLDEN PLAINS PLANNING SCHEME

AMENDMENT C102GPLA

EXPLANATORY REPORT

Overview

This amendment implements the findings of the *Golden Plains Planning Scheme Review 2022*. The Review was adopted by Council in November 2023 and was prepared to meet the requirements of Section 12B of the *Planning and Environment Act 1987*.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Golden Plains Shire Council website at www.goldenplains.vic.gov.au

and/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

Golden Plains Shire Council
2 Pope Street
Bannockburn VIC 3331

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by [insert submissions due date].

A submission must be sent to:

Golden Plains Shire Council
PO Box 111
Bannockburn, Victoria 3331

By email: planning@gplains.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Golden Plains Shire Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to all land within the Golden Plains Shire.

What the amendment does

This amendment implements the findings of the *Golden Plains Planning Scheme Review 2022* (the Review). The Review was adopted by Council in November 2023 and was prepared to meet the requirements of Section 12B of the *Planning and Environment Act 1987* (the Act).

The amendment:

- Clarifies and improves the style, format, language and grammatical form of local policy to ensure it aligns with the principles set out in A Practitioner's Guide to Victorian Planning Schemes where the intended effect of the respective clause is not changed.
- Adjusts the structure of local content to ensure it aligns with the Ministerial Direction on the Form and Content of Planning Schemes.
- Updates department names, document references, terminology and statistical data.
- Removes or updates references to outdated content.
- Reinstates local transport related content formally found in Clause 21.06-1 that was inadvertently omitted during the Planning Policy Framework translation.
- Updates Clause 02.01 Context to include appropriate recognition of the Traditional Owners of the land in which the Golden Plains Shire Council sits.
- Updates Clause 02.02 Vision to include reference to the most recently adopted Council Plan.
- Introduces factual content from the Golden Plains Economic Development and Tourism Strategy 2017-2021 and the Golden Plains Sport and Active Recreation Strategy 2020-2030 to the context sections of Clause 02.03-8 Transport and Clause 02.03-9 Infrastructure.
- Updates schedule 2 at Clause 32.03 to remove the permit requirement for outbuildings that was inadvertently included as part of Amendment C91.
- Inserts a new schedule at Clause 35.03 Rural Living Zone to ensure the proper use of the Victoria Planning Provisions.
- Updates the schedule to Clause 74.02 Further Strategic Work to prioritise Council's strategic work program based on the findings of the Review.

Specifically, the amendment proposes to make changes to the following local sections of the Golden Plains Planning Scheme (GPPS):

Golden Plains Planning Scheme	
Description of change	
Purpose and Vision	
Clause 02.01	Amends Clause 02.01 to update the context to appropriately recognise the Traditional Owners of the land in which the Golden Plains Shire Council sits. Amends Clause 02.01 to update the context with the most recent

	population data from the Australian Bureau of Statistics.
Clause 02.02	Amends Clause 02.02 to update the vision to reflect that of the most recently adopted Council Plan.
Clause 02.03	Amends Clause 02.03-8 <i>Transport</i> to reinsert key strategic directions for transport that were inadvertently omitted during the Planning Policy Framework translation. Amends Clause 02.03-8 <i>Transport</i> and Clause 02.03-9 <i>Infrastructure</i> to include factual context from the <i>Golden Plains Economic Development and Tourism Strategy 2017-2021</i> and the <i>Golden Plains Sport and Active Recreation Strategy 2020-2030</i> .
Clause 02.04	Amends Clause 02.04 <i>Strategic Framework Plans</i> to remove the “North West Structure Plan” which had been replaced with the “Northern Settlement Strategy Strategic Directions Plan” via C85gpla in Clause 11.01-1L-03 and inadvertently reintroduced through the Planning Policy Framework translation. Improves the quality of the Corindhap, Dereel and Lethbridge maps.
Planning Policy Framework	
Settlement	
Clause 11.01-1L	Amends Clause 11.01-1L to: <ul style="list-style-type: none"> • Update the policy guidelines in <i>Settlement</i> to be strategies, where they cannot be appropriately used as policy guidelines. • Update the policy guidelines in <i>Settlement in Golden Plains South East</i> to be strategies, where they cannot be appropriately used as policy guidelines. • Update strategies in <i>Settlement in Golden Plains South East</i> to commence with an appropriate verb, in accordance with the principles set out by <i>A Practitioner’s Guide to Victorian Planning Schemes</i>. • Update the clause numbers for <i>Settlement</i>, <i>Settlement in Golden Plains South East</i> and <i>Settlement in Golden Plains North West</i> to be 11.01-1L-01, 11.01-1L-02 and 11.01-1L-03 respectively. • Reinsert the framework plans for the “South East Area” that were inadvertently omitted during the Planning Policy Framework translation. • Updates Clause for policy will expire six years from the date of gazettal of Amendment C90gpla. • Reinserts the “Northern Settlement Strategy Strategic Directions Plan” that had been inadvertently removed through the Planning Policy Framework translation.
Clause 11.03-6L-01	Amends Clause 11.03-6L-01 to update the title of the <i>Golden Plains Heritage Study Stage 2</i> to ensure it is consistent with the associated reference in Clause 72.08.
Clause 11.03-6L-02	Amends Clause 11.03-6L-02 to: <ul style="list-style-type: none"> • Update the strategies to commence with an appropriate verb, in accordance with the principles set out by <i>A Practitioner’s Guide to Victorian Planning Schemes</i>. • Update the title of the <i>Gheringhap Structure Plan</i> to ensure it is consistent with the associated reference in Clause 72.08. • Updates Clause for policy to expire six years from the date of gazettal of Amendment C90gpla.
Clause 11.03-6L-03	Amends Clause 11.03-6L-03 to update strategies to commence with an appropriate verb, in accordance with the principles set out by <i>A Practitioner’s Guide to Victorian Planning Schemes</i> .

	Reinsert the “Northern Settlement Strategy Strategic Directions Plan” that had been inadvertently removed through the Planning Policy Framework translation.
Clause 11.03-6L-04	Amends Clause 11.03-6L-04 to update strategies to commence with an appropriate verb, in accordance with the principles set out by <i>A Practitioner’s Guide to Victorian Planning Schemes</i> . Updates Clause for policy to expire six years from the date of gazettal of Amendment C90gpla.
Environmental Risks and Amenity	
Clause 13.03-1L	Amends Clause 13.03-1L to update the date of the <i>Corangamite Regional Catchment Strategy 2021-2027</i> to reflect that of the updated and current Regional Catchment Strategy.
Natural Resource Management	
Clause 14.01-2L	Amends Clause 14.01-2L to: <ul style="list-style-type: none"> • Update the clause numbers for <i>Sustainable Agricultural Land Use</i> and <i>Animal Industries</i> to be 14.01-2L-01 and 14.01-2L-02 respectively. • Update some of the strategies in <i>Animal Industries</i> to be policy guidelines, where they are of a fine grain detail that is more appropriate as a policy guideline.
Built Environment and Heritage	
Clause 15.01-6L	Amends Clause 15.01-6L to: <ul style="list-style-type: none"> • Relocate content on Low Density Residential Subdivision from Clause 15.01-6L to Clause 15.01-3L. • Update the policy guideline to be a strategy, where it cannot be appropriately used as a policy guideline.
Transport	
Clause 18.01-1L	Inserts a local policy at Clause 18.01-1L to reinsert key strategic directions for transport that were inadvertently omitted during the Planning Policy Framework translation.
Clause 18.01-2L	Inserts a local policy at Clause 18.01-2L to reinsert key strategic directions for transport that were inadvertently omitted during the Planning Policy Framework translation.
Clause 18.02-4L	Inserts a local policy at Clause 18.02-4L to reinsert key strategic directions for transport that were inadvertently omitted during the Planning Policy Framework translation.
Infrastructure	
Clause 19.03-3L	Amends Clause 19.03-3L to update the strategy to commence with an appropriate verb, in accordance with the principles set out by <i>A Practitioner’s Guide to Victorian Planning Schemes</i> .
Zones	
Clause 32.03 (LDRZ)	Amends Schedule 2 to Clause 32.03 to remove the permit requirement for outbuildings which was incorrectly included as part of Amendment C91gpla.
Clause 35.03 (RLZ)	Amends the Schedule to Clause 35.03 to remove the reference to Map 1 from the table of <i>Subdivision and other requirements</i> and removes the illustrated Map 1. Updates the schedule name to be Schedule 1. Inserts a new Schedule 2 to Clause 35.03 to convey the minimum subdivision area requirements for land previously identified in Map 1.
Clause 35.07 (FZ)	Amends the Schedule to Clause 35.07 to include a new row for “ <i>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</i> ” in the Table in

	accordance with the Ministerial Direction on the Form and Content of Planning Schemes.
Clause 37.01 (SUZ)	Amends Schedule 2 to Clause 37.01 to correct a spelling error for the reference to Smythes Creek.
Overlays	
Clause 42.01 (ESO)	<p>Amends Schedule 1 to Clause 42.01 to:</p> <ul style="list-style-type: none"> • Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023. • Redraft some of the content in permit requirements to be decision guidelines, where it cannot be appropriately used as a permit requirement. <p>Amends Schedule 2 to Clause 42.01 to update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023.</p> <p>Amends Schedule 3 to Clause 42.01 to:</p> <ul style="list-style-type: none"> • Rationalise the five objectives to be one, in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. • Redraft some of the content in permit requirements to be decision guidelines, where it cannot be appropriately used as a permit requirement. • Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023. <p>Amends Schedule 4 to Clause 42.01 to:</p> <ul style="list-style-type: none"> • Include the mandatory statement on application requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i> • Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023.
Clause 42.02 (VPO)	<p>Amends Schedule 1 to Clause 42.02 to:</p> <ul style="list-style-type: none"> • Redraft some of the content in permit requirements to be decision guidelines, where it cannot be appropriately used as a permit requirement. • Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023. <p>Amends Schedule 2 to Clause 42.02 to:</p> <ul style="list-style-type: none"> • Redraft some of the content in permit requirements to be decision guidelines, where it cannot be appropriately used as a permit requirement. • Redraft some of the content in permit requirements so that it is written in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>

	<ul style="list-style-type: none"> Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023.
Clause 42.03 (SLO)	<p>Amends Schedule 1 to Clause 42.03 to correct the reference to the Traditional Owner group in Statement of nature and key elements of landscape.</p> <p>Amends Schedule 14 to Clause 42.03 to:</p> <ul style="list-style-type: none"> Correct the reference to the Traditional Owner group in Statement of nature and key elements of landscape. Rationalise the six objectives to be five, in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>.
Clause 43.01 (HO)	<p>Amends the Schedule to Clause 43.01 to include the mandatory statement on application requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>.</p>
Clause 43.02 (DDO)	<p>Amends Schedule 1 to Clause 43.02 to:</p> <ul style="list-style-type: none"> Rationalise the six objectives to be four, in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. Include the mandatory statement on application requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. <p>Amends Schedule 3 to Clause 43.02 to include the mandatory statement on buildings and works in accordance with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i>.</p> <p>Amends Schedule 4 to Clause 43.02 to:</p> <ul style="list-style-type: none"> Redraft one of the buildings and works requirements to be an application requirement, where it cannot be appropriately used as a buildings and works requirement. <p>Amends Schedule 6 to Clause 43.02 to:</p> <ul style="list-style-type: none"> Include the mandatory statement on subdivision requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i> Remove superfluous from signs, applications requirements and decision guidelines. Include the mandatory statement on application requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. <p>Amends Schedule 8 to Clause 43.02 to include the mandatory statement on application requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i></p>

	<p>Amends Schedule 9 to Clause 43.02 to:</p> <ul style="list-style-type: none"> • Rationalise the six objectives to be five, in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. • Include the mandatory statement on buildings and works requirements in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i> • Update the language in signs to be consistent with the principles set out in <i>A Practitioner's Guide to Victorian Planning Schemes</i>. • Remove the section on background documents to comply with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i> <p>Amends Schedule 10 to Clause 43.02 to:</p> <ul style="list-style-type: none"> • Rationalise the seven objectives to be four, in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. • Redraft content in the building and works requirements to comply with <i>Ministerial Direction on the Form and Content of Planning Schemes</i>. • Remove superfluous text from decision guidelines.
Clause 43.04 (DPO)	<p>Amends Schedule 2 to Clause 43.04 to redraft content in requirements for development plan to comply with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i></p> <p>Amends Schedule 9 to Clause 43.04 to redraft superfluous text in the description of land to which the schedule applies to be an objective in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i></p> <p>Amends Schedule 10 to Clause 43.04 to redraft superfluous text in the description of land to which the schedule applies to be an objective in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i></p> <p>Amends Schedule 11 to Clause 43.04 to:</p> <ul style="list-style-type: none"> • Redraft superfluous text in the description of land to which the schedule applies to be an objective in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i> • Update the reference to a government department as a result of Machinery of Government changes effective 1 January 2023. <p>Amends Schedule 13 to Clause 43.04 to redraft superfluous text in the description of land to which the schedule applies to be objectives in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i></p>

	<p>Amends Schedule 14 to Clause 43.04 to:</p> <ul style="list-style-type: none"> • Redraft superfluous text in the description of land to which the schedule applies to be an objective in accordance with <i>Ministerial Direction on the Form and Content of Planning Schemes</i> • Redraft content in requirement before a permit is granted to comply with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i> • Remove superfluous text from requirements for a development plan.
Clause 44.03 (FO)	Amends the Schedule to Clause 44.03 to include the mandatory statement on application requirements in accordance with the <i>Ministerial Direction on the Form and Content of Planning Schemes</i> .
Particular Provisions	
Clause 51.01 (Specific Sites and Exclusions)	Amends the Schedule to Clause 51.01 to update the titles of the listed Incorporated Documents to ensure they are consistent with their associated references in Clause 72.04.
Operational Provisions	
Clause 72.04 (Incorporated Documents)	Amends the Schedule to Clause 72.04 to remove the reference to <i>Concept Layout Dog Rocks Drawing</i> as the corresponding schedule in the Incorporated Plan Overlay has since been removed.
Clause 72.08 (Background Documents)	Amends the Schedule to Clause 72.08 to update the date of the <i>Corangamite Regional Catchment Strategy 2021-2027</i> to reflect that of the updated and current Regional Catchment Strategy.
Clause 74.01 (Application of Zones, Overlays and Provisions)	Amends the Schedule to Clause 74.01 to correct a spelling error in the application of the Salinity Management Overlay.
Clause 74.02 (Further Strategic Work)	Amends the Schedule to Clause 74.02 to rationalise the future strategic work program based on work that has already been completed and work that has been identified as a priority in the recently adopted Council Plan.
Maps	
Amend the reference to the Rural Living Zone on Planning Scheme Map Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13 and 16	Amends Planning Scheme Maps to include a reference to both the Rural Living Zone Schedule 1 and the Rural Living Zone Schedule 2.

Strategic assessment of the amendment

Why is the amendment required?

Section 12B of the Act requires a planning authority to carry out regular reviews of its respective planning scheme to enhance its effectiveness and efficiency in achieving the objectives of planning in Victoria and the objectives of the planning framework established by the Act.

At the request of the Golden Plains Shire Council, the Department of Transport and Planning through the Regional Planning Hub program, engaged Redink Planning to undertake a review of the GPPS. The Regional Planning Hub program has been funded to assist rural and regional municipalities with surplus planning work.

The resulting Review makes a number of recommendations to improve the overall performance of the GPPS. This amendment implements those recommendations of the Review that are administrative in nature and where the intended effect of the respective clause is not changed.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives set out in section 4 of the Act. In particular, it supports the following objectives:

- a) To provide for the fair, orderly, economic and sustainable use, and development of land;
- b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- g) To balance the present and future interests of all Victorians.

The amendment implements the above objectives by providing clear strategic direction for future land use and development in Golden Plains Shire. The amendment ensures that local policy and controls have been drafted appropriately to encourage land use planning and development to occur in a manner that is consistent with the objectives set out in section 4 of the Act.

How does the amendment address any environmental, social and economic effects?

The amendment is expected to deliver positive environmental, social and economic outcomes by updating, simplifying and clarifying local policies and local schedules in the GPPS. This is expected to provide more certainty to the users of the planning system and will ensure that land use and development outcomes are consistent with the environmental, social and economic land use objectives of planning in Golden Plains and Victoria.

Specifically, the amendment proposes to:

- Improve the clarity of local policy content in the Municipal Planning Strategy, Planning Policy Framework and local schedules to the Victorian Planning Provisions to result in greater certainty for users of the planning system.
- Reduce unnecessary costs to applicants and councils as a result of unclear planning requirements.
- Improve planning outcomes by removing errors or inconsistencies in local schedules.

Does the amendment address relevant bushfire risk?

The amendment is not expected to result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

The amendment does not alter any existing planning controls or policies that relate to the management of bushfire risk and does not seek to introduce any new controls or policies that would pose or create any new bushfire risk.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act. The amendment seeks to ensure that the GPPS has been drafted in accordance with the requirements of this direction.

The amendment has been prepared in accordance with the strategic considerations set out in Ministerial Direction No. 11 Strategic Assessment of Amendment under Section 12 of the Planning and Environment Act 1987.

The amendment is consistent with Ministerial Direction No. 15 The Planning Scheme Amendment Process under Section 12 of the Planning and Environment Act 1987.

No other Ministerial Directions are relevant to this amendment.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment seeks to reinforce the alignment between state and local policy in the Planning Policy Framework by ensuring that the directions for settlement, environmental risks and amenity, natural resource management, built environment and heritage, transport and infrastructure in particular are consistently written and appropriately placed within the GPPS.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment will support the Municipal Planning Strategy by ensuring that the narrative for local context is up to date and clearly articulates the council's overarching vision for sustainably managing land use planning and development in the municipality.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by utilising schedules that are appropriate to local circumstances and updating the content within them to ensure it is consistent with the principles set out in A Practitioner's Guide to Victorian Planning Schemes and the requirements of the Ministerial Direction on the Form and Content of Planning Schemes.

In particular, the amendment:

- Inserts a new schedule at Clause 35.03 Rural Living Zone to ensure that the alternate minimum subdivision area requirements that apply to land identified in Map 1 (currently included as an attachment in the existing schedule) are appropriately identified in a separate schedule to the zone and mapped distinctively in Planning Scheme Maps.
- Updates the schedule to Clause 74.02 Further Strategic Work to prioritise the work that Council intends to undertake before the next planning scheme review and to remove any work that has already been completed or is no longer required.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the amendment exhibition process.

Does the amendment address relevant requirements of the *Transport Integration Act 2010*?

The requirements of the *Transport Integration Act 2010* apply where a planning scheme amendment is likely to have a significant impact on the transport system.

This amendment will not have a significant impact on the transport system as defined by the *Transport Integration Act 2010*.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will not impose additional resource or administrative costs on the responsible authority.

The amendment proposes to make improvements to the GPPS to support the operation of planning processes, policy and provisions. This will ultimately reduce the resource and administrative costs of the responsible authority.