

Golden Plains Local Planning Policy Framework Review

Background, Issues and Review Report

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Prepared by

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Abbreviations

BMO	Bushfire Management Overlay
EPBC Act	Environment Protection and Biodiversity Act (Federal)
LDRZ	Low Density Residential Zone
LPPF	Local Planning Policy Framework
LP	Local Policy
MSS	Municipal Strategic Statement
SPPF	State Planning Policy Framework

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Executive Summary

Overview

Golden Plains Shire Council is preparing a rewrite of its of parts of the Golden Plains Planning Scheme. The main focus of the rewrite is the Local Planning Policy Framework (LPPF) comprising the Municipal Strategic Statement (MSS) and Local Policies (LPs).

Under the *Planning and Environment Act 1987*, planning authorities are required to review the planning scheme every four years. Golden Plains Shire Council completed a review in 2014, which resulted in the introduction of a policy neutral LPPF which was restructured to follow the State Planning Policy Framework (SPPF) ordering, and reformatted to be easier to navigate.

Using the policy neutral review of the LPPF as a basis, Golden Plains is now bringing the policy in the LPPF up to date.

The review is being undertaken in four stages.

Stage One: Preparation of a background, issues and review report.

Stage Two: Preparation of a draft revised LPPF introducing new policy and maps and aligning with current planning scheme amendments.

Stage Three: Community consultation and finalisation of the revised LPPF

Stage Four: Implementation through a planning scheme amendment.

The review is being informed by relevant Ministerial Directions and Planning Practice Notes issued by the Department of Environment Land Water and Planning (DELWP).

As well as the policy neutral rewrite of the LPPF in 2014, a review of the policy in the Golden Plains LPPF was undertaken in 2009. This work has been reviewed and relevant policy recommendations not already incorporated in the planning scheme have been identified for inclusion in the rewritten LPPF.

Strategic planning is an ongoing process, and the Golden Plains planning scheme has had, and will continue to have ongoing amendments to keep strategic work up to date. This rewrite is a more strategic 'whole of LPPF' review to ensure consistency and provide a mechanism for getting the strategic policy up to date and aligned with current state policy.

VCAT and Planning Scheme Amendment review

Victorian Civil and Administrative Tribunal (VCAT) findings between 2010 and 2015 have been reviewed to identify areas where the LPPF has been effective in guiding decisions and assisted VCAT in determinations, and areas where policy has been missing or has not been helpful to VCAT. Overall the LPPF is supported by VCAT. Of the 14 cases reviewed, only one resulted in the council decision being set aside. Key issues considered by VCAT consistent with issues raised by Council officers:

- Intensive animal industries
- Industrial uses in the Farming Zone
- Infrastructure contributions
- Extractive industry

Since 2011 there have been 19 planning scheme amendments. Only three of these were referred to a Planning Panel. Two of these were in relation to Township amendments where it would be expected to have unresolved issues. The other was in relation to the rezoning of the Lethbridge Airport. In each amendment, the Panel supported Council's proposal with some changes indicating sound strategic planning work by Council.

Shire profile, population and demographics

Demographic information for the Shire has been updated based on the latest sources available. Much of this information is based on 2011 Census data, so is already out of date. The approach that is recommended is to highlight demographic trends, rather than including specific population and housing figures. This will reduce the change of material dating. The most up to date demographic information is available through Council's website.

New policy, plans and strategies

The main new policies to be implemented through the review are the Bannockburn Civic Heart Precinct Project and the Golden Plains Food Production Precinct.

There is also a need to recognise that Golden Plains falls into two separate regional areas for the purposes of planning: G21 (Geelong and surrounds) and Central Highlands.

Consultation

Consultation has been undertaken with key stakeholders including Council planning staff, Council technical specialists who use the planning scheme or interact with Council planners in day to day decision making, a workshop with Councillors and discussions with external referral authorities. This consultation has identified policy that should be refreshed, strengthened, improved or introduced; policy that is out of date; and policy that is working well so does not need to be changed.

Council officers completed an extremely thorough review of the existing LPPF highlighting changes to be made to the LPPF. This forms Appendix D to this report.

Issues raised through the consultation process that need to be addressed in the rewrite include:

- Lack of a major centre leading to escape expenditure
- Managing service provision to a dispersed population
- Accommodating growth
- Managing the rural and urban interface
- Food production precinct
- Dwellings in the Farming Zone

- Gheringhap, specifically mechanisms to encourage economic development around strategic infrastructure
- Northern Settlement Strategy
- Fire risk management and bushfire, including mapping
- Managing, and supporting where possible, transitioning industries
- Freight management
- Drainage, sewerage and water infrastructure for settlements
- Minor amendments to heritage policy
- Managing intensive animal industries

Further work

All of the further work currently included in the MSS has been considered and recommendations made as to whether it should remain or be deleted have been made. Much of the further work listed in the current LPPF has been completed and implemented into the planning scheme through other amendments. Some is no longer relevant. Some townships still have further strategic work to be completed, and this work will remain in the LPPF.

A small amount of further work has been identified in this background report. Completing this work is beyond the scope of this project, but will be included in the MSS as future work where relevant to planning, and referred to the appropriate department in Council to action as appropriate.

A method of prioritising future work has been developed to assist Council in working out funding priorities and determining whether the further work item should be listed in the LPPF or remain outside the scheme.

The prioritisation method addresses:

- Why the strategic work is required (the drivers for the work)
- Risks associated with not undertaking the work
- Benefits to be gained from undertaking the work
- How the work will be funded (staff time, operational budget, capital budget, development contributions, grants)
- The estimated timeline for completing the work.

Once the future work is prioritised, a matrix for determining whether it should be listed in the LPPF, or not, has been developed using the following principles:

- It will aid a reader in making a decision or recommendation
- It demonstrates a link to achieving the objectives of planning
- It has been clearly scoped and identifies the issue or issues to be addressed
- It responds to a relevant local planning need
- There is a capacity to secure resources to prepare the further strategic work in a timely manner.

Consolidated recommendations and future work

The consolidated recommendations for the planning scheme rewrite, and further work that has been identified follow.

Consolidated recommendations

LPPF Review

The following work should be undertaken as part of the rewrite of the LPPF

1. Use the numbered version of the LPPF as the basis for the rewrite of the LPPF in order to track changes effectively.
2. Double check LPPF policy against the SPPF and remove duplicitous policy from the LPPF.
3. Avoid reference to external documents in Objectives and Strategies. Include as policy statements or incorporated documents.
4. Format headings to be consistent with current best practice styles.
5. Double check use of strategy verbs is consistent with the 'Matrix of strategy verbs'.
6. Adopt the following referencing format for reference documents: *Name of document*, author of the document, date of the document, date adopted by Council.
7. Assess all existing future work in the planning scheme against the 'Principles for including further work matrix' and delete unnecessary future work.
8. Assess all new future work to be introduced into the planning scheme against the 'Principles for including further work' matrix.
9. Update the Strategy Framework Plan
10. Update dwellings in the Farming Zone, Rural Conservation Zone and the Rural Activity Zone policy
11. Develop policy for managing land use and development at the rural-urban interface
12. Update the municipal profile to include trends drawn from Council research and latest id.consulting data included in Section 5 of this report.
13. Minimise the inclusion of demographic data which quickly dates.
14. Update Bannockburn Local Area policy to make reference to the Bannockburn Civic Heart Precinct Project.
15. Include REMPLAN Community Profile and REMPLAN Economic Profile as appropriate.
16. Use officer comments outlined in Appendix D as the starting point for the review of the LPPF.
17. Include policy in the Settlement, Agricultural and Industrial clauses that clearly specify the primacy of agricultural and industrial uses in the Farming Zone, and the policy to exclude dwellings from these areas to achieve this.

18. Highlight existing opportunities for rural residential lifestyle development which is in strong supply in the north of the Shire and persons seeking this type of residential development be directed to the north of the Shire rather than the smaller FZ lots in the south and middle of the Shire.
19. Review LPPF to ensure that access and inclusion principles are incorporated into the MSS appropriately, without duplicating the SPPF.
20. Include suggested context, objectives and strategies relating to Bushfire Management.
21. Refer to fire risk management ratings for settlements as a constraint in the MSS.
22. Refer to the Domestic Wastewater Management Plan in the Infrastructure clause of the MSS.
23. Include reference and policy in relation to managing the impacts of Climate Change in the MSS, specifically relating to Agriculture and Infrastructure to supplement current policy in the Natural Environment section.
24. Include suggested context, objectives and strategies relating to Floodplain Management.
25. Review the zoning pattern to identify where transitional zones between LDRZ and FZ or TZ and FZ may be appropriate, and mechanisms to achieve this.
26. Assess all future work in the existing LPPF against the 'Principles for including further work' matrix.
27. Amend reference to the Burra Charter in Clause 22.12 as follows: *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013 (Burra Charter)*.
28. Review the LPPF to help articulate how to balance competing interests between managing fire risk and protecting environmental values.
29. Retain the policy statement at Clause 21.01-6 "Central Highland Water believes it can service most of the anticipated growth within its areas".
30. Include EPA policy priorities relating to avoiding encroachment of dwellings into Industrial and Farming areas in the MSS.
31. Include EPA policy priorities in relation waste management in the MSS.
32. Amend MSS to incorporate Barwon Water policy changes.
33. Better articulate where residential growth is directed, will be accommodated with appropriate infrastructure and where it is not wanted in the MSS.
34. Strengthen policy in relation to provision of basic development infrastructure prior to and in conjunction with intensification of residential development.

- 35. Include reference to the Food Production Precinct in the MSS which identifies and promotes that key supporting infrastructure exists to support the area as a location for intensive animal industry.**
- 36. Better identify the Gheringhap Structure Plan area in the MSS and strengthen policy to encourage investment.**
- 37. Identify impacts of heavy vehicles on road and parking infrastructure as an issue in the Transport section of the MSS.**

Future work

The following work is outside the scope of this rewrite, but should be undertaken as future work.

- A. Undertake future work around measures used on townships growth boundaries to better define town edges and address interface issues.**
- B. Amend the Heritage Overlay maps to correct the error of VHR (HO14/H1487 Former Stieglitz Court House) being mapped in both HO14 and part of the precinct HO34 to clarify that Heritage Victoria is responsible for the issue of heritage permits under the Heritage Overlay for that heritage place.**
- C. Enter into an agreement with the Country Fire Authority (or rely of VC49) to reduce the referrals sent/received for subdivisions outside the BMO that create a road where a standard response is provided.**
- D. Monitor the impact issues with the BMO from a community perspective and investigate whether amendments to the extent of the BMO should be sought.**
- E. Consider the role and actions Council can take to assist the transition of less viable industries such as small broiler farms, to productive land uses.**
- F. Consider policy guidance which could be incorporated to manage interface issues between the urban growth boundary around townships and the farming zone.**

1 Introduction

1.1 The Golden Plains Local Planning Policy Framework rewrite

Council is reviewing and updating the contents of the Golden Plains Local Planning Policy Framework (LPPF) comprising of the Municipal Strategic Statement (MSS) and Local Policies (LPs).

This process is being undertaken in two stages. Stage One, which resulted in a reformatted and policy neutral version of the LPPF was completed in 2015, with the assistance of the Rural Planning Flying Squad. Stage One resulted in a restructured MSS with no new policy. The MSS now follows the order of the State Planning Policy Framework (SPPF) to make it easier to find policy. The MSS was edited with unnecessary words removed, repetitive policy deleted and conflicting policy resolved. Local Policy was rationalised to focus on issues with clear permit triggers and specific discretionary policy. Most Local Policy was moved to the MSS through this process.

Stage Two is now underway. This stage of the process will focus on updating the LPPF with new policy and background material.

This Background and Issues Report provides a basis and justification for the rewrite of the LPPF. It can be considered an environmental scan that will help understand how the LPPF is performing and ways in which to make it a stronger tool to guide decision-making.

The inputs to the Background and Issues Report include:

- An assessment of planning permit applications over the last five years assessing main types of applications being received by Council and decision making outcomes.
- A review of VCAT decisions over the last five years.
- A review of Panel recommendations over the last five years.
- Detailed feedback from Council officers, referral authorities and Councillors recommending where policy needs to be updated, removed or amended.
- A review of recently completed strategic planning work and what should be translated into the MSS.
- An assessment of the suite of zones, overlays and schedules applied in the Golden Plains Planning Scheme to identify where they can be strengthened by moving policy from the MSS to specific controls.
- Identify any inconsistencies or anomalies in the planning scheme.

Council has engaged Cazz Redding from Redink Planning to prepare Stage Two.

1.2 What the Planning and Environment Act 1987 requires

Section 12B of the Planning and Environment Act 1987 (the Act) requires that a planning authority review its planning scheme within one year of it approving its Council Plan. At present that is a four-year cycle.

The objective of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria, and the objectives of the planning framework established under the Act.

The review must evaluate the performance of the planning scheme to ensure that it:

- Is consistent in form and content with the directions or guidelines issued by the Minister under section 7 of the Act.
- Sets out effectively the policy objectives for the use and development of land in the area in which the planning scheme applies.
- Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

On completion of a review, the planning authority must report the findings of the review to the Minister.

2 Methodology

2.1 Process

The review process is as follows:

	Tasks	Outputs
Stage One	VCAT and Panel Review 2011 – 2016 Review of ABS data (2011) Review of Council Planning Applications Review of previous reviews Review of reports, policy and plans to be integrated into LPPF. Consultation with external agencies. Review of current effectiveness of scheme	Background and issues report
Stage Two	Marked up copy of the LPPF showing suggested changes.	Draft revised LPPF
Stage Three	Community and stakeholder consultation on LPPF	Summary of consultation submissions
Stage Four	Consideration of consultation submissions Finalise LPPF based on agreed changes. Prepare amendment documentation	Final LPPF Planning scheme amendment documentation
Stage Five	Report to Council Seek Ministerial approval to proceed. Finalise documentation for public exhibition.	Planning scheme amendment process

2.2 Relevant Ministerial Directions and Practice Notes

A number of Ministerial Directions and Planning Practice Notes have informed the Planning Scheme Rewrite

These are:

- Ministerial Direction 7(5) The Form and Content of Planning Schemes
- PPN04: Writing a Municipal Strategic Statement, June 2015
- PPN08: Writing a Local Planning Policy, June 2015
- PPN13: Incorporated and reference documents, June 2015
- PPN32: Review of planning schemes June 2015

Ministerial Directions and Practice Notes are referred to where relevant in this report.

3 Approach

3.1 Drafting principles

The following drafting principles have been adopted review of the LPPF. Many of these principles have already been put in place through the policy neutral review of the LPPF in 2014, and where this is the case it has been noted.

These drafting principles are based on the Ministerial Direction on the Form and Content of Planning Schemes, PPN4: Writing a Municipal Strategic Statement and PPN8: Writing a Local Policy.

They also draw on current best practice in line with a number of recently appropriated LPPFs including Melbourne, Wyndham, and Moonee Valley, and some of the principles established in the exposure draft of the Planning Policy Framework prepared by the Ministerial Advisory Committee on the Review of the SPPF.

3.2 Tracking changes

In order to track where policy has been moved, each paragraph in the existing LPPF has been numbered with a unique number that comprises its clause number, and its paragraph number under that clause. For example, the third paragraph of Clause 21.01-5 is numbered as follows:

There are about 2300 ha of pine plantations and about 280 ha of hardwood plantations in the shire.
[21.01-5p3]

This tracking enables the source of each policy statement in the existing LPPF to be tracked.

Where wording has been modified, new text has been added or text has been deleted, it is shown like this:

[New text is shown like this](#)

~~Deleted text is shown like this~~

Reviewer comments and notes are shown like this:

Comments specific to single sentences are shown like this.

Comments relating to slabs of text are shown like this

Markers for new policy (plan or words) to be inserted are shown like this.

Policy statements have been split or modified in some cases. Where this has occurred, the following referencing has been used:

Clause 21.02-4

Clause 21.06-3 split

Appendix A is the numbered version of the LPPF to work off for the rewrite.

3.3 Structure of the LPPF

3.3.1 Use SPPF headings

The SPPF heading structure should be followed. This is consistent with the PPN4: Writing a Municipal Strategic Statement and makes it easier to find policy relating to a specific topic across the SPPF and LPPF.

Under settlement a new subheading '*Settlement Patterns*' has been created as the first issue addressed, then urban growth, then activity centres, then open space. This was to give a greater sense of order to the overall settlement pattern, as well as being more consistent with the SPPF.

This has already been achieved in the 2014 policy neutral review.

3.3.2 Remove policy already in SPPF

Policy that is already stated in the SPPF should be removed. Only policy that provides more detailed a local interpretation or direction about the SPPF issue should be included in the MSS. The MSS should not contradict the SPPF, but rather add local emphasis.

This has already been achieved in the 2014 policy neutral review but should be double checked as part of this rewrite.

3.3.3 Use maps, plans and tables

Maps, plans and tables can convey place-based policy in a way that is clearer and easier to interpret than relying on words alone. Maps and plans are already used to convey township plans in the Golden Plains Planning Scheme.

Tables can be used to quickly sort information, such as the settlement hierarchy for the municipality. Reference to tables in policy allows the reader to understand exactly where the policy applies without including an exhaustive list of places in the policy.

This has already been achieved in the 2014 policy neutral review and the same approach should be taken in adding new policy through the 2016 rewrite.

3.3.4 Use local areas in the MSS rather than Local Policies

PPN4: Writing a Municipal Strategic Statement and PPN8: Writing a Local Policy each provides for Local Areas. This is a recent change to the Practice Notes and reflects the now common practice of including Local Areas at the end of the MSS.

This has already been achieved in the 2014 policy neutral review.

3.3.5 Use local policy sparingly

PPN8: Writing a Local Policy explains the defined role of the Local Policy in the planning scheme. A local policy guides decision-making in relation to a specific discretion in a zone or overlay. It helps the responsible authority and other users of the scheme to understand how a particular discretion is likely to be exercised. PPN4: Writing a Local Policy specifies that a local policy should only be taken into

account when making a decision about a planning permit application and is must directly relate to a permit trigger in the planning scheme.

This narrows the application of local policy to very specific issues. PPN4: Writing a Municipal Strategic Statement, provides for an implementation section where policy guidelines, scheme implementation and other implementation can be included.

In order to reduce the need for separate local policies, specific directions that can implement the strategies are placed directly under the relevant objective and strategies to which they relate. This is a form of LPPF provision accepted by DELWP in its practice notes and used successfully in a number of approved planning schemes.

As a general rule, the approach of consolidating local policy with the MSS has been taken. Local Policy has been used for lengthy strategies that necessarily have a lot of context and guideline information (such as the Heritage Policy) and those which directly relate to a permit trigger.

This has already been achieved in the 2014 policy neutral review.

3.3.6 Don't rely on external documents

External documents, unless they are formally incorporated under Clause 81.01 of the planning scheme, should not be relied on for decision-making. They are background documents only and help explain why the planning scheme has been constructed as it has.

Reference to external documents adds to the complexity of decision-making. External documents are often very large and if can be difficult to interpret how policy in an external document is applied. External documents are generally given less weight than policy in the planning scheme at VCAT and Planning Panels.

Rather than relying on non-incorporated documents for policy, better practice is to distil the relevant policy contained in the external document into the MSS.

This has partly been achieved in the 2014 policy neutral review but there are still some external reference documents that should be translated into policy or incorporated.

3.4 Detailed drafting

3.4.1 Hierarchy of headings

The Ministerial Direction on the Form and Content of Planning Schemes (7A) includes a style guide that indicates two: **HEAD A** and **Head B**. As there are only two headings to select from, there is not an ability to create a hierarchy of headings and therefore clearly define when one heading is subordinate to another. Additional heading styles are necessary when there is more than one means of implementing an objective as is the case in the Golden Plains scheme.

There may be one objective where there are a number of be strategies followed by decision guidelines that relate specifically to that objective and limiting the heading styles to the two indicated in the Ministerial Direction does not provide for enough heading styles to communicate to what the decision guidelines relate.

This is also a problem where there are assessment guidelines or performance measures with no clear sense of whether these relate to all areas of the policy or only one sub-set. The following heading structure is proposed.

0.0 HEADING A

0.1 Heading B

Heading C

Heading D

Heading E

Heading hierarchy should be made consistent as part of the 2016 rewrite.

3.4.2 Use a consistent suite of active verbs for strategies

The Ministerial Advisory Committee for the review of the SPPF established a matrix of active verbs to be used for strategies. The use of a limited range of active verbs, which have specific meaning in the matrix as a whole, assists in the prioritisation of policies and the exercising of discretion. It helps position the planning scheme as a proactive tool rather than a reactive tool. It also removes the unnecessary and passive 'double verb' situation such as:

Ensure the protection of.....

Whilst the government hasn't yet released the Advisory Committee findings, the proposed matrix was widely circulated during the consultation phase of the project. The matrix proposed by the Ministerial Advisory Committee has been adapted for the Golden Plains Planning Scheme review. The same approach has been undertaken with a range of other planning scheme reviews currently underway including Nillumbik, Wangaratta and Kingston.

Matrix of strategy verbs		APPROACH TO BE TAKEN		
		Make it happen	Support it happening	Control what happens
		(facilitate)	(support, should)	(must)
ACTION THEMES	Build new	Facilitate (External party action) Provide (Council action) Locate	Support (External party action) Create (Council action)	Limit Require
	Build on existing asset	Upgrade Complete Strengthen	Improve	Restore Reinforce
	Preserve	Conserve Reduce (the adverse impact)	Maintain Minimise (the adverse impact)	Protect Avoid
	Decide	Recognise Balance		
	Plan	Prepare (a specific type of plan) Plan / Design Use (a specific technique or approach) Direct (<i>growth to a particular location</i>)		

The active voice should be used. For example “consider the impacts” is preferred over “ensure impacts are considered”. This is best practice plain English writing and leads to clearer and more concise text.

This has already been achieved in the 2014 policy neutral review but should be double checked as part of this rewrite.

3.4.3 Amend conflicting policies

Strategies that contain conflicting verbs, verbs with slightly different meaning or verbs with completely different meanings should be either edited or turned into two strategies.

Examples include:

Ensure and protect

Completion and promotion

Maintain and enhance.

This has already been achieved in the 2014 policy neutral review.

3.4.4 Objectives and strategies

There should be one aim per objective. This means that some objectives that state “To achieve X and therefore enable Y” should be split to become “To achieve X” and a separate objective “To achieve Y”. In other instances the objective has additional text that is effectively and issue of strategy. E.g. “To achieve X by doing Y”, the Y part is the strategy, or “To achieve X in order to fix up Y”; the Y part is an issue.

Strategies should be principles of policy statement. Sometimes where they seem to be implementation actions that have been moved to the implementation section. Like objectives, there should be one aim per strategy.

There should be one idea per strategy. This means that some strategies have been split. Where a range of things needs to be considered for a strategy, then a dot point list should be used under the strategy to include the items.

This has already been achieved in the 2014 policy neutral review and the same approach should be taken in adding new policy through the 2016 rewrite.

3.4.5 Use numbering to assist with navigation

Objectives and strategies have been numbered to aid with navigation of the MSS. This is a small deviation from PPN4: Writing a Municipal Strategic Statement, which refers to use of the standard template. This has been applied, but strategies under each objective are numbered according to the objective, rather than using dot points.

Objective 0 To accommodate projected housing growth in planned residential communities.

Strategy 0.1 Direct new housing to identified growth areas around townships as show in Figures X.

Strategy 0.2 Direct new housing to areas with appropriate development infrastructure including sewerage, water and drainage in place.

This is the approach already used in the Golden Plains LPPF and accepted in other LPPFs such as Melbourne, Moonee Valley and Wyndham. Practitioners also prefer it as an easier way to identify which strategy is referred to.

This has already been achieved in the 2014 policy neutral review and the same approach should be taken in adding new policy through the 2016 rewrite.

3.4.6 Avoid listing zones, overlays used to implement strategy

PPN 4: Writing a Municipal Strategic Statement Practice Note 4 directs that implementation include a list of zones and overlays to be applied. It states this is based on the requirements of Section 12A(3) of the Planning and Environment Act, 1987 that requires an MSS to include “*a general explanation of the relationship between ... objectives and strategies and the controls*”.

To list every zone and overlay used is considered unnecessary now that LPPFs and new format schemes are well established. =For example to say “apply the Commercial 1 zone to retail areas” seems superfluous given it’s the standard commercial zone in use across the state, not the exception to the rule. It should not require specific explanation.

This approach has been taken in current approved LPPFs including Melbourne and Whittlesea.

Where there is a specific rationale the implementation measure has been included.

The implementation section should identify why different residential zones are used. It should be used to identify a specific outcome, not simply be an audit of the zones and overlays used.

This has already been achieved in the 2014 policy neutral review.

3.4.7 Format of reference documents

The following referencing format should be used for reference documents.

Name of the document, author of the document, date of the document, date adopted by Council

E.g.:

Golden Plains Native Vegetation Strategy, Joe Blow Consultants, April 2014, adopted by Council on 10 May 2014

Consistent referencing like this enables documents to be easily found as they are linked to a Council adoption date.

This should be done as part of the 2016 review.

3.5 Further work

In the past it has been common for Municipal Strategic Statements to include further strategic work that Council intends to complete.

PPN4: Writing Municipal Strategic Statement provides for an implementation section, which includes a place for other implementation including other actions of Council and further strategic work.

Little guidance as to what is appropriate to be included in this section is provided in PPN4. The following principles have been developed to fill this gap.

Principles for including further strategic work in the LPPF	
1	It will aid a reader in making a decision or recommendation.
2	It demonstrates a link to achieving the objectives of planning.
3	It has been clearly scoped and identifies the issue or issues to be addressed.
4	It responds to a relevant local planning need.
5	There is a capacity to secure resources to prepare the further strategic work in a timely manner.

For example, if Council is aware its industrial strategy is inadequate and needs to be reviewed, it is appropriate to include as further work:

- *‘Prepare an Industrial Strategy to assess the viability and future of existing industrial areas and identify where new industrial development should be directed.’*

This flags to a decision maker:

- the Council is aware of a policy gap, or out of date policy, has not yet completed the strategy work necessary to amend the policy in the MSS, but intends to do so.
- the issue that is intended to be addressed through the further work (viability of existing industrial areas and identification of new industrial land).
- that a future amendment about the issue has strategic justification as council has recognised that the planning scheme needs to address this issue.

Reference to further strategic work should be located under the theme or local area where it best fits. Repeating the same piece of further strategic work in multiple sections of the MSS should be avoided, unless the specific issue to be addressed by the work relates to that theme or local area.

Avoid using this section of the MSS as a place to include a 'wish list' of further work or as a repository of all the projects the planning department has on its work program.

Based on these principles, the further strategic work that has been identified in this report that should be included in the MSS will be determined with Council officers as part of the next stage of the Golden Plains Planning Scheme Review.

Assessment of all existing future work in the planning scheme, and new future work needs to be undertaken by officers prior to inclusion in the MSS using the 'Principles for including further work' matrix.

3.6 Recommendations

3.6.1 LPPF rewrite

- 1. Use the numbered version of the LPPF as the basis for the rewrite of the LPPF in order to track changes effectively.**
- 2. Double check LPPF policy against the SPPF and remove duplicitous policy from the LPPF.**
- 3. Avoid reference to external documents in Objectives and Strategies. Include as policy statements or incorporated documents.**
- 4. Format headings to be consistent with current best practice styles.**
- 5. Double check use of strategy verbs is consistent with the 'Matrix of strategy verbs'.**
- 6. Adopt the following referencing format for reference documents: *Name of document*, author of the document, date of the document, date adopted by Council.**
- 7. Assess all existing future work in the planning scheme against the 'Principles for including further work matrix' and delete unnecessary future work.**
- 8. Assess all new future work to be introduced into the planning scheme against the 'Principles for including further work' matrix.**

4 Previous reviews

4.1 2009 planning scheme review

Council undertook a review of the Planning Scheme in 2009 based on the process outlined in the Government *Continuous Improvement Review Kit for Planning and Responsible Authorities*, February 2006.

The report to the Minister as an outcome to this outlined the following major issues and key matters requiring further work.

4.1.1 Major issues facing the municipality

Managing residential growth:

- Emphasise growth within serviced townships
- Nominate townships for growth and identify population targets
- Provide and maintain sustainable rural residential opportunities
- Maintain clear rural breaks between south-east towns and Geelong

Enhancing economic growth

- Providing employment opportunities within the Shire for residents
- Ensure townships remain viable
- Enhance the viability of local commercial centres
- Encourage value adding of local product
- Enhance infrastructure and service provision, including provision of gas, sewerage and public transport
- Nominate additional industrial and business areas

Maintaining and encouraging viable agricultural activities

- Maintain rural areas between townships
- Protect rural vistas
- Support existing agricultural enterprises and agricultural diversification
- Encourage expansion of the existing intensive animal industry
- Restrict ad-hoc housing development and manage dwellings in rural areas
- Manage land use and development at the rural-urban interface

Protecting and enhancing the natural environment.

- Ensure land use changes and development lead to environmental enhancement

4.1.2 Key matters requiring further strategic work

The 2009 review identified the following strategy work to be undertaken to keep the planning scheme current and address issues identified in the review.

The second column of the table provides a current status of the work identified in the 2009 review, prepared by Council officers.

Strategic work that needs to be addressed or progressed through this review is in bold and italicised.

Strategic work	Current status based on officer assessment.
Character Study for existing township area of Bannockburn	Completed through Heritage Precinct study.
Preparation of a Housing Strategy	No longer relevant
<i>Dwellings in the Farming Zone, Rural Conservation Zone and the Rural Activity Zone.</i>	<i>Part of this review process</i>
Gaming machines/gambling	Council policy has been completed.
Discretionary uses in the Rural Activity Zone	Rural Land Use Strategy addressed this
<i>Intensive Animal Husbandry Areas including buffers</i>	<i>Food Production Precinct has been identified. To be incorporated through this review.</i>
Minimum lot sizes in the Low Density Residential Zone	Completed
Identification and protection of Koala habitat	No longer relevant
Review of the Environmental Significance Overlay schedules	No longer relevant
Review of the Vegetation Protection Overlay schedules	Soon to be commenced. New mapping for roadside veg completed, Planning scheme amendment required.
Review of Structure Plans	Several incorporated into scheme. Inverleigh Structure Plan review scheduled for 2016/2017. Northern Settlement Strategy may identify more.
Non residential uses in the Residential zones	Not a major issue
Removal of native vegetation in the Rural Living Zone and Rural Activity Zone where the BMO applies	New state provisions address this.
Designation of preferred areas for native vegetation offsets	No longer relevant
Review of rural residential in the north-west area	Currently being undertaken through the Northern Settlement Strategy
<i>Managing land use and development at the rural-urban interface.</i>	<i>On going issue with no clear policy.</i>
Update and reformat MSS	Completed
<i>Review of Strategic Framework Plan</i>	<i>Part of this review project</i>
Advertising sign policy	Not a major issue
Settlement Strategy	Northern Settlement Strategy underway. Southern Settlement

Strategic work	Current status based on officer assessment.
	Strategy planned for later.
<i>Public Open Space contributions</i>	<i>Significant unresolved issue.</i>
Review of policy on Animal Keeping (Dogs) including incorporation of Council's Dog Keeping Code	Completed
Landscape vistas and views in the Moorabool Valley	Completed.

4.2 Findings

Much of the strategic work identified in the 2009 review has been completed and incorporated into the scheme through various amendments. Reformatting of the scheme occurred as part of the policy neutral review completed in December 2014.

Several projects identified in 2009 are no longer issues or priorities for Council. In some cases State Policy has addressed the issues. In other cases, the matter is not a priority for Council to invest in further strategic work at this time.

The strategic work that has been completed and needs to be incorporated into this review includes:

- Intensive Animal Husbandry Areas including buffers through incorporation of the recently completed Food Production Precinct Plan.

Other policy that should be updated or addressed through this review includes:

- Dwellings in the Farming Zone, Rural Conservation Zone and the Rural Activity Zone.
- Review of the Environmental Significance Overlay schedules
- Managing land use and development at the rural-urban interface.
- Review of Strategic Framework Plan
- Review of policy on Animal Keeping (Dogs) including incorporation of Council's Dog Keeping Code

4.3 Recommendations

4.3.1 LPPF Rewrite

9. **Update the Strategy Framework Plan**
10. **Update dwellings in the Farming Zone, Rural Conservation Zone and the Rural Activity Zone policy**
11. **Develop policy for managing land use and development at the rural-urban interface**

5 Review of planning scheme performance

5.1 Planning scheme amendments

Seventeen planning scheme amendments have been finalised since 2011. One amendment is still in the exhibition stage and one amendment has been submitted to the Minister for Planning for approval.

The issues addressed in the 19 planning scheme amendments are:

- Settlement (3 amendments)
- Heritage and Significant Landscapes (3 amendments)
- Townships planning (6 amendments)
- Site-specific amendments to recognise existing use or allow for change of use (5 amendments)
- Housekeeping (2 amendments)

Refer to Appendix B for details of the 19 amendments

5.2 Panel hearings

Three planning scheme amendments required a Panel Hearing.

- Amendment C51 – Lethbridge Airport
- Amendment C57 – Meredith and Lethbridge Structure Plans.
- Amendment C62 – Gheringhap Structure Plan

5.2.1 Amendment C51 – Lethbridge Airport

The Amendment was intended to facilitate the ongoing use of the Lethbridge Airport and to enable expanded operations to both the airport and to associated uses such as aircraft related industry, retail, educational activities and accommodation.

The exhibited amendment included application of the Special Use Zone and a Development Plan Overlay.

Prior to the Panel hearing, parties reached agreement on a revised Amendment.

The Panel considered this and recommended further refinements to properly address the issues the Amendment raised and to improve the drafting of the controls. The Panel recommended:

- Deleting the proposed Development Plan Overlay
- Refinements to the proposed schedule to the Special Use Zone relating to uses, placing a cap on aircraft movements per annum, need for an Air Operations Management Plan for events, and amenity controls.

5.2.2 Amendment C57 – Meredith and Lethbridge Structure Plans

The Amendment replaced the Meredith and Lethbridge Structure Plans, inserted a Precinct Plan for Meredith, and listed the Meredith and Lethbridge Structure Plan documents as reference documents in Clause 21.04 of the Local Planning Policy Framework.

The Amendment rezoned land in both Lethbridge and Meredith to create opportunities for residential development in expanded Township Zone (TZ) and Low Density Residential Zone (LDRZ) areas.

The main issues raised by submitters related to the need to provide more land to meet demand for residential growth, infrastructure capability, suitability of some land included in the extended TZ and LDRZ areas, requests for inclusion of additional specific sites in the extended TZ and LDRZ areas, land management issues, impacts on the viability of adjoining land uses, and potential flooding impacts.

The Panel recommended that the Amendment be adopted with some changes to the Structure Plans to:

- Ensure an adequate supply of serviced land for residential expansion.
- Ensure land identified for future growth was properly investigated prior to rezoning for residential use.
- Reorder the development sequencing for Meredith.

5.2.3 Amendment C62 – Gheringhap

The Amendment proposed to implement the *Gheringhap Structure Plan, 2012* (the *GSP*) by introducing Clause 21.10 (Gheringhap) into the Municipal Strategic Statement (MSS) in the *Golden Plains Planning Scheme* (the *GPPS*). The *GSP* identifies land identified for an 'Employment Area' in Gheringhap.

The main reason the Amendment went to a Panel Hearing was in relation to the location of the Employment Area.

The Panel supported Council's position with minor changes. Changes were not made to the location of the Employment Area as this would have resulted in a transformation of the Amendment.

5.2.4 Conclusion

Only a small number of planning scheme amendments (16%) have been referred to Planning Panels Victoria since 2011. In each case, the Panel was generally supportive of Council's position.

5.3 Planning permit applications and decisions

Between 2011 and 2016, 2128 planning applications were received.

These have been broken down by zone as follows¹.

Zone	Number	Percentage of total
Low Density Residential Zone (LRDZ)	591	27.77%
Rural Living Zone (RLZ)	501	23.54%

¹ Note that the zone was not necessarily the trigger for the permit application. It may have been an Overlay or Particular Provision.

Zone	Number	Percentage of total
Farming Zone (FZ)	335	15.74%
Township Zone (TZ)	165	7.75%
General Residential Zone (GRZ) formerly Residential 1 Zone	152	7.14%
Rural Activity Zone 1 (RAZ1)	132	6.20%
Other zones	252	11.86%

Decisions were made as follows:

Decision	Number	Percentage of total
Delegate approved	1904	89.47%
Withdrawn	115	5.40%
Council approved	39	1.83%
Cancelled	37	1.73%
Council refusal	18	0.84%
Delegate refusal	10	0.46%
VCAT approved	2	0.09%

A basic analysis of key words in applications received shows the following uses and development types commonly applied for²:

Application for	Number	Percentage of total
Shed / outbuilding / store	907	42.62%
Dwelling or dwellings	809	38.01%
Subdivision	368	17.29%
Native vegetation removal	109	5.12%
Advertising and signage	34	1.59%
Telecommunications	19	0.89%
Boundary realignment	18	0.84%
Intensive animal husbandry	17	0.79%

5.4 VCAT decisions

Between 2011 and 2016, 14 cases went to VCAT.

Two were related to enforcement orders, one a correction of permit conditions and one relating to costs and are not considered further in this report.

² Many applications are for more than one use or development, so in some cases there may be a double up. For example if an application was for a 'dwelling and shed' it will appear in both shed and dwelling.

The ten remaining cases represent less than 0.5% of applications considered by Council as the Responsible Authority, which is extremely low compared to the state average.

Of the ten VCAT cases:

- Two were applications for review of conditions on permits.
- Five were applications for review by objectors
- One was an application for review of failure to grant a permit
- One was an application against a refusal
- One was a preliminary hearing to determine if a CHMP was required.

Refer to Appendix C for details VCAT matters.

5.4.1 Key policy issues raised in VCAT decisions

Intensive animal industries

McDonald v Golden Plains SC [2016] VCAT 618 was an application for the establishment of a free-range egg farm and dwelling, which Council supported. The adjoining owner objected on the basis that the proposed farm will limit the establishment of similar intensive uses on his land, and may have adverse amenity effects. The Tribunal supported Council's decision on the basis that the proposal was supported by policy, buffer distances are acceptable, adverse amenity and traffic impacts can be managed and the dwelling is reasonably required for the ongoing management of the free range egg farm.

In Thompson v Golden Plains SC [2012] VCAT 429 the permit was for use and development of land in a Farming Zone for goat keeping (intensive animal husbandry) including the construction of a large shed which Council supported with conditions. The main concerns of the objectors related to amenity impacts related to buffer distances and the permeability of the proposed floor surface. The Tribunal generally supported Council's decision with a change to the condition relating to the floor surface to be used.

Industrial uses in the Farming Zone

All Vet Waste Pty Ltd v Golden Plains SC [2011] VCAT 758 was an application for an amendment to a permit. All Vet Waste Pty Ltd owns and operates a refuse (waste) disposal facility. One operation is the disposal of veterinary waste (principally animal carcasses) in a cremator or landfill. The other is disposal of medical and related clinical wastes in a high temperature incinerator. The amendment was to expand the high temperature incinerator operations. Council failed to make a decision within the statutory period, however formed a view prior to the Hearing to refuse the amendment due to uncertainty about the nature of prescribed wastes that would be disposed of, the scope of the use extends beyond what was envisioned in the Special Use Zone and the environmental impacts of the expanded operation, particularly relating to air quality, but also the surrounding land and water environments have not been adequately addressed.

The Tribunal disagreed with Council and permitted the extension of the permit, however stressed that operations would be controlled by the EPA under the *Environment Protection Act 1970* and this would facilitate the management of concerns raised by Council.

Infrastructure Contributions

In *Hickleton v Golden Plains SC* [2011] VCAT 63, the applicant sought review of conditions requiring the construction of a service road, construction of a footpath and payment of a public open space contribution equivalent to 5% of the site value.

The application was for a three-lot subdivision in a Residential 1 Zone (R1Z) abutting a Road Zone Category 1 (RDZ1).

No planning policy was found to support the construction of the service road and VicRoads confirmed that access via crossovers would be adequate.

In regard to the footpath construction, Council relied on the Paths Strategy, which was neither incorporated nor referenced in the planning scheme. In any case, the Tribunal found that the Parks Strategy was more about identifying 'regional trails' and 'collector trails' and the footpath proposed was neither of these. The Paths Strategy refers to 'local paths' and does not appear to specify a proposed local path in this location.

The open space levy condition was deleted as upon investigation Council found that a 5% contribution had already been paid on this land.

Extractive industry

In *Bremner & Ors v Golden Plains SC* [2011] VCAT 1261 the application was for use and development of farm land for an extractive industry (hard rock quarry). The Tribunal found that use of Farming Zone land for extractive industry is appropriate. Objectors were concerned about the amenity impacts that may affect them as a result of the development. The Tribunal found that the Farming Zone is not a rural lifestyle or hobby farm zone.

This issue highlights the tension that has already been identified between rural living uses and high intensity uses on Farming Zone land.

5.4.2 Conclusion

There were no particular issues that came up in VCAT decisions consistently, and Council's policy base was generally supported by VCAT except when there was a reliance on documents not incorporated into the planning scheme, or which placed an inequitable burden on an applicant.

A relatively high proportion of intensive animal husbandry applications (2 out of 17) went to VCAT.

A recurring theme was tension between industrial, large-scale agricultural uses in the Farming Zone and 'hobby farmers' and 'rural living' uses in the Farming Zone or adjacent zones.

5.5 Findings

There is strong evidence to suggest that Council has a sound range of policies in place to deal with the types of applications received.

The highest numbers of permit applications are for dwellings and sheds. A local policy is in place to assist with decision-making. This has only been challenged at VCAT once.

A high number of applications are received for native vegetation removal. State provisions trigger these applications and there is little Council can do to reduce the number of these applications. No matters relating to native vegetation removal have been before VCAT indicating the policy settings in place are serving adequately.

Intensive animal husbandry applications are assessed against the existing local policy, and again there is no evidence to suggest this policy is not serving Council well.

The key emerging issue is that of the tension between rural living / hobby farms and commercial agricultural uses. This has been identified in other parts of this report and is something that should be addressed through this review.

6 Shire profile, population and demographics

The current LPPF has dated demographic policy based on 1996 data.

The most up to date demographic data available is based on the 2011 Australian Bureau of Statistics. id.consulting has prepared detailed community profile, population forecast and economic analysis for Council based on ABS and other data. At July 2016, this data is available through the following link:

<http://profile.id.com.au/golden-plains>

Within planning schemes there is a growing preference for limiting population and demographic data to trends and issues that shape planning policy for the municipality, rather than specific numbers and details that quickly become out of date.

The Golden Plains Snapshot, prepared by Council includes the following information that should be included in the Municipal Strategic Statement.

Facts:

- Golden Plains Shire has a total area of 2,705 km, stretching between Geelong and Ballarat, Victoria's second and third largest cities respectively.
- The Shire is located between the tourism regions of Ballarat Goldfields, Geelong and the Bellarine Peninsula, and the Great Ocean Road.
- Apart from the traditional owners of the land, the Shire is characterised by three waves of new arrivals. The first was the original settlers and landowners. Their descendants are still involved in broad acre farming. The second wave was the soldier settlers with their wives and children. Currently, the Shire is experiencing a third wave of population growth with many young families and new retirees moving to Golden Plains, some as a result of the Geelong Bypass ring road which has opened up a new catchment from the Western suburbs of Melbourne.
- The Shire consists of numerous small townships and settlements classified as 57 localities, 35 communities and 14 townships.
- The neighbouring regional cities, Ballarat and Geelong play an important role as the service centres for the north and south of the Shire.
- In 2015, Golden Plains Shire has a population of 20,809 people. Its largest town is Bannockburn with approximately 17% of the population, followed by Teesdale approximately 7% of the population. All other townships have a population of less than 700 people.

Trends:

- Since the late 1990s, Golden Plains has consistently experienced some of the highest population growth rates (in percentage terms) of any municipality outside of Melbourne.
- The majority of this growth has occurred in the small towns and communities at south-east and north-west of the Shire as more people come from Melbourne and the regional cities looking for more affordable housing and a country lifestyle, but still close enough to services and facilities in Ballarat and Geelong.

- In the southeast of the municipality, the population increased rapidly, by about 40% between 2005 and 2015. In the northwest area, the population increased by nearly 6% during the same period.
- The high rate of growth is influenced by the Shire's proximity to Melbourne, Geelong and Ballarat, and recent population projections indicate that the Shire's population will continue to grow at current rates until at least 2031.

Issues:

- There is no major township in Golden Plains that provides services and community activities for the whole Shire.
- The population is growing rapidly, yet this growth is dispersed amongst the many isolated population centres with few services.
- Ballarat and Geelong, at either end of the Shire, draw residents away from their local communities for services, employment, education and entertainment.
- Only a small number of population centres have a shop, and there is only one bank in the Shire.
- There are few medical facilities (pharmacies, general practitioners and dental clinics), the majority of which are located in either Bannockburn or Smythesdale.
- There are very few community based service providers with a home base in the Shire.

6.1 Recommendations

6.1.1 LPPF Rewrite

- 12. Update the municipal profile to include trends drawn from Council research and latest id.consulting data included in Section 5 of this report.**
- 13. Minimise the inclusion of demographic data which quickly dates.**

7 New policy, plans and strategies

New policy, plans and strategies that need to be recognised in the review of the LPPF include:

- Bannockburn Civic Heart Precinct Project including 'Estimating the Economic Impact of the Bannockburn Civic Heart Precinct Development', March 2016, Dench McClean Carlson and Taktics4 which estimates \$121.6M per year of retail expenditure is escaping from Golden Plains Shire.
- Bannockburn Civic Heart Precinct Project including 'Calculation of Net Present Value for Net Benefits of the Bannockburn Civic Heart Precinct', March 2016, Dench McClean Carlson
- REMPLAN Community Profile
<http://www.communityprofile.com.au/goldenplains>
- REMPLAN Economic Profile
<http://www.economicprofile.com.au/goldenplains?lang=en-US>
- Golden Plains Food Production Precinct
<http://www.goldenplains.vic.gov.au/page.aspx?u=1163>

7.1 Recommendations

7.1.1 LPPF review

14. **Update Bannockburn Local Area policy to make reference to the Bannockburn Civic Heart Precinct Project.**
15. **Include REMPLAN Community Profile and REMPLAN Economic Profile as appropriate.**

8 Consultation with Council officers

8.1 Review of current LPPF

Council officers have undertaken a thorough review of the existing LPPF and identified amendments that should be made to the LPPF.

The coding used by officers is as follows:

Green = keep as is

Yellow = refresh

Red = remove

Orange = tentative

Officers have also made comments and notations where appropriate. This review will form the basis of the LPPF rewrite.

The review forms Appendix D.

8.2 Additional comments provided by officers

Further to the marked up comments outlined in 8.1, additional officer comments were received as follows:

8.2.1 Protection of Farming Zoned land, agricultural uses and associated industry

An issue identified in several forums, and by the EPA (see section 9 for details) relates to the primacy of agricultural and industrial uses in the Farming Zone and the need to include specific and clear policy that makes clear that Council's policy is to avoid dwellings in the Farming Zone to protect agricultural and industrial economic development activities.

It is suggested that policy be included in both the settlement, agriculture and industry sections of the MSS to ensure that it is clear in the settlement section that dwellings are to be avoided in Farming Zone land to protect the primacy of agricultural and industrial uses, and in the agricultural and industrial sections that agricultural and industrial use are prioritised over dwellings to protect their primacy. This 'reverse policy' ensures that the matter is considered whether the application is for residential, industrial or agricultural use and development.

8.2.2 Rural / residential interface

Managing the rural and residential interface is becoming a growing issue for Council to manage as the population in the Shire increases.

Council's strategy is to contain residential development to defined townships, and out of the Farming Zone.

There is potential for some future work around measures used on townships growth boundaries to better define town edges and address interface issues. There is also potential to discuss existing opportunities for rural residential lifestyle

development which is in strong supply in the north of the Shire and persons seeking this type of residential development be directed to the north of the Shire rather than the smaller FZ lots in the south and middle of the Shire.

8.2.3 Intensive animal husbandry

The Animal Industry Advisory Committee made their report to the Minister for Planning outlining options for dealing with Intensive Animal Husbandry on 29 April 2016. The Minister for Planning has not yet released the report. Council has an option of waiting for the findings of this report to be released and a Ministerial response received prior to reviewing Intensive Animal Husbandry in the Shire. It is recommended that Council do not wait for this report to be made public. Timelines around this process are unknown, and Council needs to keep dealing with the issue in the meantime.

Council made a submission to the Animal Industry Advisory Committee and a copy of this is available from the Planning Department at Council.

Council is very committed to protecting Animal Industries and have recently nominated the Golden Plains Food Production Precinct as a location where Intensive Animal Industries will be directed.

Priorities for Council are:

- Ensuring that permits for dwellings within the buffer distance of intensive animal industries are not issued.
- Proactively protecting the Food Production Precinct and other legitimate farming activities from encroachment by dwellings.

Council relies on the established Code Requirements for various intensive animal industries incorporated into the planning scheme at Clause 81.

8.2.4 Access and inclusion

Council's current Access and Inclusion Plan includes the following action:

Consider and incorporate access and inclusion principles in the next review of the Golden Plains Planning Scheme (due June 2014).

It is noted that access and inclusion principles are included in the State Planning Policy Framework and dealt with through building regulations and may not need to be further embellished in the MSS.

8.2.5 Fire risk management

The following changes were identified for bushfire management.

Clause	Suggested change	Suggested but not required (as covered in other council documents)
Bushfire Management	Fire risk is an issue in the shire's open grasslands and wooded forest/bush areas. The Haddon, Ross Creek, Dereel, Enfield, Linton and Smythesdale areas have	Several objectives and strategies in relation to bushfire were included which are already covered in the Particular Provisions.

	<p>experienced bushfires in the past.</p> <p>Include an objective in relation to minimising risk from bushfire to life and property.</p> <p>Include strategies relating to directing residential development of parts of settlements where the treat from bushfire is limited.</p> <p>Avoid development on steep slopes, highly vegetated areas and other areas identified as being of high risk from bushfire.</p> <p>Require appropriate access to properties for emergency vehicles in areas identified as being at high risk from bushfire.</p>	
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A fire risk management map is available to the public. It includes a risk assessment of all the settlements in Golden Plains and allocates a risk rating to each settlement ranging of Extreme, Very High, High and Medium.

These ratings do not necessarily follow the Bushfire Management Overlay boundaries.

Whilst it is not advised that policy is included about this fire risk management map, it is recommended that the fire risk management map be used to aid future decision-making.

8.2.6 Domestic Wastewater Management Plan

Council has recently developed a Domestic Wastewater Management plan that was drafted in consultation with Central Highlands Water. The document provides detailed guidance to planners and environmental health officers on assessing applications for new development in existing townships. It should be referred to in the MSS.

8.2.7 Climate change

Climate change is currently dealt with in the Natural Environment section, but it was noted that the issue is broader than this in Golden Plains Shire, in particular agriculture, infrastructure and community health and wellbeing.

The SPPF does address these issues to a degree, but there is value in highlighting the importance of these issues and including policy in the Agricultural section of the MSS in relation to ensuring resilient agricultural industry, and identifying climate change as an issue in the infrastructure section of the MSS (which covers both development infrastructure and community infrastructure).

8.2.8 Emergency Management

The emphasis on emergency management has changed over time to be more focus on land use planning than just physical infrastructure as it has been in the past. Suggested policy for the MSS includes:

Clause	Suggested change	Suggested by not required (as covered in other council documents)
Environmental Risks	<p>Protection of human life and property across the municipality can be compromised by development, land use change and poor land management practices.</p> <p>Add objective: To ensure the future and development of land aims to protect human life and property from naturally occurring events.</p>	<p>Prepare the Municipal Emergency Management Plan and sub plans to assist in protection of human life and property.</p>
Floodplain management	<p>Some areas of the shire are subject to periodic flooding, particularly the immediate environs of Inverleigh and Shelford. Floodways should be retained and protected for their role in conveying floodwater. Planning can minimise long term risks of damage from flooding by planning and developing properties, buildings and structures so that they are safe from potential flooding without compromising the safety of other properties.</p> <p>Flooding risk is a particular problem in the southern areas of the shire along the Leigh and Woody Yaloak Rivers and their associated waterways and the Moorabool River at Batesford.</p> <p>Flooding has been recorded at most townships in the shire. The most significant flooding in the shire occurs in Inverleigh where the Barwon and Leigh Rivers meet.</p> <p>Objective:</p> <p>To ensure the future use and development of land prone to flooding minimises the consequences of inundation.</p> <p>Strategies:</p> <p>Avoid use and development on land prone to flooding.</p> <p>Require development to incorporate appropriate drainage and flood protection standards .</p>	

8.3 Status of further work in the MSS

The following table shows the further work currently listed in the MSS, along with a comment as to the status of the work, and, if not completed, whether it is still required.

It should be assessed against the 'Principles for including further work' matrix included in Chapter 3 of this report.

Further work in MSS (and clause number)	Recommendation
Environment and natural resources:	
Develop a strategy for the retention of native grasslands. [21.04-7p1]	Delete Environment Strategy and EPBC Act covers this
Bannockburn	
Close Burns Street to the south of McPhillips Road to facilitate retail expansion at the key shopping complex, as illustrated on the Land Use Precinct Plan. [21.07-1p84]	Delete Administration has been completed to close this road
Investigate the possibility of providing sewered development within a designated area north of the railway line which integrates with surrounding low-density residential areas and the adjacent town centre. [21.07-1p85]	Delete Sewerage to Kelly Road completed
Investigate the need for and reserve land for future investments and strategic public transport infrastructure within Bannockburn. [21.07-1p86]	Retain Included in Bannockburn UDG for an Inter-nodal Hub
Define a road hierarchy to facilitate traffic movement through and within the town. [21.07-1p87]	Delete
Prepare a Development Plan which addresses the needs of pedestrians and cyclists, treatment of public spaces, vehicle access and circulation requirements, parking, and streetscape character along the main corridors and town entries. [21.07-1p88]	Delete
Investigate extending the existing Business Park to cater for future demand and to meet population needs. [21.07-1p89]	Delete Completed as part of Bannockburn IDF update
Investigate the relocation of industrial/service type land uses within the Bannockburn town centre to the designated Business Park to allow for strategically located retail space or car parking supporting the main functions of the Town Centre. [21.07-1p90]	Delete
Smythesdale	
Apply the Residential 1 Zone to sewered residential areas. [21.07-2p78]	Combine with 21.07-2p79 below
Rezone the core township to Residential 1 Zone. [21.07-2p79]	Combine with 21.07p78 above
Subsequent to progressive infill development of the core	Delete

Further work in MSS (and clause number)	Recommendation
township area, rezone the Yellow Glen site to a Residential Zone, apply a Development Plan Overlay to the site (or similarly suitable provision) to ensure the development includes a mix of lot sizes; is serviced by reticulated sewerage; and the development responds to environmental features (particularly a large area of native vegetation at the south east of the site) and topographical considerations (for example, protecting hilltops and spurs from development). [21.07-2p80]	Completed
The future use of existing buildings on the Yellow Glen site may comprise of mixed uses, but shall not impact the amenity of the wider area or proposed residential component of the Yellow Glen development. [21.07-2p81]	Delete
Acquire, rezone and develop vacant Crown land parcels through the town to encourage infill development in the township and a more cohesive and structured pattern of development. [21.07-2p82]	Retain Merge with 21.07-2p84 Refer to next structure plan review
Restructure old and inappropriate subdivisions in the core township area. [21.07-2p83]	Retain Refer to next structure plan review
Apply the Floodway and Land Subject to Inundation Overlays to areas subject to inundation within Smythesdale. [21.07-2p84]	Retain Updating with new flooding data is required
Rezone the area north of Heales Street and adjacent to the Brooke Street from Township Zone to Business 1 Zone to provide for expansion of the commercial area. [21.07-2p85]	Retain
Improve key intersections to address road safety and visibility: Brooke Street with Heales Street; Brooke Street with Brown Road; Brooke Street with Sebastopol-Smythesdale Road; Lynch and Loader Streets. [21.07-2p86]	Retain Refer to next structure plan review
Develop wetlands along the Woody Yaloak Creek through floodway areas where appropriate to assist in purifying run-off water before it enters the creek. [21.07-2p87]	Retain Refer to next structure plan review
Create a wetland northwest of Victoria Street that will offer improved passive recreation and water quality outcomes. [21.07-2p88]	Retain In the context of passive recreation.
Apply a Design and Development Overlay for the Business 4 zone precinct to ensure a high standard of presentation. [21.07-2p89]	Retain
Revise the Design and Development Overlay applying to the core township area to assist in the improvement of the visual amenity of the township in alignment with the country living character. [21.07-2p90]	Delete Completed Heritage Overlay applied to precinct
Apply the Heritage Overlay to sites recommended in the Golden Plains Heritage Study. [21.07-2p91]	Delete Completed
Construct pedestrian links from the Woody Yaloak Creek to	Retain

Further work in MSS (and clause number)	Recommendation
the town centre and Brooke Street and create prominent pedestrian and horse riding connections between the Rail Trail, the Woody Yaloak Creek, the Equestrian Centre, the Recreation Centre and the town centre. [21.07-2p92]	Refer to next structure plan review
Implement a sewerage scheme through the township. [21.07-2p93]	Delete Completed
Develop a Masterplan for Woody Yaloak River. [21.07-2p94]	Retain Refer to next structure plan review
Develop a Masterplan for the Woody Yaloak Creek Precinct. [21.07-2p95]	Retain Refer to next structure plan review
Prepare a Smythesdale Character Study. [21.07-2p96]	Delete Heritage Overlay applied
21.07-3 South East Area	
Prepare a Landscape Assessment for Moorabool and Barwon River Valleys [21.07-3 p44]	Retain
21.07-5 Inverleigh	
Secure land along the Green Bio-Link as identified in the Inverleigh Structure Plan to provide a pedestrian and wildlife link between the Flora and Fauna Reserve (Common), the town and the river environs and apply a Public Park and Recreation Zone. [21.07-5 p99]	Retain
Continue developing the environs of the Leigh and Barwon Rivers as a substantial linear open space with linkages into the township and new residential areas utilising walking tracks, open space corridors and the Green-Bio-Link as identified in the Inverleigh Structure Plan. [21.07-5 p100]	Retain Refer to next structure plan review
Secure public access along the Leigh and Barwon Rivers to create a continuous looped walking trail along the rivers' edge. [21.07-5 p101]	Redraft as a strategy and decision guideline.
Develop a vegetation belt at the town boundaries to define the edges of the township. [21.07-5 p102]	Retain Refer to next structure plan review
Prepare a Traffic Impact Assessment Report and Overall Access Strategy to address additional traffic movements on the Hamilton Highway and the Inverleigh-Winchelsea Road, to determine roadwork contributions required to be funded by developers. [21.07-5 p103]	Retain but modify to be much briefer.
Prepare a River Frontage Masterplan. [21.07-5 p104]	Retain Refer to next structure plan review
Prepare a Design and Development Overlay or other appropriate overlay to the 'old town' area to retain the historic and rural "village" character of Inverleigh upon implementation of a sewerage scheme. [21.07-5 p105]	Retain
Rezone the East Street precinct as identified in the	Retain but specify the zone.

Further work in MSS (and clause number)	Recommendation
Inverleigh Structure Plan. [21.07-5 p106]	
Investigate the provision of sewer development within the 'old town' area. [21.07-5 p107]	Retain but modify to be briefer.
Investigate traffic calming to ensure pedestrian, cyclist and motorist safety. [21.07-5 p108]	Delete
Investigate and support the re-establishment of a passenger rail service to Geelong. [21.07-5 p109]	Delete or turn into a strategy.
Investigate upgrading the Teesdale Road at the twin bridges and the intersection of Peel and Common Road and the Hamilton Highway when residential rezoning is considered at the eastern end of Common Road. [21.07-5 p110]	Turn into a decision guideline.
Determine the feasibility of providing a third road link from Common Road to the Hamilton Highway and also for additional access for lots on the south east of the township, south of Hamilton Highway and east of the Leigh River, when substantial residential expansion is proposed. [21.07-5 p111]	Turn into a decision guideline
Undertake a detailed parking and access study of the commercial precinct at the eastern end of Inverleigh when population exceeds 2000 persons or when a substantial expansion of commercial development is proposed. [21.07-5 p112]	Turn into a decision guideline
Prepare an "overall access strategy" for the land on the west approach to Inverleigh on the south side of the Highway, proposed for Low Density Residential zoning addressing intersection improvements and restriction of access to the Highway, in preference for use of existing roads, such as Phillips Road and Gibson Road. [21.07-5 p113]	Retain Refer to next structure plan review
Prepare a masterplan for the Leigh River and Barwon River to ensure these important riverine environments are appropriately managed. Special attention should be paid to controlling vehicular access, management of weeds and erosion and reinstatement of riparian environments. [21.07-5 p114]	Delete
21.07-6 Gheringhap	
Council will consider the introduction of mechanisms to secure developer contributions for the provision of infrastructure within the Gheringhap precinct. [21.07-6p48]	Retain but modify to be briefer.
Develop design guidelines for the Gheringhap Structure Plan Area. [21.07-6p49]	

8.4 Recommendations

8.4.1 LPPF review

- 16. Use officer comments outlined in Appendix D as the starting point for the review of the LPPF.**
- 17. Include policy in the Settlement, Agricultural and Industrial clauses that clearly specify the primacy of agricultural and industrial uses in the Farming Zone, and the policy to exclude dwellings from these areas to achieve this.**
- 18. Highlight existing opportunities for rural residential lifestyle development which is in strong supply in the north of the Shire and persons seeking this type of residential development be directed to the north of the Shire rather than the smaller FZ lots in the south and middle of the Shire.**
- 19. Review LPPF to ensure that access and inclusion principles are incorporated into the MSS appropriately, without duplicating the SPPF.**
- 20. Include suggested context, objectives and strategies relating to Bushfire Management.**
- 21. Refer to fire risk management ratings for settlements as a constraint in the MSS.**
- 22. Refer to the Domestic Wastewater Management Plan in the Infrastructure clause of the MSS.**
- 23. Include reference and policy in relation to managing the impacts of Climate Change in the MSS, specifically relating to Agriculture and Infrastructure to supplement current policy in the Natural Environment section.**
- 24. Include suggested context, objectives and strategies relating to Floodplain Management.**
- 25. Review the zoning pattern to identify where transitional zones between LDRZ and FZ or TZ and FZ may be appropriate, and mechanisms to achieve this.**
- 26. Assess all future work in the existing LPPF against the 'Principles for including further work' matrix.**

8.4.2 Further work

- A. Undertake future work around measures used on townships growth boundaries to better define town edges and address interface issues.**

9 Consultation with external referral authorities

9.1 Context

Council contacted all referral authorities providing them with the opportunity to comment on the efficacy of the MSS in assisting them with decision-making and provision of advice back to Council. All referral authorities were provided with the following request:

Golden Plains Shire is commencing work on the rewrite of its Municipal Strategic Statement (MSS). As a referral authority, your input is sought at this early stage and will again be sought throughout the process to provide advice and inform the review and rewrite of content within the MSS.

At this point, I am writing to request your comments on the current MSS to inform the Background Research and Issues paper which will be presented for review by Council in May 2016, prior to drafting new provisions for the MSS. If you are not the most appropriate person to consider the MSS rewrite could you please redirect accordingly within your organisation.

For this stage, we would like you to look over the sections of the MSS which are relevant to your service area and advise us whether the strategic directions reflect the directions of your organisation. It would also be helpful if you could consider the following questions:

- *Do you use the planning scheme, specifically the Local Planning Policy Framework (LPPF) including the MSS and local policies, in assessing referrals?*
- *Is there any policy that seems unnecessary or is not able to assist you in providing referrals?*
- *Is there any policy missing that would aid your organisation in providing advice? This may include things like identification of buffer areas around assets, policy to support referral responses in specific parts of the municipality etc.?*
- *Are there any examples of when the planning scheme (LPPF) has assisted you or hindered you in providing advice to the Shire?*

9.2 Input from referral authorities

Comments were received from several referral authorities as follows.

9.2.1 Department of Environment, Land, Water and Planning - Heritage

- Reference in Clause 22.12 Heritage, to the Burra Charter should be updated as follows:

The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013 (Burra Charter).

- Reference to 'proposed' precincts can be removed once the precinct is in the Heritage Overlay.
- The introduction of maps for each precinct showing the location of individually significant and contributory elements could be useful.
- VHR (HO14/H1487 Former Stieglitz Court House) is actually mapped as being both HO14 and part of the precinct HO34. Generally, one HO number applies to each site, with the local policy making reference to its contribution to the precinct. This would clarify that Heritage Victoria is responsible for the issue of heritage permits under the Heritage Overlay for that heritage place.)

9.2.2 AusNet Transmission Group

- The current referral process between Golden Plains Shire and AusNet Transmission Group operates satisfactorily.

9.2.3 Country Fire Authority

- The LPPF is used in relation to both strategic proposals and statutory referrals.
- Understanding competing interests (of fire and other such as environment) can be a challenge at times.
- It would be good an agreement could be drafted (or just use VC49) to reduce the referrals sent/received for subdivisions outside the BMO that create a road and a standard response is provided. Continued activity in this area is seen as non-productive and reduces our capacity to undertake higher value work in BMO and other high-risk structural environments.

9.2.4 Central Highlands Water

- It is noted that further feedback from CHW will be sought after a draft rewrite of the MSS.
- References in the current LPPF indicate Scarsdale and Linton being sewered by Central Highlands Water when the towns achieve population thresholds.
- Council's Domestic Wastewater Management Plan (2015) has recognised that there is insufficient existing development and or development pressure to be advocating for sewerage at this time for these townships and this wouldn't be reviewed for at least another 5 years.
- As stated in CHW's response to the Council's DWMP Consultation in 2015, in respect of potential new sewerage schemes, there is a gaining emphasis within the Water Industry and Regulators that before new centralised reticulated sewerage systems are installed that the option to retain existing arrangements be more extensively explored.
- I also note and endorse the comment at 21-1-06, of the documents supplied, to consultant with CHW regarding a statement relating to water supply, "CHW believes it can service most of the anticipated growth within its areas".

9.2.5 Environment Protection Authority

The Environment Protection Authority (EPA) provided a detailed submission to Council outlining its key focus area associated with land use planning, which is encroachment of residential development into industrial areas.

‘Industrial areas may include but are not limited to: landfills, general industries, waste-water treatment plants, intensive animal industries, and other EPA licenced sites...’

The EPA encroachment focus area aims to manage:

- *Residential encroachment on critical issues through guidance and advice into strategic planning processes*
- *Off-site impacts from critical industries to protect new residents from odour, dust and noise impacts and*
- *The protection of critical industries’ viability’*

These issues are very pertinent to Golden Plains given the projected increase in population growth combined with extensive areas of Farming Zone land, the increased focus on intensive animal industries, and the nomination of both the Golden Plains Food Precinct and industrial development in Gheringhap by Council.

It is recommended that these issues be incorporated into both the residential development and industrial sections of the MSS (as ‘reverse’ policies, so that both the encroaching activity (housing) and the activity to be protected (industry and farming) have clear and consistent policy. Policy recommendations in relation to this are expanded on in Section 8 of this report.

The EPA also emphasised the importance of waste management and land use planning as the population grows and there is an increase in industry including intensive animal industry. It recommends that the MSS address the following:

- Odour from landfills affecting the amenity of nearby residents
- Landfill gas migration (from either closed or operating landfills)
- Encroachment of residential development into landfill buffers
- Allocating land for materials recycling and other similar land uses

These issues should all be included under ‘waste management’ in the MSS.

The EPA has recommended EPA publications relating to Recommended Separation Distances for Industrial Residual Air Emissions (EPA Publication 1518) and Best Practice Environmental Management – Siting, Design, Operation and Rehabilitation of Landfills (EPA Publication 788). The SPPF already requires these publications to be taken into consideration so they do not need to be specifically referred to in the MSS.

9.2.6 Barwon Water

Barwon Water made a number of specific requests as to changes to the MSS as follows:

Clause	Comment	Suggested change
21.01-6	BW has implemented programs to improve water quality. This statement could be removed and a new statement (see change column) inserted.	Remove existing statement. Replace with 'Barwon Water believes that the existing supply systems, with minor augmentations works, are adequate to cater for the existing populations and anticipated growth in the immediate future'
21.01-7	The Golden Plains Food Production Pipeline (GPFPP) in Leithbridge could be mentioned here as a dedicated area for intensive agriculture.	Show the pipeline on the Strategic Framework Plan. Include in context and issues under Economic Development the GPFPP.
21.03 – 1	Paragraph starting 'To the south east all of the towns in the Barwon Water District' Is out of date. All water is now treated.	Amend MSS to reflect that all water is now treated and align with 21.01-6
21.03 – 1, Strategy 1.8	Delete paragraph starting "Improve service delivery, including sewerage ...". DWMP should guide policy decisions, as it is not always cost effective to provide sewerage to urban areas.	Delete Strategy 1.8 and replace with guidance in relation to applying the most appropriate sewerage treatment system in line with the DWMP.
21.04-1, Strategy 3.1	Out of date	Delete
22.03, Animal Husbandry	Objectives could include comment on the above mentions GPFPP.	Include policy directing intensive animal industry to take advantage of the GPFPP infrastructure.

9.3 Recommendations

LPPF Review

27. Amend reference to the Burra Charter in Clause 22.12 as follows: *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013 (Burra Charter)*.
28. Review the LPPF to help articulate how to balance competing interests between managing fire risk and protecting environmental values.
29. Retain the policy statement at Clause 21.01-6 “Central Highland Water believes it can service most of the anticipated growth within its areas”.
30. Include EPA policy priorities relating to avoiding encroachment of dwellings into Industrial and Farming areas in the MSS.
31. Include EPA policy priorities in relation waste management in the MSS.
32. Amend MSS to incorporate Barwon Water policy changes.

Future work

- B. Amend the Heritage Overlay maps to correct the error of VHR (HO14/H1487 Former Stieglitz Court House) being mapped in both HO14 and part of the precinct HO34 to clarify that Heritage Victoria is responsible for the issue of heritage permits under the Heritage Overlay for that heritage place.
- C. Enter into an agreement with the Country Fire Authority (or rely of VC49) to reduce the referrals sent/received for subdivisions outside the BMO that create a road where a standard response is provided.

10 Councillor workshop

A workshop with Councillors was held on Tuesday 14 June 2016 at the Shire Hall in Bannockburn.

All but one Councillor was in attendance.

A brief presentation was made to the Councillors which:

- Provided an overview of where the MSS and LPPF fit into Council's overall strategic planning.
- Highlighted the importance of the MSS in setting the land use and development vision for Council.
- Provided an overview of the purpose of the review of the LPPF.
- Outlined the process of review.
- Identified trends and issues.
- Provided an overview of the types of application Council receives.
- Provided an overview of planning scheme amendments undertaken over the past five years.
- Provided an overview of VCAT decisions and Planning Panel recommendations over the last five years.
- Summarised issues to address through the review of the LPPF, including ongoing issues, new policy work and other issues.

The workshops discussion was very productive, with Councillors clarifying particular issues of concern and raising matters that had not yet been identified through other research.

10.1 General issues

10.1.1 Working with the community

The importance of working with the community was highlighted, particularly in relation to managing expectations.

An important role for Councillors is to assist members of the community in understanding the limits of what the planning scheme can achieve. It is by nature a responsive tool. It can't make things happen. It can facilitate and guide.

Councillors identified the need to ensure clarity and clear direction around the land use outcomes expected in different zones.

One issue is managing the expectations of owners of hobby farms located in broad acre farming land areas, which by their nature often create noise, light and odour impacts.

Another issue is that some landowners think that the Planning Scheme is going to change and they will be able to subdivide their farming land into smaller lots.

Council officers noted that this issue is really about the cost of servicing this type of development as well as the conflict with rural uses. Council's position is to protect

rural land for legitimate farming purposes to sustain farming for future generations. Dwellings in the Farming Zone have the potential to diminish the sustainability of farming into the future through fragmentation and restricting farming activities such as movement of stock, meeting intensive animal industry buffers, managing amenity issues and functioning around residential issues such as domestic pets, fencing, weed control, crop spraying, hours of operation of farming practices versus residential amenity issues.

10.1.2 Role of local laws and other regulatory mechanisms

A number of issues raised by Councillors are outside the scope of the planning scheme and better dealt with through local laws and other regulatory mechanisms. Examples raised were truck movements associated with home based businesses which create amenity issues, due to noise and early and late hours of traffic movements, and cause damage to road infrastructure; and shipping containers being used as storage on land causing an eyesore.

10.2 Planning scheme issues

10.2.1 Accommodating growth

Councillors recognise that one of the most significant challenges for the Shire is accommodating population growth. Growth in the shire has been in recent years extremely high, and growth is projected to increase at a similar or greater rate over the next 15 – 20 years.

This raises some pressing issues for Councillors:

- Sewerage and other services supports growth, as can be seen in Smythesdale which is experiencing growth since reticulated sewerage was installed.
- There is perceived to be a land grab around Bannockburn, and the infrastructure, particularly to manage flooding and water discharge, is not adequate. How do we ensure this growth is well managed?
- There are issues with owners wanting to subdivide into 2 – 4 lots north of the railway like in Bannockburn (zoned LDRZ). Residents in this area want to retain the larger lots. Reducing the lot size to 1 acre will have implications for stormwater and effluent disposal.
- Residents in Golden Plains too dispersed. It is hard to provide services including infrastructure, community facilities, goods and services when the population is so dispersed.
- Small lots in the Farming Zone are a particular problem due to the lack of community infrastructure to support these residents.

The two clear themes are:

- Council needs to be very clear where it will and won't support residential growth. The MSS already does this well, but there may be opportunity to strengthen this direction.
- Infrastructure to support growth must coincide with intensification of development. There may be opportunity to strengthen this in the MSS.

10.2.2 Rural / urban interface

An issue that is still current from previous reviews of the planning scheme is the management of the rural / urban interface. It is an issue that is likely to continue to be important as the population of Golden Plains increases.

There are areas of the shire where 4000sqm lots in the LDRZ abut very large rural land holdings in the Farming Zone and these provide a good example where there is no transition zone and conflict can arise.

One Councillor suggested that consideration needs to be given to a transition zone for medium to smaller hobby farms. Consideration also needs to be given to appropriate zoning around townships; it is difficult to get a planning permit for a dwelling in the Farming Zone on the edge of townships, however this is the location where a transitional zone may be appropriate.

10.2.3 Food Production Precinct

Council has prepared a strategy about the Food Production Precinct within the Shire. This strategy highlights the current and proposed infrastructure that provides a framework for the continued development of a Food Production Precinct within the Shire. It is both a marketing strategy and a land use and transport strategy.

Discussion and questions from Councillors around the food precinct included:

'How does the Food Production Precinct help an applicant?'

There are several ways in which the identification of the Food Production Precinct in the planning scheme assists an applicant. It provides a clear message that Council wants to see the growth of the area for food production, and will support and facilitate the development of infrastructure to encourage food production and associated industries. This assists in both attracting investment in infrastructure (from State and Federal government) and encouraging applicants to locate their business in the precinct instead of elsewhere in the shire, country or off shore.

Officers highlighted that the State Government is expecting translation of the precinct into the planning scheme.

Councillors said that it was important not to put a 'solid line' around the precinct, but rather focus on the infrastructure. This allows flexibility and for the precinct to grow somewhat organically as opportunities in the general area of the precinct arise.

It was also important to send a clear message to the community that intensive animal industry is supported here.

10.2.4 Gheringhap

Gheringhap is a strategically located township between Geelong and Bannockburn. It has a gas pipeline, a rail line and is located on the Midland Highway. It has been part of a structure plan and review process.

Consideration should be given through this review as to whether more facilitatory planning controls should be applied to the area where Council wishes to see economic growth. The land remains in the Farming Zone with no overlays to indicate that growth is favoured. The Gheringhap structure plan area is identified in the Southeast framework plan. The specific purpose of the structure plan is to create scope for potential investment rather than limiting the types of development which might occur in the future.

As part of this review, consideration should be given as to the appropriate planning controls to including in the planning scheme to better incorporate the Gheringhap Structure Plan and send a clear message to the development community that Council would like to see investment in this area.

10.2.5 Northern Settlement strategy

Council is currently preparing a Northern settlement strategy. An issue of the interface with Ballarat was raised. To the northern boundary of Golden Plains Shire, City of Ballarat has released a growth area of 1675 hectares of greenfield land to cater for an additional 40,000 plus persons. As well as providing for 14,000 new dwellings, the development will include retail, commercial and employment land.

The adjacent land, within Golden Plains, to the south is currently zoned for rural residential, rural activity and farming uses. Council needs to determine its response to the Ballarat development land to the north. Concern was raised that there is strong pressure from Ballarat to set the scene for planning in the north of the Shire. Can we clearly articulate what we want to do in the north in the MSS?

Discussion included that the boundary issues on Bells Road north and south do provide an opportunity for housing diversity, and it's a good thing to have housing options and housing diversity.

This is Golden Plain Shire's opportunity to set its strategic directions and very much a question that is being explored through the preparation of the North West settlement strategy. In the MSS it is important to identify the issue, but Council isn't in a position to make a clear statement as yet, and won't be until the completion of the North West settlement strategy.

10.2.6 The BMO (Bushfire Management Overlay) and fire mapping

One Councillor noted that the BMO is a very contentious issue and could it be reviewed through the MSS review?

The BMO has been applied to planning schemes by the State Government based on mapping undertaken by the state looking at a variety of risk factors, vegetation typology, slope of land and so on. Whilst the State Government has applied the BMO, other local councils have effectively worked with the State to modify the boundaries of the BMO as a result of local variations and issues. Council has recently obtained new fire mapping data. Whilst this isn't suitable for translation into the planning scheme through a BMO, it is a useful guide to areas of fire risk,

and could be mapped at a 'strategic framework plan' level to assist with decision-making.

It is outside the scope of this review to address the BMO boundaries, however it is appropriate to identify it as an issue, and potentially undertake further work with Councillors and staff to better understand the concerns and how they could be addressed.

10.2.7 Transitioning industries

One of the issues raised by a Councillor was related to broiler farm on the market as the owner considers that Golden Plains is too difficult to work with. The owner says the New South Wales process is easier.

This led to a discussion about the cause of the issue; is it a state issue (relating to regulation of broiler farms) or a local issue (relating to local policy settings)?

Further investigation indicates this issue may be to do with the viability of some older intensive animal production industries in parts of Golden Plains given a suite of market and regulatory changes that have occurred over the last 20 years.

It is acknowledged that over time some industries will become less viable and others more viable. The challenge for Council is to work out how to aid businesses becoming less viable due to market and regulatory forces to transition to new, more viable businesses. This involves identification of issues and options and a strategy to support businesses of this nature.

This is an Economic Development issue.

10.2.8 Freight management

Golden Plains is well located close to the Geelong Ring Road and overall Victorian Freight Network. At present there is a lack of infrastructure to provide for the parking of heavy vehicles, which are damaging road infrastructure. Options need to be found to accommodate storage of heavy vehicles.

This is an Economic Development issue.

10.3 Recommendations

10.3.1 LPPF rewrite

- 33. Better articulate where residential growth is directed, will be accommodated with appropriate infrastructure and where it is not wanted in the MSS.**
- 34. Strengthen policy in relation to provision of basic development infrastructure prior to and in conjunction with intensification of residential development.**
- 35. Include reference to the Food Production Precinct in the MSS which identifies and promotes that key supporting infrastructure exists to support the area as a location for intensive animal industry.**

- 36. Better identify the Gheringhap Structure Plan area in the MSS and strengthen policy to encourage investment.**
- 37. Identify impacts of heavy vehicles on road and parking infrastructure as an issue in the Transport section of the MSS.**

10.3.2 Further work

- D. Monitor the impact issues with the BMO from a community perspective and investigate whether amendments to the extent of the BMO should be sought.**
- E. Consider the role and actions Council can take to assist the transition of less viable industries such as small broiler farms, to productive land uses.**
- F. Consider policy guidance which could be incorporated to manage interface issues between the urban growth boundary around townships and the farming zone.**

Appendix A

Numbered LPPF to form basis of rewrite

[Insert as a separate document]

Appendix B

Planning scheme amendments

Amendment Number	Description	Status	Date	Panel hearing
C040 (Part 2)	Implement the Golden Plains Rural Land Use Strategy (January 2008) by amending Clauses 21.04 and 22.05, amending the Schedule 1 to the Rural Activity Zone and increasing the Rural Activity Zone Schedule 1 mapping to include an area around Napoleons and Rural Conservation Zone Schedule 1 mapping to an area around Dereel, Berringa and Staffordshire Reef.	Finished	22/12/11	
C045	Make changes to the Municipal Strategic Statement (MSS) of the Golden Plains Planning Scheme to incorporate the planning scheme changes recommended by the Review of the South-east Area of the Golden Plains Shire. The amendment will incorporate the strategy and framework into a new clause of the Municipal Strategic Statement titled 21.08 South-east Area, make changes to Subclause 21.04-2 Objectives and Growth: Economic Growth. It also makes changes to the numbering of other Municipal Strategic Statement Clauses, including the relocation for Implementation and Review to 21.09.	Finished	28/07/11	
C051	Rezone land at Lethbridge from the Farming Zone to the Special Use Zone and to apply a Development Plan Overlay (DP012).	Finished	15/12/11	Yes
C053	Makes corrections to 73 heritage sites which are either not mapped, mapped incorrectly, duplicate entries, incorrectly referenced, no longer exist or are protected by other planning overlays/controls.	Finished	18/07/13	
C055	Apply the Heritage Overlay to individual buildings/sites and precincts and the Significant Landscape Overlay to 12 areas as identified in the Golden Plains Shire Heritage Study.	Finished	29/02/12	
C057	The amendment implements the Meredith and Lethbridge Structure Plans 2010 by updating the Local Planning Policy Framework, specifically Clauses 21.03 and 21.04 and rezoning land in the townships of Meredith and Lethbridge. The amendment also applies the Design and Development Overlay Schedule 5 to all land proposed to be rezoned to Low Density Residential Zone and introduces a new Development Plan Overlay Schedule 12 to all land in Lethbridge proposed to be rezoned to Township Zone.	Finished	14/06/12	Yes
C058	Corrects a number of zoning anomalies, amend schedules to align with Form and Content of Planning Schemes, improves wording and inserts a new permit	Finished	28/03/13	

Amendment Number	Description	Status	Date	Panel hearing
	exemption for outbuildings and sheds less than 120 square metres.			
C059	Amendment introduces Bannockburn Urban Design Framework 2011, Bruce's Creek Master Plan 2009 and Residential Land Supply Review 2009 as reference documents at Clause 21.05, replaces Clause 21.05 - Bannockburn and rezones land from the Farming Zone (FZ) to the Residential 1 Zone (R1Z).	Finished	4/04/13	
C061	The amendment rezones land from the Rural Living Zone to the Low Density Residential Zone and applies the Development Plan Overlay - Schedule 14 and removes Schedule 7 to the Design and Development Overlay from the site to the land east of Bykersmas Road Smythesdale (former Yellowglenn site).	Finished	16/10/14	
C062	Incorporates the Gheringhap Structure Plan into the Golden Plains Planning Scheme by introducing Clause 21.10 into the Municipal Strategic Statement.	Finished	15/05/14	Yes
C063	Proposes to amend Clause 37.01 Schedule 1 and re zone part of Lot 2 and Lot 4 PS 306560 Tall Tree Road, Lethbridge from Special Use Zone to Farming Zone	Finished	15/10/15	
C065	Replaces the existing Municipal Strategic Statement at Clause 21 with a policy neutral revised Municipal Strategic Statement. The amendment also makes consequential changes to Clause 22.12 and deletes the following clauses of the Local Planning Policy Framework, as their content now forms part of Clause 21: Clause 22.01 - Protection of Stone Resources, Clause 22.04 - House Lot Excision, Clause 22.05 - Management of rural residential North West area, Clause 22.06 - Urban Growth Boundary, Clause 22.07 - Lot Sizes and medium density housing.	Finished	4/12/14	
C066	The amendment replaces the Shelford Structure Plan 1997 with the Shelford Structure Plan 2013 at Clauses 21.03. The amendment also rezones the Manse site in Shelford (Crown Allotments 25 and 26B Rokewood-Shelford Road from Farming Zone to Low Density Residential Zone and applies the Design and Development Overlay and a Development Plan Overlay to the site. The extent of the Heritage Overlay is also amended to reflect the siting of historic buildings, trees, driveway and sightlines on Crown Allotments 25 and 26B Rokewood-Shelford Road, Shelford (Manse Estate).	Finished	24/04/14	
C067	The amendment proposes to implement the recommendations of the South West Landscape Assessment Study, Planisphere, June 2013 (SWLAS) by amending the existing Significant Landscape Overlay Schedule which applies to Devils Kitchen, apply two new Significant Landscape Overlay Schedules and Maps to	Exhibition	8/10/15	

Amendment Number	Description	Status	Date	Panel hearing
	the Barrabool Hills and Brisbane Ranges and Rowsley Scarp.			
C068	Rezones land at 2846 Midland Highway, the former Lethbridge Primary School Lethbridge, including the road reserve, from Public Use Zone Schedule 2 - Education to Low Density Residential Zone. It also amends the schedule to the Heritage Overlay to permit prohibited uses under the Heritage Overlay at the same site.	Finished	23/04/15	
C069	Insert a site specific control for a dwelling at 45 Pioneer Ridge Road, Meredith	Finished	30/05/14	
C070	The amendment corrects a number of mapping and ordinance anomalies, applies the Design and Development Overlay Schedule 5 to land in Shelford and Corindhap, applies the Design and Development Overlay Schedule 7 to land in Dereel and inserts a new Schedule 4 of Clause 37.01 Special Use Zone, to accurately recognise the use of land in Bannockburn as a golf course	Finished	25/02/16	
C071	Proposes to amend clause 21.02 to replace the Napoleons Structure Plan 1997 with a revised Napoleons Structure Plan 2014 and amend clause 21.03 to introduce the revised structure plan as a reference document	Finished	6/08/15	
C072	The amendment rezones Lot F PS715055 McPhillips Road, Bannockburn from Farming Zone to General Residential Zone 1 and applies a Development Plan Overlay Schedule 1 Township Development Plan - Bannockburn to the site. The amendment also updates Clause 21.07 Local areas to correct Figure 21.07-1A Bannockburn Urban Design Framework Overall Principles Plan and to translate existing references to Residential 1 Zone to General Residential Zone.	Submitted to the Department for Approval	25/02/16	

Appendix C

VCAT decisions

Name of case	Application	Reason for review	Outcome
Gillespie v Golden Plains SC [2011] VCAT 2444	Ancillary use of land as a motor cycle track	Enforcement order by neighbour	Enforcement refused
Hickleton v Golden Plains SC [2011] VCAT 63	Subdivision to create three lots	Applications for review of conditions on permits.	RA decision varied. Tribunal did not support contested conditions. Conditions changed and deleted.
All Vet Waste Pty Ltd v Golden Plains SC [2011] VCAT 758	An amendment to an existing permit is sought to allow for an increased range of prescribed industrial waste to be disposed of at an incinerator facility. An increase in the facilities storage floor area is sought to accommodate the expanded use.	Applications for review of failures to grant permits	RA decision set aside.
Brogan & Ors v Golden Plains SC [2011] VCAT 922	Use of land for a restricted recreational facility (private swimming lessons)	Applications for review where objectors	RA decision varied. RA decision generally supported by Tribunal. Some variations made.
Bremner & Ors v Golden Plains SC [2011] VCAT 1261	Use and development of farm land for an extractive industry (hard rock quarry)	Applications for review where objectors	RA decision varied RA decision generally supported by Tribunal. Some variations made.

Name of case	Application	Reason for review	Outcome
Gvildys v Golden Plains SC [2011] VCAT 2366	Use and development of a dwelling on a 17.5ha lot.	Applications for review of refusals to grant permits	Refused by RA RA decision upheld.
Thompson v Golden Plains SC [2012] VCAT 429	Use and development of the land for intensive animal husbandry (goats) including the construction of a shed of 24 metres by 60 metres for a total floor area of 1440 square metres.	Applications for review of conditions on permits	Approved by RA with conditions RA decision generally supported by Tribunal. Some variations made.
McClelland v Golden Plains SC [2013] VCAT 749	Construction of a telecommunications facility comprising a 40 metres high monopole and associated ground level equipment shelter and air conditioning unit within a 10 metres x 6 metres fenced compound.	Applications for review where objectors	Approved by RA with conditions RA decision generally supported by Tribunal. Minor variations made.
Austin & Ors v Golden Plains SC (Correction) [2013] VCAT 804		Correction of mistakes	Corrections made
Golden Plains SC v Littlejohn [2014] VCAT 1096	Unlawful use of land for accommodation (caravan park and tents) in Rural Activity Zone	Enforcement order by RA	Enforcement order made
McDonald v Golden Plains SC [2015] VCAT 1858	Use and develop the land for intensive animal husbandry (free range chickens). Preliminary Hearing to determine if CHMP required	Preliminary hearing	RA decision upheld.
Rothon v Golden Plains SC [2015] VCAT 1919	Construction of an outbuilding greater than 120m ² in the LDRZ.	Applications for review where objectors	Approved by RA with conditions.

Name of case	Application	Reason for review	Outcome
			<p>RA decision generally supported by Tribunal.</p> <p>Minor variations made.</p>
McDonald v Golden Plains SC [2016] VCAT 618	<p>The application proposes to use the land for a free-range egg farm, with a total of 78,000 birds. 19,500 birds housed within each of the four sheds, with a free-range area provided for each shed, which ranges between 10-12 hectares. The size of the free-range areas is based on the calculation of 1500 birds per hectare. It is proposed that the birds will be housed within the sheds but allowed to range within the free ranged areas during daylight hours. A dwelling is also proposed as part of the application.</p>	Applications for review where objectors	<p>Approved by RA with conditions.</p> <p>RA decision generally supported by Tribunal.</p> <p>Minor variations made.</p>
Rothon v Golden Plains SC [2015] VCAT 1938		Costs	No costs awarded.

Appendix D

Officer comments on existing LPPF

[Insert as a separate document]