

Amendment C91gpla - FAQ on the Removal of the Development Plan Overlay

What is a Planning Scheme?

A planning scheme sets out the planning rules including state and local policies, zones, overlays and provisions that inform planning decisions.

What is the Development Plan Overlay (DPO)?

The DPO is a planning control in the Golden Plains Planning Scheme that currently applies to significant parts of the municipality. The DPO is used to coordinate and guide the appropriate use and development of vacant land. This can help ensure that residential estates are developed in a way that ensures roads and open space are logically connected from estate.

What is an Amendment to the Planning Scheme?

Changes to the planning scheme are called amendments and the process is set out in the Planning and Environment Act 1987. An amendment may involve a change to a planning scheme map (for example: removing an overlay), a change to the written part of the scheme, or both. In this instance Council has prepared the planning scheme amendment and will submit the amendment to the Minister for Planning for approval. Only the Minister for Planning has the authority to approve a change to the planning scheme.

Why is the DPO being removed?

The DPO's have served the purpose they were put in place for and no longer have a useful role in guiding planning decisions. They are being removed from areas that are established residential estates.

Does anything change when the DPO is removed?

Removing the DPO's will provide residents/property owners with the same planning rights as other Golden Plains Shire residents in areas not affected by DPOs. Currently residents within estates covered by a DPO are prevented from receiving notice of a planning application for subdivision and do not have appeal rights to VCAT for any decision Council makes in relation to the planning application. The removal of the DPO's will allow residents/property owners to have third-party notice and appeal rights. This means residents/property owners will be notified of and have the opportunity to object to a planning application.

The DPO requires that subdivisions need to be generally in accordance with a "development plan" that meets the requirements of the DPO schedule. In practice this means that a resident in an established area pursuing a 2 lot subdivision will also need to lodge a "development plan" and have it approved. A development plan generally provides an outline of how future subdivision will occur, and puts in place the broad parameters for future subdivision. This makes less sense in the context of the types of subdivisions that are possible after estates are already developed (often 2 lot subdivisions), it is another layer of red tape that applicants need to deal with and it uses Council resources to assess them.

Can I put in a submission to this amendment?

You can lodge a submission anytime during the exhibition period, which will run until 7 November, 2021.

A submission may be sent in the following ways

- By mail to Golden Plains Shire “Attn Strategic Planning” PO Box 111 Bannockburn VIC 3331.
- By email to enquiries@gplains.vic.gov.au including the words “Submission to Amendment C91” in the title.

What happens to my submission?

Submissions must be made in writing and must provide the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and what changes, if any, the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions.

Council meeting or public hearings may be either in person or via electronic means, subject to COVID-19 restrictions.

Submissions are part of an open public process undertaken in accordance with the *Planning and Environment Act 1987* where all parties affected by the planning scheme amendment can provide input. Submissions will be made available for public inspection by Golden Plains Shire Council in accordance with the *Planning and Environment Act 1987*.