

Strathbogie Planning Scheme Review (2022)

Prepared for Strathbogie Shire Council
SD PLANNING

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GLOSSARY OF ACRONYMS AND ABBREVIATIONS

ABS	Australian Bureau of Statistics
AN	Advisory Note
BMO	Bushfire Management Overlay
CFA	Country Fire Authority
Council	Strathbogie Shire Council
DELWP	Department of Environment, Land, Water and Planning
DCPO	Development Contributions Plan Overlay
DPO	Development Plan Overlay
EPA	Environmental Protection Authority
ESD	Environmentally Sensitive Design
ESO	Environmental Significance Overlay
EVC	Ecological Vegetation Class
GRZ	General Residential Zone
HRGP	Hume Regional Growth Plan
IDM	Infrastructure Design Manual
LDRZ	Low Density Residential Zone
LPPF	Local Planning Policy Framework
Minister	Minister for Planning
MSS	Municipal Strategic Statement
MPS	Municipal Planning Strategy
NRZ	Neighbourhood Residential Zone
PE Act	Planning and Environment Act 1987
PPF	Planning Policy Framework
PPN	Planning Practice Note
PPV	Planning Panels Victoria
PSP	Precinct Structure Plan
RA	Responsible Authority
RDV	Regional Development Victoria
SEIFA	Socio Economic Index for Areas
SLO	Significant Landscape Overlay
SPP	Statement of Planning Policy
RAP	Registered Aboriginal Party
RCZ	Rural Conservation Zone
UGZ	Urban Growth Zone
VCAT	Victorian Civil and Administrative Tribunal
ViF	Victoria in Future
VPA	Victorian Planning Authority
VPO	Vegetation Protection Overlay
VPP	Victoria Planning Provisions

1. Executive Summary

This report summarises the findings and recommendations of the Strathbogie Planning Scheme Review 2022 ('the Review'). A list of key priorities has been developed to provide a way forward to address matters raised by the Review. The investigations and analysis work which informs the review's findings and recommendations have been included as appendices, as well as summarised in this report.

1.1. Why is the planning scheme being reviewed?

Council as the Planning Authority for the Strathbogie Planning Scheme, is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987*.

Council last undertook a comprehensive review of the planning scheme in 2018/2019.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This report does not make changes to the Strathbogie Planning Scheme ("the Scheme"). It does not introduce new policy or provisions. It is an audit of the scheme, which provides recommendations about what actions need to be taken.

However, the Review outlines the background work necessary to clearly establish the needs of future projects, by providing strategic justification for future work programs, budget allocations and planning scheme amendments.

This Review will be forwarded to the Minister for Planning as required under section 12(B) of the act once complete.

1.2. The Objectives

The purpose of this Review is:

- To meet the requirements of the *Planning and Environment Act 1987* (Section 12B), which stipulates that a planning scheme must be reviewed within one year of the completion of a new Council Plan; and,
- To review how well the Planning Scheme is aligned with the intent of the Council Plan, Health and Wellbeing Plan and Strategic Planning Work Plans.

1.3. Consultation

Beyond the requirements of the *Planning and Environment Act 1987*, general and targeted consultation has taken place to inform the Planning Scheme Review.

To inform the Review the following consultation was undertaken:

- Two Councillor workshops were held. The first was held on 28 March 2022 with Councillors and the second on 13 September 2022.
- Seven internal workshops with Council staff.
- Drop-in sessions were advertised and held for the community through 'meet the planner' days.
- Five one-on-one meetings with Agencies and stakeholders.
- Internet survey was sent to a range of stakeholders and agencies for completion.
- Emails and telephone calls were also made to a range of stakeholders.

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In addition to the consultation for this project, Council recently undertook extensive consultation through the development of the Council Plan. During this broader consultation, general views of the community regarding a wide range of issues were captured. Future strategic work that has been identified through this review will become projects and planning scheme amendments, which will include community consultation tailored to the needs of each project or matter.

1.4. Overview

Overall, the Strathbogie Planning Scheme is operating effectively. The settlement narrative in the scheme is clear, however, overall there are strategic gaps in the planning scheme. Council has identified these and a strategic planning program has commenced to address this gap. Several strategic plans Council has prepared can be implemented through an amendment based on this report.

There are opportunities for efficiencies to be made by removing unnecessary permit triggers and so reduce application numbers. VCAT activity for the Council is similar to other small rural Councils and is of no concern.

This report provides:

- Recommendations for future strategic work required, as well as a program for action.
- Recommendations for how the local content can be rewritten to improve clarity, and performance, including new local directions and respond to State Government changes; and,
- An overview of how well the local content of the Scheme is aligned with the new Planning Policy Framework (PPF), strategic outcomes of the Council Plan and opportunities to provide further support.

1.5. Key Findings

The review has identified the following priorities for Council over the next four years:

- As a result of recent changes and structure of the PPF, it is considered that the Strathbogie MPS should be rewritten to improve clarity and include policy directions from key Council adopted documents and strategic planning work as to make changes to the structure and introduction of the PPF.
- A key piece of work that needs to be undertaken is an overall growth strategy and framework plan that sets a vision and high-level guidance for land use and development for the municipality over the next 20 years.
- There are many opportunities to update and improve the overlay schedule, local provisions and schedules, such as including permit exemptions and improving decision guidelines.

2. Actions and recommendations

It is recommended that Council develop an integrated approach to its strategic planning so as to achieve its overarching Council Plan (2021-2025) ambitions in a coordinated manner. A repeated theme to emerge from the consultation undertaken for this Review, was for Council to accumulate all of its strategic research, identify gaps, consult and then prepare a version of the new PPF.

This section of the report outlines the recommendations and next steps for this planning scheme review.

Recommendations are grouped as follows:

- Planning scheme amendment recommendations.
- Further strategic work recommendations
- Process improvement recommendations.
- Advocacy recommendations

2.1. Planning scheme amendment recommendations

These recommendations relating to planning scheme amendments should be progressed to implement the findings of this review relating to administrative matters or to incorporated Council or State adopted strategic planning work into the scheme.

The planning scheme review has identified many policy neutral changes that should be made to the planning scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the Municipal Planning Strategy to bring it up to date and better reflect the Council Plan. There is also an opportunity to acknowledge the Traditional Owners of the land in which Strathbogie Shire Council sits – the people and lands of the Taungurung Land and Waters Council and the Yorta Yorta Nation.

The planning permit audit (Appendix A) and consultation with referral authorities and Council staff identified that some permit triggers can be removed as generating unnecessary permit applications related to matters that Council is not concerned about from a planning perspective. Removal of these permit triggers should reduce the number of planning permits dealt with by Council. This represents a reduced workload, enabling resources to be directed to other planning priorities.

An audit of local and regional strategies and policies that have been completed since the last planning scheme review which has identified new policy that has the strategic justification for being integrated into the planning scheme.

Recommendation:

It is recommended that Council:

1. Prepare a planning scheme amendment or amendments to:
 - a) Incorporate the policy neutral changes identified on Appendix A to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.
 - b) Incorporate the vision from the Council Plan and make other updates to factual data.
 - c) Include an updated Clause 74.02 Further strategic work that prioritises the strategic work

program based on the findings of this review.

2.2. Further work recommendations

It is recommended that Council develop an integrated approach to its strategic planning so as to achieve its overarching Council Plan (2021-2025) ambitions in a coordinated manner. A repeated theme to emerge from the consultation, undertaken for this review, was for Council to accumulate all of its strategic research, identify gaps, consult and then prepare a version of the new PPF.

However, it is important to acknowledge that Council has an ambitious set of strategic planning work already underway. A copy of the Further Work Plan forms Appendix B. New planning policy gaps have been identified and area outlined in Section 14 of this Review.

Recommendations:

It is recommended, Council focus on the following priorities over the next four years:

2. Finalize the following key projects:
 - o Rural Land Use and Residential Strategy
 - o Nagambie Growth Management Strategy
 - o Nagambie Industrial Precinct Structure Plan
3. Using existing policy and strategy work, the MPS should be rewritten to be inline with the Council Plan, improve clarity, include policy directions from key Council adopted documents. This will require strategic planning work to identify local policy changes within the structure of the new format PPF.
4. Using existing policy work, undertake an overall residential growth strategy and framework plan that sets a vision and high-level guidance to assist land use and development decisions over the next 20 years.

2.3. Process improvement recommendations

These recommendations are drawn from both the analysis of the planning scheme and consultation with Council staff and referral authorities. A copy of the Planning Process and Permit Audit Report forms Appendix C.

The recommendations relate to improvements that could be made to the processes associated with collection and analysis of data (such as planning permits), processing and referral of applications, and communication. Process improvements may apply to Council, the State government or referral agencies.

Recommendations:

It is recommended that Council:

5. Investment be provided to improve new technologies to streamline and make more accessible the planning application processes
6. Internal procedures be adopted to improve communication across Council and with Agencies including.
 - a) Integrated Planning Committee (internal) – monthly meetings to discuss larger projects
 - b) Meeting and engaging regularly with external agencies to highlight large projects that are on the horizon

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- c) Reviewing older Development Plans to ensure they reflect best practice planning
 - d) MOU in relation to jetty permits
7. Statutory Planning processes be improved to:
- e) Ensure that 70% of proposals have site inspections should be undertaken before exempting applications from notification;
 - f) Investigate the better integration of technology and reports including better use of photography within reports, including:
 - Ensure that delegate reports provide the opportunity for digital imagery to be included within the body of the reports, to demonstrate knowledge of site and site visitation;
 - A pre-application form is utilised to record pre-application meetings.

2.4. Advocacy recommendations

These recommendations are generally beyond the scope of what Council can achieve in its planning scheme under the current Victoria Planning Provisions or scope of the *Planning and Environment Act 1987*. They are matters that Council may wish to discuss with the State Government to highlight the issue and advocate for change.

Recommendations:

8. Advocate for the State Government to take the lead in amendments with respect to applying overlays to identify:
- a) areas affected by flooding
 - b) areas within potable water areas
 - c) impacts of climate change

2.5. Minister for Planning recommendation

Strathbogie Shire Council has prepared a planning scheme review as required by section 12B(1) of the Planning and Environment Act 1987 (the Act).

In accordance with section 12B(3) of the Act, this review identifies opportunities, set out in this report, enhancing the planning scheme's effectiveness and efficiency in achieving the planning objectives in Victoria and the objectives of the planning framework established in the Act.

In accordance with section 12B(4) of the Act, the review evaluates the planning scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

Recommendation:

9. That Strathbogie Shire Council accepts this Planning Scheme Review and forward to the Minister for Planning as evidence Strathbogie Shire Council, as the planning authority for Strathbogie Planning Scheme, has met its obligations in accordance with Section 12B of the *Planning and Environment Act 1987* to review the planning scheme every four years.

SECTION A – STRATEGIC PLANNING CONTEXT

3. Background

3.1. The Strathbogie Planning Scheme

A planning scheme is a statutory document which sets out objectives, policies and provisions relating to the use, development, protection, and conservation of land and waters in the area to which it applies. It regulates the use and development of land through planning provisions to achieve those objectives and policies.

The *Planning and Environment Act 1987* (PE Act) requires that a planning scheme:

- must seek to further the objectives of planning in Victoria within the area covered by the scheme
- must contain a Municipal Strategic Statement (MSS) or Municipal Planning Statement (MPS), if the scheme applies to the whole or part of a municipality
- may make any provision which relates to the use, development, protection, or conservation of any land in the area

The Strathbogie Planning Scheme sets out the policies and provisions for the use, development and protection of land within Strathbogie Shire Council. Within this planning framework, standard planning provisions exist that provide broad objectives, standards and policies that apply to all Victoria areas.

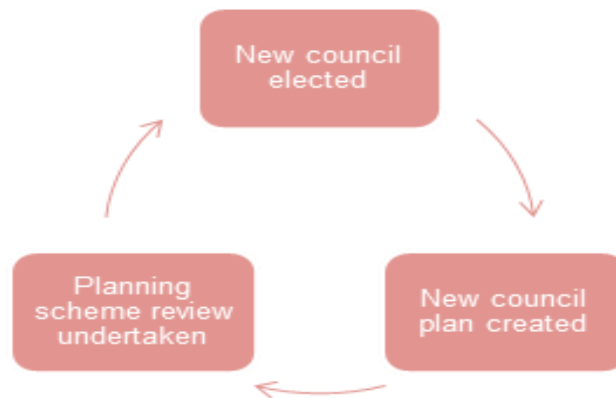
The planning framework also provides opportunities to reflect localised objectives and policies, which Council has the ability to amend and influence through:

- Local planning content within the Planning Policy Framework;
- Schedules to Zones;
- Schedules to Overlays; and,
- Schedules to the Particular Provisions.

3.2. What is a planning scheme review?

Under section 12B of the Act a municipal council must review its planning scheme no later than one year after each date by which it is required to approve a Council Plan under section 125 of the Local Government Act 1989; or within such longer period as is determined by the Minister for Planning.

Figure 1: Planning scheme reviews should follow the adoption of a Council Plan.



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This generally works out to be every four years, aligned with the local government election cycle. Generally, local policies of a planning scheme should reflect the goals and aspirations of the council and the community it represents – expressed through the Council Plan. Figure 1 above shows the cyclical nature of this process; however, many councils do not have the resources to undertake the review of their planning scheme or facilitate the amendments in which the review identify.

In June 2022, Council adopted *Community Vision 2021-2025* and *Council Plan 2021/22*. Undertaking a review following completion of a Council Plan allows the opportunity to review how well the planning scheme aligns with the strategic intent of the Council Plan.

3.3. What is a does a planning scheme review include?

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 by the Act

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

- is consistent in form and content with the directions or guidelines issued by the Minister
- sets out effectively the policy objectives for use and development of land
- makes effective use of state provisions and local provisions to give effect to state and local policy objectives

The ‘Continuous Improvement Review Kit 2006’ (DELWP also sets out matters that should be considered as follows:

- Identify the major planning issues facing the municipality;
- Demonstrate how the Municipal Strategic Statement implements State Planning Policy;
- Assess the strategic performance of the scheme;
- Document the strategic work that has been completed or carried out since the approval of the scheme and any additional work required to strengthen the strategic direction of the planning scheme;
- Articulate the monitoring and review which has been carried out;
- Outline the consultation process and its outcomes; and,
- Make recommendations arising from the review including:
 - Changes to the objectives and strategies of the Local Planning Policy Framework.
 - Changes to the use of Victoria Planning Provisions tools to achieve the strategies and ensure the objectives and desired outcomes are being met;
 - New strategic work necessary to support future policy development or changes to the provisions of the scheme;
 - Changes to improve operational and process practices;
 - Identifying any data on planning permit applications, or other data, that may need to be collected to inform the next review;
 - Audit the application and performance of the zones in the scheme;
 - Audit the application and performance of the overlays in the scheme; and,
 - Investigate whether or not the schedules in the scheme have been appropriately applied.

3.4. Guidance

This planning scheme review has been prepared in consideration to the following directions and guidance provided by DELWP.

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes.
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes and advice:

- A Practitioners' Guide to Victorian Planning Schemes.
- PPN – 46 Strategic Assessment Guidelines
- PPN32 – Review of planning schemes

4. State Planning Policy Context – Key documents

Plan Melbourne is the metropolitan strategy for Melbourne, which includes some limited policy direction for regional Victoria, whilst the Hume Regional Growth Plan furthers the broader policy objectives. These two documents have not been developed or rewritten since the adoption of the previous 2018 Planning Scheme Review however, still remain as key State planning policy strategic documents.

4.1. Plan Melbourne 2017

Plan Melbourne 2017 sets out the State’s strategic vision for population and employment growth in the city of Melbourne and state of Victoria through to 2050. Plan Melbourne was initially prepared in 2013 with the recommendations incorporated into the Planning Scheme in 2014. Since that time, it has been ‘refreshed’ with the latest version focused on seven policy outcome areas.

Of particular relevance to Strathbogie is Outcome 7 which outlines:

“Regional Victoria is productive, sustainable and supports jobs and economic growth”.

Plan Melbourne outlines several key concepts for planning the future of Melbourne and recognises the role of regional centres in contributing to Victoria’s long-term prosperity. As growing pressure to accommodate an increasing population is placed on Melbourne’s limited space and resources, the ability of regional centres that are well-connected and within viable commuting distances of capital cities to offer alternate housing and employment opportunities is recognised.

To achieve this outcome the key directions and policies include:

- *Support planning for growing towns in peri-urban areas*
- *Improve transport and digital connectivity for regional Victoria*
- *Strengthen transport links on national networks for the movement of commodities*

Plan Melbourne notes that the key to attracting growth to the Hume region will be optimising development potential through major infrastructure planning and strategic investment whilst protecting the region’s natural assets. Infrastructure that further supports connectivity between regions, key gateways and transport routes will support the development of new and existing industries and contribute to employment generation.

The Plan also discusses that some towns and regional communities are actively looking for opportunities to increase population growth to support local businesses, services and community organisations. Commuter towns such as Nagambie, Euroa and Avenel (in particular) are well positioned to take advantage of job opportunities that are expected to be required to meet the needs of Melbourne’s population growth through, tourism, new energy, and food and fibre businesses. Similarly, with good access to affordable housing, health care, education and internet technology, it is expected that the Strathbogie municipality could support any population boom generated by a strong metropolitan Melbourne.



Map 23
Victoria's connected cities and regions

- Capital city
- ★ Regional city
- Regional centre
- ⋯ 100-km radius from central Melbourne
- ✈ Transport gateway – airport
- ⚓ Transport gateway – seaport
- Primary road
- Secondary road
- +++ Rail network

4.2. Hume Regional Growth Plan

The Hume Regional Growth Plan (HRGP) is the regional planning response to the policy directions set out in Plan Melbourne, focusing on six key planning principles that the plan seeks to develop, including:

- *Efficient and sustainable settlements;*
- *Sustainable rural communities;*
- *A healthy environment and a celebrated heritage;*
- *Healthy, vibrant and resilient communities;*
- *A thriving and dynamic economy; and,*
- *A mobile and connected region.*

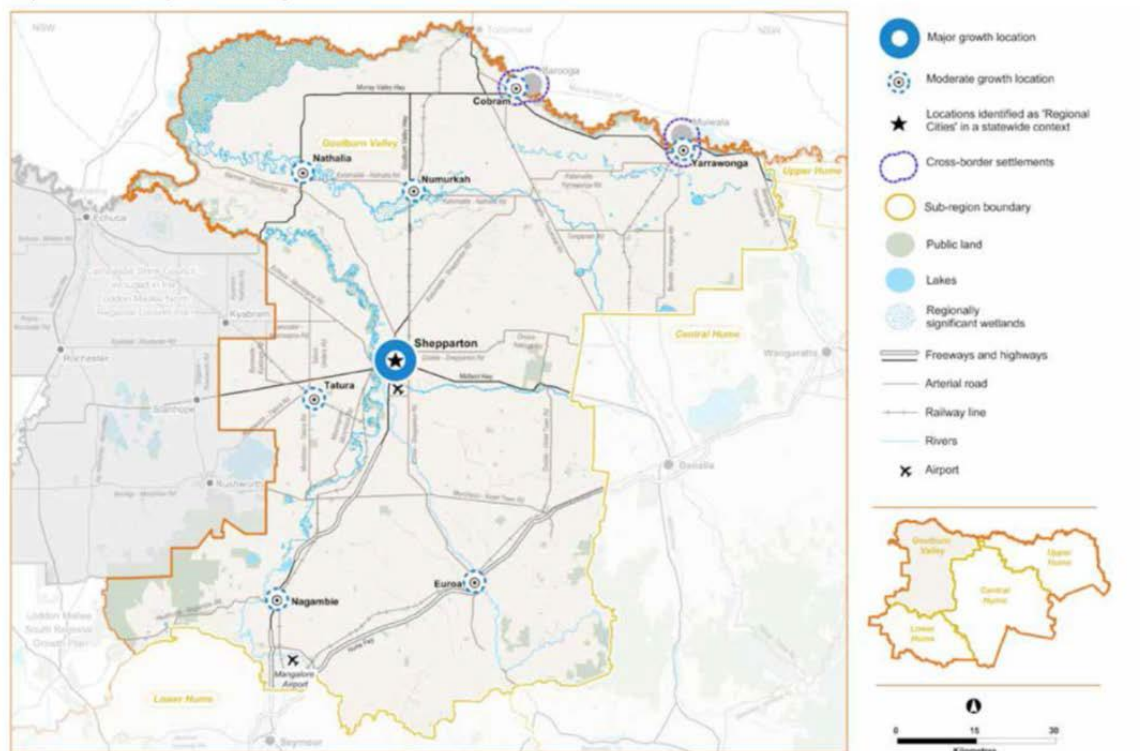
The *Hume Regional Plan* (HRP) is a long-term strategic plan for improving economic, social and environmental outcomes for the Hume region and its community and responding to the most significant challenges and opportunities for the region over the next ten to twenty years.

The development and implementation of the HRP brings together all levels of government and business, as well as a wide range of agencies and community organisations. The HRP provides a framework in which priority projects and initiatives, that will drive improved regional capability, are identified, agreed, and advocated for.

The HRP reinforces the recognition of Strathbogie’s main towns, in particular, Euroa and Nagambie as urban localities that will continue to accommodate growth. It states that these locations offer natural attractions and lifestyle opportunities, such as rural settings and access to significant water bodies. These towns will continue to support surrounding rural communities by providing services and access to services in larger urban localities. Some of these localities offer unique growth opportunities related to natural characteristics, provided growth can be managed to protect environmental assets and values, and limit exposure to natural hazards, especially bushfire and flood.

Figure 2: Future urban growth in the HRP

Map 11: Goulburn Valley - Future urban growth



Source: Department of Transport, Planning and Local Infrastructure

5. State Government Initiatives

5.1. Changes in State Planning Policy since the last review

The Victorian Planning Scheme is constantly being reviewed and updated at a State level with numerous VC and GC amendments occurring each year. The State also provides advice to planners in the form of updates to the Practitioners Guide, new planning practice notes, and advisory notes.

The way in which the Strathbogie Planning Scheme should respond at a local level to these changes to the Victorian Planning Provision and how they should be applied has been considered in this review.

These include the introduction of a new suite of zones, a modified native vegetation framework, a revised State Planning Policy Framework and revised bushfire provisions.

Current Government initiatives that have been developed, or being considered, include:

- Red Tape Commissioner’s 2019 Discussion Paper ‘Planning and Building Approvals Process Review’
- Built Environment Climate Change Adaptation Action Plan 2022-2026
- Updated environment protection framework which commenced in 1 July 2021. This included ‘Managing buffers for land use compatibility’ Planning Practice Note 92 (March 2021) and associated planning scheme amendments VC175, VC203 and V10 to update Clause 53.10 and introduce Clause 44.08.
- New mapping of Bushfire Management Overlay areas as well as new Design Guidelines: Settlement Planning at the Bushfire Interface (July 2020)
- New Ministerial Directions and guidance on Infrastructure contribution plan Guidelines (March 2021) and Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans and Ministerial Reporting Requirements for Infrastructure Contributions Plans (February 2021)
- New ‘Strategic Assessment Guidelines for preparing and evaluating planning scheme Amendments’ Planning Practice Note 46 (August 2018)
- Revised controls with respect to ‘Energy generation facilities and associated power lines’ (VC 157)

Proposed:

- Planning for Melbourne’s green wedge and agricultural land.

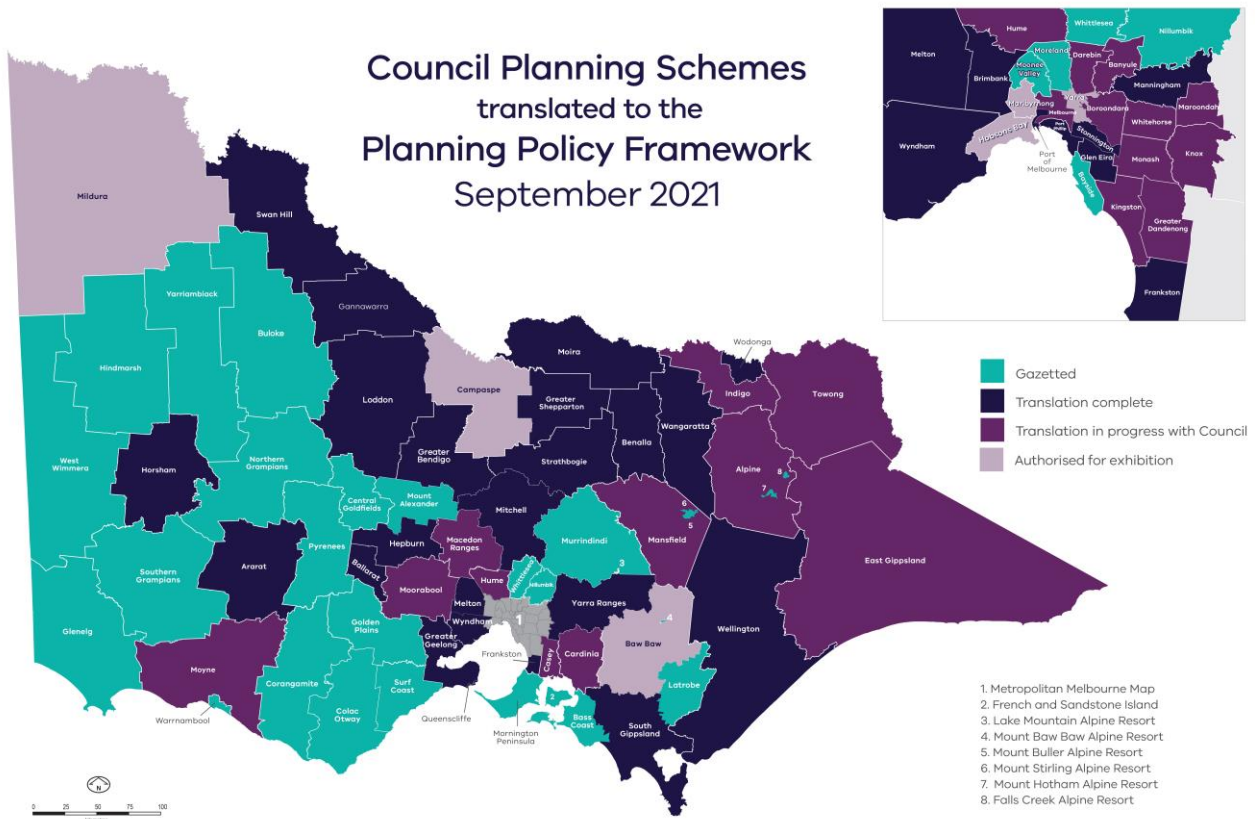
5.1.1. *New structure of the Planning Policy Framework (VC148)*

In a discussion paper released in late 2017, the Smart Planning Rules and Policy Program discussed the need to transform the structure of the planning scheme into a Planning Policy Framework (PPF); the structure will include state, regional and local policy within an integrated structure. These changes will require Councils to review and update their Local Planning Policy Framework, in particular Clause 22. Other changes are anticipated including variations to some zones and overlays where localised information will be able to be updated as part of the transition to an integrated PPF.

On the 31 July 2018 the State Government approved and gazetted Amendment VC148 which updated the planning schemes to facilitate the new PPF Structure.

On 3 March 2022 through C84strb the Strathbogie Planning Scheme was updated to accord with the new PPF. The changes resulted in the deletion of the MSS and the LPP. The changes have resulted in the revision of Councils planning policies and the removal of the LPPF

Figure 3: Translated PPF (Sept 2021)



5.2. VC (Victorian) and GC (group of council) amendments.

Since the last planning scheme review in 2019, several VC and GC amendments have introduced new policy into the Strathbogie Planning Scheme and are directly relevant to this review:

- VC134 – Introduced the Municipal Planning Statement (MPS)
- VC138 – Updates to the Native Vegetation Framework
- VC140 – Provisions for the Planning Policy Framework transition
- VC142 – Update to the Ministerial Direction on Form and Content and clean-up of permit triggers.
- VC148 – Planning Policy Framework introduction
- VC175 – Buffer Area Overlay introduction
- VC200, VC 204 and VC205 – Transport planning reforms
- VC012, VC014, VC031 – Updates to Residential Zones (minor)
- VC157, VC161 – Updates to solar and solar energy facilities policies

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- VC202 – Introduction of definition of “Rural Worker Accommodation”
- VC226 – Updates to support emergency recovery, telecommunications, solar energy systems and community care accommodation

- GC112 – Introducing IDM into the Municipal Strategic Statement
- GC157, GC174 – Facilitation of infrastructure projects i.e Rail-Beveridge to Albury Project
- GC175, GC138, GC114 – Updates to refine provisions to be consistent with Ministerial Direction on Form and Content
- GC161 – Updates to Specific Sites and Exclusions

5.3. New Planning Practice Notes

Since the last planning scheme review in 2019 Several Planning Practice Notes (PPNs) have been introduced which may impact on the future development of the Strathbogie Planning Scheme.

- PPN84 – Applying the minimum garden area requirement
- PPN85 – Applying the Commercial 3 zone
- PPN86 – Applying for a planning permit for a pig farm
- PPN87 – Preparing a planning permit application for animal production
- PPN88 – Planning considerations for existing residential rooftop solar energy facilities
- PPN89 – Extractive energy and resources
- PPN90 – Planning for housing
- PPN91 – Using the residential zones
- PPN92 – Managing buffers or land use compatibility
- PPN94 – Land use and transport integration
- PPN95 – Local heritage protection provisions

5.4. New Planning Advisory Notes:

Since the last planning scheme review in 2018/2019 several advisory notes (AN) have been introduced which may impact on the future development of the Strathbogie Planning Scheme.

- AN79 – Amendment VC217 Decriminalising sex work
- AN76 – Amendment VC165 - Non government schools
- AN75 - Amendment VC154 - Stormwater management
- AN74 - Amendment VC152 (changes to VPP)
- AN73 - New requirements for a planning authority to consult Environment Protection Authority
- AN72 - Amendment VC148 - Victoria Planning Provisions (VPP) and planning schemes

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- AN71 - Amendment VC148 - Planning Policy Framework (PPF)
- AN69 - Amendment VC143 (operation of residential zones)
- AN68 - Bushfire State Planning Policy VC140
- AN67 - Amendment VC142 (changes to VPP)

5.5. Key Findings

The Review finds:

- There have been a number of state initiatives and regional planning scheme amendments which have provided administrative improvements and clearer policy directions

6. Local Policy Context – Key documents

6.1. Overview

This section of the report identifies key land use strategic directions, initiatives and actions contained in the Council's strategic and governance documents that have been prepared since the last planning scheme review.

In 2012 State Government changes require that Councils' three main statutory documents (Health & Wellbeing Plans, Council Plans, and the Planning Scheme) are brought into line with the council election cycle. These changes also seek to enhance linkages between the three Plans. In undertaking this Planning Scheme Review, the Council Plan (2021-2025), and the imbedded Health & Wellbeing in Strathbogie Shire report were reviewed.

6.2. Strathbogie Council Plan

Strathbogie Council Plan 2021-2025 (the Council Plan) was adopted in June 2021. The community vision is

The Strathbogie Shire is a region of natural beauty with vibrant communities who are respectful, optimistic and inclusive.

We have a strong sense of belonging and of our collective history. We care deeply for Country and First Nations people.

We are bold. We embrace opportunities. We welcome you

The themes of the Council Plan are as follows:

- Engage. Create. Unite
- Live. Access. Connect
- Protect. Enhance. Adapt
- Inclusive. Protective. Balanced
- Strong. Healthy. Safe
- Accountable. Transparent. Responsible.

Strategic outcomes and actions of the Council Plan which are relevant to land use planning are identified below. The table also provides a discussion of how they have been considered as part of this review:

Table 1: Council Plan Audit

Theme	Action from the Council Plan	Status
Engage. Create. Unite	<i>Work with the Taungurung Land and Waters Council/other First Nations people residing in our shire and the community on the integration of cultural awareness into existing programs</i>	<ul style="list-style-type: none"> • Revise MPS to provide acknowledgement of the Taungurung Land and Waters Council. • Work with the Taungurung Land and Waters Council to engage during the development of land use related policies.

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Theme		Action from the Council Plan	Status
Live. Access. Connect		<i>Review and implement the Tracks and Trails Strategy to improve connectivity and physical activity across the municipality</i>	<ul style="list-style-type: none"> • Revise policies once Tracks and Trails Strategy completed
		<i>Advocate to the State Government to deliver expanded public transport options to connect the community to local services and facilities</i>	<ul style="list-style-type: none"> • Continue to advocate – should be in the advocacy recommendations
		<i>Scope and secure funding for the development of a Cycling Strategy</i>	<ul style="list-style-type: none"> • Revise policies once Cycling Strategy completed
		<i>Prepare and implement a playground strategy following the adoption of the Open Space Strategy</i>	<ul style="list-style-type: none"> • Revise policies once playground strategy completed
Protect. Enhance. Adapt.		<i>Prepare a planning scheme amendment to include an environmentally sustainable development policy that responds to climate change and minimises adverse environmental impacts created by new development.</i>	<ul style="list-style-type: none"> • Council are signatory to the CASBE amendment which will introduce ESD into planning scheme.
		<i>Strengthen project scoping and design outcomes to maximise environmental benefit, including the management of stormwater to improve water quality.</i>	<ul style="list-style-type: none"> • IDM provisions do cover these elements in the planning scheme. Further work is required.
		<i>Investigate, in partnership with Goulburn Valley Water, opportunities to green open spaces in towns with recycled water from the towns' wastewater treatment plant.</i>	<ul style="list-style-type: none"> • A recommendation of the Review is to strengthen collaboration with agencies including GVW.
		<i>Implement actions from the Domestic Wastewater Management Plan to support growth within existing townships and mitigate health risks from wastewater</i>	<ul style="list-style-type: none"> • Updated DWMP is required and will then be implemented, as appropriate. Issues relating to potable water have also been highlighted within this Review.
Inclusive. Productive. Balanced.		<i>Upgrade online and automated processes for approvals and permits wherever possible to support the construction sector.</i>	<ul style="list-style-type: none"> • A key recommendation of the Review is for investment in technology to streamline processes and integrate with internal planning systems.
		<i>Review the Avenel 2030 Strategy and Violet Town District Strategic Development Plan to guide future development and growth while maintaining local character</i>	<ul style="list-style-type: none"> • Underway
		<i>Complete a review of the Strathbogie Planning Scheme to ensure it reflects changing economic, environmental and social trends and identifies the further strategic work required to deliver a fit for purpose framework to guide sustainable growth and development while protecting our built and natural heritage</i>	<ul style="list-style-type: none"> • Underway
		<i>Continue to advocate for the development of the Mangalore Airport as a freight intermodal and transport/ industrial hub.</i>	<ul style="list-style-type: none"> • Advocacy = underway.
Strong. Healthy. Safe.		<i>Seek external funding for the preparation and implementation of an Open Space Strategy which looks at active and passive spaces and is informed by analysing</i>	<ul style="list-style-type: none"> • Underway

Theme	Action from the Council Plan	Status
	<i>population trends, climate change impacts and a gender impact statement, to cater for a growing population while maximising participation across all sexes, ages and abilities.</i>	
	<i>Review and implement the Public Open Space Contributions Policy</i>	<ul style="list-style-type: none"> Not commenced
Accountable. Transparent. Responsible.	<i>Develop and implement an Information Technology Strategy to ensure the organisation has a suite of fully integrated systems to maximise operational efficiency</i>	<ul style="list-style-type: none"> A key recommendation of the Review is for investment in technology to streamline processes and intergrate with internal planning systems

6.3. Background Report (August 2021) Health & Wellbeing in Strathbogie Shire

Under the State Public Health and Wellbeing Act 2008 (the Act), all local Victorian councils are responsible for public health and wellbeing planning on behalf of their community. This planning takes form in the shape of a Municipal Health and Wellbeing Plan. Under the Act, there is the provision for Councils to be exempt from developing a standalone Municipal Health and Wellbeing Plan provided that the Council can demonstrate that health and wellbeing matters have been integrated and considered in the broader Council Plan. For the first time, Strathbogie Shire has integrated municipal health and wellbeing matters into the 2021-2025 Council Plan.

The integration of health and wellbeing into the Council Plan provides a streamlined and embedded commitment to health and wellbeing in all areas of the council plan. The Council Plan 2021-25 outlines the community’s long-term vision for Strathbogie and details the focus areas and actions that Council will work toward during the four-year term that align with the community vision.

6.4. Planning Scheme Amendments since the 2018/19 Review

Since adoption of the previous planning scheme review in 2019; three local planning scheme amendments have been completed. Of these, one the Gaming Amendment has been a Council initiative and had commenced prior to the previous Review. The remainder have been State Government initiatives to improve the planning scheme resulting from the ‘Smart Planning’ program.

It is also important to note that currently Council are working with a private led Planning Scheme Amendment (C80) which will rezone land in Nagambie from Farming Zone to the General Residential Zone.

In addition to the completed amendments, Council has been working with proponents on a number of other requests which have not proceeded for various reasons.

Table 2: Amendments since 2018

Amendment no.	Name	Completed
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C78strb	New policy to introduce Strathbogie Electronic Gaming Machine (pre gazettal)	30 Oct 22
C84stb	Replaced the Local Planning Policy Framework resulting from streamlining program	26 May 22
C82stb	Updates to form and content as part of the Smart Planning Local Schedules Update	19 Aug 21

6.5. Key Findings:

The Review finds that:

- There are a number of land use related initiatives that have been introduced by the new Council plan which can be appropriately reflected in the Planning Scheme through strategy development and as appropriate, policy updates.
- There have been limited numbers of local amendments with the most significant being the introduction of a new framework for the local provisions.

7. Other influences and changes

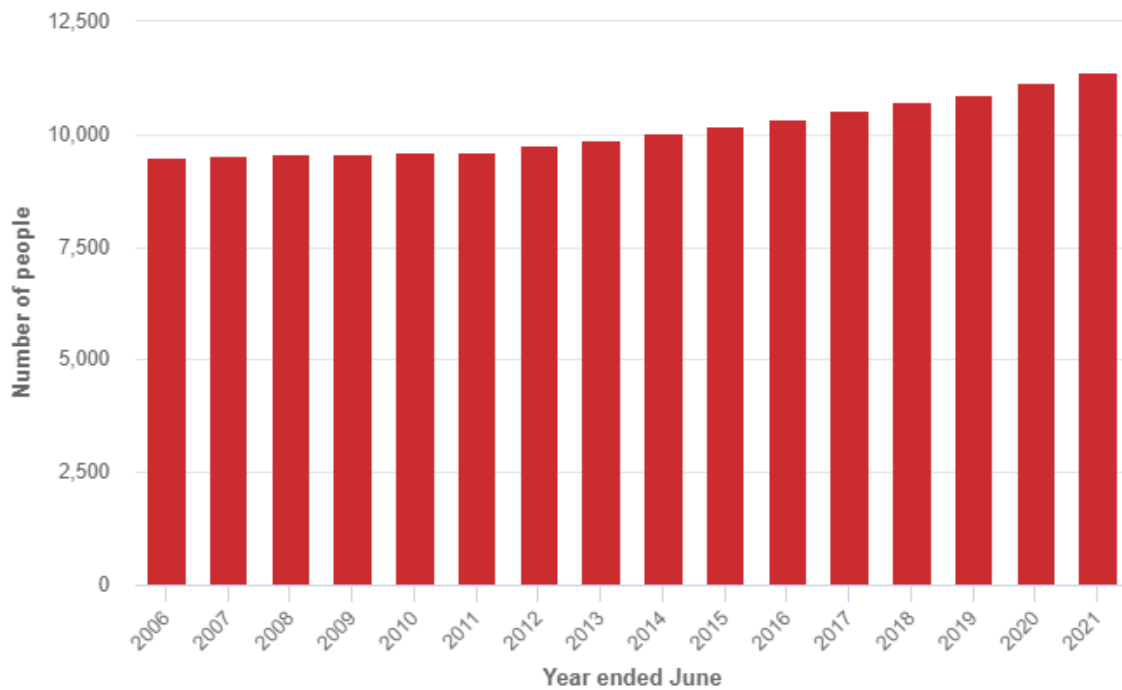
As part of the Review, an investigation has been undertaken into the trends and influences that have impacted or are predicted to have on the municipality, in particular with respect to influences on land use.

7.1. Population and Demographics

In the past 5 years the population growth rate of Strathbogie Shire Council has been 2 per cent per annum. That is an increase of approximately 1000 residents during the period from approximately 10,357 in 2016 to 11,360 people in 2021¹. The growth rate is slightly higher than previous estimations, however, the 2031 population forecast is for continued growth.

Estimated Resident Population (ERP)

Strathbogie Shire



Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented by id (informed decisions)

Figure 4: ABS population data

Demographic forecasts suggest a continuing trend towards an ageing population. It is important to recognise this trend as it raises a variety of questions, such as changes in the types of housing needed, workforce employment opportunities/constraints, and responding to servicing this changing demographic.

Local and regional policy encourages urban growth within the key urban centres which make up Strathbogie Shire –

¹ Profile ID. Sourced and checked November 2022.

Nagambie, Violet Town and Euroa.

At this time a settlement strategy has not been undertaken to suitably guide and direct future relevant land uses, with a particular emphasis on residential growth. There is not a clear vision by Strathbogie Shire as to which of the townships residential growth is to be directed, since 2016 Euroa has had the highest population growth rate in the Shire, with 438 new residents. Nagambie experienced higher numbers of dwelling development (albeit slightly) with 164 dwellings being developed over the 5 years. Avenel, closer to Melbourne, has also experienced a proportional increase in residents (approximately 164 residents) and an increase in 70 dwellings which for the size of the township has been a large increase. Euroa and Violet Town are also well positioned to accommodate moderate growth, although some physical constraints (i.e flooding) exist in all townships.

With a median age of 53², demographic forecasts suggest a continuing trend towards an ageing population. It is important to recognise this trend as it raises a variety of questions, such as changes in the types of housing needed, workforce employment opportunities/constraints, and responding to servicing this changing demographic.

7.2. COVID-19 pandemic and its ongoing impacts on land-use

During the 4 years between the 2018/19 Review and the current 2022 Review, the world experienced the COVID19 pandemic which is expected to have an ongoing influence on land use planning. ABS data from 2020 shows that capital cities, Melbourne in particular, experienced a net loss of people from outward migration. It is likely too early to tell if the shifts and changes are permanent. The pandemic has fast-tracked some trends in particular 'work from home' which in turn has had an influence on residential demand and changes to commercial, and retail environments. These influences are discussed in terms of the pressures and how they are related to land use in Strathbogie Shire Council.

a) Work from home

The 2018/19 Review noted that there would be increased requirement for working from home opportunities. The COVID-19 pandemic catalysed an immediate and rapid shift to working from home, for those people who could. Post the COVID-19 pandemic it is noted that for many workers they are still wishing to retain their newfound ways of working. An Infrastructure Victoria report predicts that on a third of workers working from home 2 to 3 days a week by 2036, Victoria's population will be more spread out around Melbourne, and around regional cities including Ballarat, Bendigo and Geelong, as people factor in a lower commute time-cost and seek out the lifestyle benefits of a tree or sea change³.

The previous review noted;

There are opportunities for businesses, who can work from anywhere, to relocate to the rural areas where there is more affordable housing, a more relaxed lifestyle and access to warehousing on major transit routes.

Access to better internet speeds will have a direct impact on the accessibility to more flexible working arrangements. The increase in flexible work hours and locations has the potential for increased tree-changer interest in Strathbogie.

The changes to the flexibility have been modelled by Infrastructure Victoria which confirms that, when people can work from home some days each week they can tolerate longer commutes and consequently the population disperses away from employment centers, and in terms of Strathbogie Shire the reliance on Melbourne, Shepparton and other centres i.e. Albury/Wodonga as an employer. This is likely to result in increased pressures

² Profile ID – population highlights. Sourced and checked November 2022.

³ The post pandemic commute: the effects of more working from home in Victoria, Infrastructure Victoria (2021).

on townships within a 'tolerable' distance for commuting a few days a week.

b) Increased Residential Demand

Anecdotally and based on current ABS statistics and real estate sales data, it appears that Strathbogie has gained residents and as a result has experienced upward pressure on housing stock. Across regional Victoria it has become apparent that with the ability to work from home, longer commutes are more acceptable whereby workers are travelling less to 'office'. This will have an impact where working from home could add population pressures in new growth areas.

c) Importance of Public Open Space/Environment

Public open space includes parks, local streets, waterways, Crown land, and trails. The COVID-19 pandemic demonstrated the value of public open space. People heavily used these spaces for health and recreation. They also support more tree cover, helping reduce urban temperatures and local flooding. In previous community research, we found safe, adaptable multi-functional spaces help manage the impacts of increased housing development. Connected patches and corridors of open space provide opportunities for recreation, active transport, and habitat connectivity

d) Changes to office and commercial businesses

The impacts of COVID-19 have heightened de-growth and counter-urbanisation trends. Working from home has impacted on lower demand for commercial space are changing the look and feel of many town centres.

Trends in working from home, online shopping, are all affecting the complex systems needed to keep urban areas functioning and resulting in different trends. For example post offices are often having to have larger storage areas as there is a shift from traditional postage of letters to packages. Businesses are frequently looking at short term pick up and delivery services i.e Coles and Woolworths online.

Changing supply chains may result in a rise in new types of local manufacturing. Some large-scale infrastructure projects might need to be rethought and there is likely to be a trend away from traditional 'bricks and mortar' reliant businesses.

Strathbogie currently struggles for internet speed, reliability and phone coverage. Slow speeds, dropouts, congestion as peak usage times and no mobile signal are causing dissatisfaction and disparity. Businesses and farms are not serviced well by fixed wireless internet connections and often face restraints from satellite services.

The need to meet the policy objectives of a universally available NBN in our rural community is urgent. More than 20 per cent of our population works in Agriculture, which heavily relies on mandated online platforms, such as livestock management system record keeping, auctions to buy and sell stock as well as more innovative practices of remote security monitoring, farm mapping, security cameras, emergency communications and equipment research.

Telecommunications infrastructure is just as important as road, waste and utility services and the lack of this infrastructure and service providers makes rural districts uncompetitive in attracting commercial and residential investment, and at a disadvantage.

For local retailers, the EFTPOS machine internet reception wavers and peak internet usage times by school students cause slow and unreliable service. Major event organisers face phone and internet congestion

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challenges which reduce participant satisfaction and the likelihood of them returning or providing positive feedback.

Without this, Strathbogie will be left out of the digital race and miss out on economic development opportunities. We know from lived experience that emergency resilience of rural communities is severely compromised during emergency events such as storm and fire events.

The rollout of better internet systems, including the National Broadband Network (NBN), provides local retailers the opportunity to embrace the online space as another platform to reach the local community, which they have previously only served through traditional 'bricks and mortar' retail. It also widens their market reach to customers living outside of their local area, as well as the opportunity for rural retailers to utilise or grow the way they communicate with their communities online. There is also the chance to work collaboratively with other retailers, chambers of commerce, customers, landlords and other interested stakeholders, to recreate what the rural main street once was – the cornerstone of the local community.

Notwithstanding opportunities for rural retailers to embrace the online space, there are also significant opportunities for new retail developments in municipality's immediate future as a result of the following factors:

- Population growth - the population forecasts for the period to 2026 represent an average annual growth rate of 2 per cent.
- Low cost rent and, in some cases, operating costs for businesses relocating from metropolitan Melbourne or similar locations.
- Real growth in per capita retail spending is ongoing in an environment of economic growth, which generates an increase in retail demand from existing and future residents.
- Opportunities to increase the share of resident spending captured by local retail facilities in rural Victoria (i.e. a reduction in escape spending to larger centres, including Melbourne).
- Opportunities for additional 'captured' spending from tourists and other visitors.

Major towns within Strathbogie are constrained by competition from other regions, in particular the larger towns of Seymour, Shepparton, Wangaratta and Albury/Wodonga. It is essential for rural retailers and policy makers to work together to resolve the competition from larger regional centres and online retailers to allow retailers in small centres to continue providing local jobs, incomes and economic development.

While issues of technology and retail have been explored at this time no land use related responses are required to be undertaken at this time. However, there is the potential opportunity to encourage warehouses for online retailing in suitable locations. This should align with the direction for industrial expansion within any future Commercial or Industrial Land Study.

7.3. Infrastructure of major towns

Infrastructure includes basic physical and organisational services and facilities to support populations in their everyday living and industries in their operations. It includes transport infrastructure such as roads, rail and airports; civil infrastructure such as electricity, water, sewer and communications; and community infrastructure such as parks, playgrounds, community and education centres, and sports and recreation places and spaces. All of these types of infrastructure require consideration when planning for communities, however, many of these infrastructure elements sit outside the direct responsibility of local government.

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The types of infrastructure available to communities influence the way in which they can operate. For example, dwellings without sewer infrastructure need to manage waste water onsite, generally meaning they require larger lot sizes, and some types of industry require access to particular types of infrastructure services to operate effectively.

It is well recognised that strong community facilities and services provide a sense of place and wellbeing for communities. Accessibility and connectivity to these services and facilities is important to ensure all people can participate in, and actively contribute to, their community.

The Hume Regional Growth Plan acknowledges that

'historically, growth has occurred without adequate consideration of infrastructure needs which can frequently result in existing infrastructure being inadequate or undersized'. It further notes, 'the major constraints that appear common across most local government areas is the availability of funding for existing and new infrastructure'.

A clearer understanding of Strathbogie Shire's role, and future locations for growth, at the Victorian, regional and local level will assist the municipality's infrastructure provisions and land use planning.

Access to V/Line bus services are a key element of the public transport mix for Strathbogie townships. These services are important for the community particularly, with a high proportion of the community (28 per cent) over 65 years old. This is further exacerbated by increasing fuel prices and the number of people living outside existing urban areas, which will increase the demand for public and community transport services. Limited public transport options can lead to dependency on car-based transit and increase risk of social isolation for non-car owners, such as the elderly, the young or low-income earners.

7.4. Discussion

While it has already been a requirement for the Planning Authority for Council to have clear and articulate land use visions for the municipality, there has been less pressure due to limited (and in some cases decline) of population within the municipality.

Based on the new pressures for growth, it is now important that Council develop clear criteria to identify priority places, and better integrate land use and infrastructure planning to efficiently and effectively deliver urban form.

Council, should include these places in the final overall land use framework plans and next periodic review of the Hume Regional Plan, partner with state governments to develop or update associated structure plans, and support planning scheme amendments.

Township plans should detail the local community's aspirations, any barriers to achieving them, and the infrastructure, cost and funding mechanisms required. This could include reviewing current land use zones to support more housing. Land use re-zoning can potentially remove restrictions and improve certainty for residential development. In supporting new homes in established areas, provision should be made for low-income households to ensure equitable access to housing in established areas.

7.5. Key Findings:

The Review finds that:

- Currently, there is insufficient guidance in the planning scheme for an overall framework approach to growth of townships and their roles
- Further work is required to be undertaken to fill this policy gap.

7.6. Recommendation:

It is recommended that;

- New work needs to be undertaken to develop an overall framework/settlement strategy for the Strathbogie Shire Council that clearly articulates;
 - the Role and responsibilities of each township;
 - explores the interrelationship between townships;
 - sets priorities and directs where new growth should be focused.
 - sets a criteria for when new growth areas should be explored.

SECTION B: PLANNING PERMIT AUDIT AND VCAT FINDINGS

8. Planning Process and Permit Audit Report

Effective oversight of the land use planning system—including performance monitoring and reporting—is essential to provide Strathbogie Shire Council, developers and the community with confidence in the system. It is now timely to assess the effectiveness of the planning scheme to inform the Strathbogie Scheme Review 2022 and consider changes since its previous review in 2018.

In this audit, utilising a modified audit tool from the DPCD toolkit, SD Planning focused more on how effectively the land use planning system delivers sustainable outcomes that are within its influence. To do this, we examined a selection of over 50 planning assessments of land use and development proposals and statutory planning files. The audit of planning permit processes involved

- a detailed audit of 30 randomly selected planning permit applications (10 per year)
- a detailed audit of 20 randomly selected amendment applications / EOT (7 per year)
- assessments against a revised version of the DPCD permit audit tool
- interviews with planners and regular users of the planning system
- utilising planning permit activity to describe trends and for comparison.

In undertaking the audit, our objective was to assess whether planners are effectively managing planning files and undertaking adequate planning assessments in accordance with the objectives of the Act and whether this has achieved the intended outcomes of state and local planning policy.

A copy of the full report forms Appendix C.

8.1. Conclusions

The Auditor conclusionary comments were;

As an overall observation, we are satisfied that Council has achieved a high level of statutory compliance in its processing of planning permits. In particular delegate, assessments demonstrated high competency and understanding of key issues associated with the application.

The Review period has seen a very challenging work environment with the COVID-19 Pandemic which has introduced some very real challenges for the team including;

- *Transition of Planning team to work from home*
- *Increased general stress on team*
- *Complications of service delivery and customer service*
- *Challenges for ability to attend site inspections*
- *Increased workload and planning permits received*

Despite these challenges the statistics and processing times should be commended. It is also noted that while processing times have increased during this period this is reflected across the industry and in comparison the Strathbogie planning team are performing well.

There are a few areas for improvement that could further enhance the process and provide for good decision making, particularly concerning documenting pre-application meetings, on-site inspections, and investment in technologies.

8.2. Findings

Despite the COVID-19 pandemic has had an impact on the team, resulted in increased workload and has limited the ability for site inspections, the Review finds that:

- Council has achieved a high level of statutory compliance in its processing of planning permits. In particular delegate, assessments demonstrated high competency and understanding of key issues associated with the application
- The statistics and processing times should be commended
- There are a few areas for improvement that could further enhance the process and provide for good decision making, particularly concerning documenting pre-application meetings and onsite inspections
- Better technology is required to aid the ability for Council to receive applications online as well as ensure that external users can view the planning register.

8.3. Recommendation:

It is recommended that.

- Investment be provided to improve new technologies to streamline and make more accessible the planning application processes
- Internal procedures be adopted to improve communication across Council and with Agencies including;
 - Integrated Planning Committee (internal) – monthly meetings to discuss larger projects
 - Meeting and engaging regularly with external agencies to highlight large projects that are on the horizon
 - Reviewing older Development Plans to ensure they reflect best practice planning
 - MOU in relation to jetty permits
- Statutory Planning processes be improved to:
 - Ensure that 70% of proposals have site inspections should be undertaken before exempting applications from notification;
 - Investigate the better integration of technology and reports including better use of photography within reports.
 - Including, Ensure that delegate reports provide the opportunity for digital imagery to be included within the body of the reports, to demonstrate knowledge of site and site visitation;
 - That a pre-application form is utilised to record understanding of any prior pre-application meetings.

9. Review of VCAT and PPV

Applications can be made to the Victorian Civil and Administrative Tribunal (VCAT) to review different types of planning decisions made by a responsible authority.

The right to an independent review of specified decisions is set down in the Planning and Environment Act 1987 (the Act). One of the objectives of the Act is *'to provide an accessible process for just and timely review of decisions without unnecessary formality'*.

The Act establishes opportunities for VCAT to independently review decisions about planning permits made by the responsible authority administering the planning scheme. In terms of this review Strathbogie Shire Council are the 'responsible authority' (RA).

VCAT makes an independent assessment of the relevant issues. Most of the applications for review involve decisions about planning permits for the use and development of land. VCAT also has other decision-making powers in circumstances where no review of an earlier decision is made because the application is made direct to the Tribunal. For example, applications to cancel permits, and applications for enforcement orders.

In undertaking the review of the Strathbogie Planning Scheme and audit and analysis of all VCAT decisions during this period has been considered. During the review period there were a total of eight (8) cases heard. In terms of the cases it was a 50/50 split in terms of decisions, that meaning;

- VCAT supported Council's decision (affirmed or varied) in six cases and
- VCAT did not support Council's decision (set aside) in one case.

The Minister has the power, under Section 58 of Schedule 1 of the *Victorian Civil and Administrative Tribunal Act*, to call-in appeals being reviewed by the Planning Division of the Victorian Civil and Administrative Tribunal, where the Minister considers that:

- the proceeding raises a major issue of policy; and
- the determination of the proceeding may have a substantial effect on the achievement or development of planning objectives.

The Minister has the option of appointing an advisory committee to review these appeal call-ins. Whilst they are appointed as advisory committees under Section 151 of the PE Act, these matters are generally referred to as an Appeal Call-in. Relevantly, in 2021 a matter was referred to a Priority Development Standing Advisory Committee **Error! Use the Home tab to apply AA Type of Report to the text that you want to appear here.** under Section 151 of the PE Act consider a matter in Nagambie.

The VCAT and PPV audit also form part of the Planning Process Audit at Appendix C.

9.1. Discussion

Over the four-year period, the 1% rate of appeal to VCAT is considered to be a very low rate of review. In total there were seven decisions and one Standing Advisory Committee (SAC) referral heard against a total number of 801 decisions for the same period (2018 – 2022).

Across the eight VCAT appeals there were not many similarities or consistencies and all decisions were very much on a case by case basis. This indicates that there are not necessarily any fundamental concerns with the Strathbogie Planning Scheme that have seen repeated appeal or review to VCAT.

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In the Total Outdoor Media Pty Ltd v Strathbogie SC [2019] VCAT 1421, Senior Member Baird does make a number of comments in relation to the lack of protection through signage controls along the Old Hume Highway noting at paragraph 6

“My decision has had regard to the relevant provisions and policies within the scheme that the parties have addressed.

...

It is notable that there are policies guiding Euroa’s future development but no local policies guiding decisions about advertising signage (whether generally or specific to this local area).”

Council successfully argued that the proposed signage, despite this apparent gap, was still inappropriate in the context of the site. Council could consider including further controls to better reflect Council’s aspirations for Euroa and its gateways.

In the matter of Hall v Strathbogie SC [2019] VCAT 1978, Member Wilson in setting aside Council’s decision to grant a permit she noted that it was on the basis of insufficient information before her with respect to noise impacts on adjacent agriculture. She also noted at paragraph 24

“My primary concern in relation to this proposal is potential impacts arising from noise. In essence, I find there is insufficient information for me to reach a conclusion that the proposed function centre will avoid unreasonable noise impacts in the area.”

The case was the only one where Council’s decision was set aside. The only internal process improvement can be suggested on the basis of the VCAT review and that was in an instance where not sufficient information had been considered in making a decision within the Rural Zone. In this instance (and balanced with the permit audit) it is considered that this is likely an isolated case. The case was more so a reminder of the powers that can be utilised through an application to request further information and the ability for the RA to condition controls for future management of amenity concerns.

As a result of an appeal to VCAT, the Minister for Planning exercised his powers to Call in planning permit P1151/2020 and refer the matter to a SAC. The Committee found

- The status of the 2014 Master Plan and any required approvals pursuant to the Aboriginal Heritage Act 2006 needs to be confirmed prior to the issue of any planning permit.
- That generally, the proposal to remove native vegetation is broadly consistent with the intent of the CDZ1 and the 2014 Masterplan.
- The removal of native vegetation is generally acceptable with Committee recommendations to reduce the need for removal of large trees in patches where possible.
- In terms of State level housing policies, the proposal is also appropriate. The ability to develop affordable housing options on the subject site clearly responds to the objectives and relevant strategies of Clauses 16.01-1S and 16.01-2S and will result in well-located, accessible housing at a site that is envisaged in policy for that purpose.
- The development of the masterplan will result in economic benefits as required in Clause 17 (Economic Development).

In its recommendations to the Minister that prior to any approval occurring that the

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- The Minister for Planning commission DELWP, including a legal opinion, if necessary, to review the planning process for the introduction of the planning controls and associated endorsed/approved plans that relate to the Elloura Estate, including confirmation of the status of the 2014 Master Plan.
- The Minister for Planning satisfy themselves, including seeking legal advice if necessary, as to whether the requirements of the Aboriginal Heritage Act 2006 have been met prior to the issue of the planning permit for native vegetation removal.

The discussions within the body of the SAC report were quite instructive regarding the approval and perhaps scope creep of the approvals occurring on the site. It noted:

The Committee wishes to highlight at the outset of this report that it has some concerns about the way in which the statutory planning and approvals framework that applies to the subject land, and the broader Elloura Estate area, appears to have dealt with the site layout that has 'evolved' over time.

The Committee refers to its comments in Section 3.2 in relation to the 'approval' of the 2014 Master Plan and its questions that were asked at the roundtable about the way in which the approval of that 'current' Master Plan took place. The Committee also refers to the endorsed plan associated with the Planning Permit P2005-182 (discussed in the previous section), which shows a different location for community facilities on the site, as well as a slightly different road and lot layout in the southern portion of the subject land, when compared to the 2014 Master Plan.

The Committee acknowledges the commentary of both Council and the applicant that the changes that have taken place to the site layout over time offer a range of improved outcomes – including environmental improvements via a significant reduction in the number of trees proposed to be removed from the site.

However, the Committee remains concerned that the revised site layout that has resulted in these improved outcomes may not be addressed appropriately in the statutory planning framework that applies to the broader estate.

Accordingly, the Committee recommends that prior to the issue of any further approvals for the broader Elloura Estate, including the current permit application for native vegetation removal, a review should be undertaken by DELWP, including if necessary the seeking of legal advice, on the planning controls and associated endorsed/approved plans that relate to the Elloura Estate, to confirm that due process has been followed in terms of the status of the 'current' Master Plan.

Following receipt of the SAC's report, further review was undertaken by DELWP, and the Minister subsequently recommended that no permit is granted as the outstanding matters could not be resolved.

This issue highlights a common issue that can occur over many years with new updates and amendments to Master Plans as well as Development Plans. This is not an issue isolated for Strathbogie Shire Council. It is an issue that was also raised during consultation whereby the CFA raised concerns in relation to older approved development plans that have not been developed and were previously approved under previous regulations. Although not necessarily directed in relation to the Elloura Estate it is considered that there should be an in-depth audit to review plans that have been approved and reconcile those with best practice planning provisions, it should also consider 'scope creep'.

It is also noted that currently Council is still in the process of seeking to implement a Gaming Strategy and clause that additional guidance for future gaming applications through Amendment C78. It is understood that the development of this policy in response to the case that was considered by VCAT in *Alston v Strathbogie SC* [2014] VCAT 760 (26 June 2014). Pre-gazettal has been received at the time of the report being developed.

9.2. Findings

The Review finds that:

- Council has had a high degree of success at VCAT which indicates that generally there are no issues with the planning policy framework.
- Controls could be updated to improve outcomes for key gateways for townships and not rely on background documents to provide guidance i.e. Euroa Township Plan (2010)
- There are valid concerns about scope creep where Development Plans or Master Plans have been approved as older documents.

SECTION C: CONSULTATION OF REVIEW

10. Consultation

10.1. Purpose of Consultation

There is no prescribed formal consultation process associated with the planning scheme's performance review under the *Planning and Environment Act 1987* or the Practice Note.

However, Strathbogie Council considers that consultation is an important part of the monitoring and review process. Reviewing existing documentation was not considered to be enough to measure the performance of the planning scheme and planning processes.

The purpose of the consultation was to identify issues relating to the performance of the Strathbogie Planning Scheme. As well as to understand stakeholder's expectations, how they understand the planning scheme and its processes, and how they think it can be improved. As an innovation for consultation the team decided to hold multiple 'meet a planner' days where the planning team invited the community to meet and discuss general issues or experiences within the planning department. The consultation was well attended.

This document outlines the consultation methodology, and the detailed recommendations that were identified through the process.

10.2. Approach

A comprehensive stakeholder and community engagement approach will inform the Planning Scheme review. We have designed a four-stage engagement plan to ensure qualitative and quantitative information capture. The stages will also allow Council to test ideas and information as we progress through the stages.

10.3. Depth of engagement

Depth: Involve

Public participation goal: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the public: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

Table 3: Engagement Plan

Project stage	Purpose	Goals	Tools	Key questions	Success criteria
One	Generate key themes and ideas	To identify the key planning issues facing Strathbogie Shire, which will influence key planning decisions over the next four years.	<ul style="list-style-type: none"> Workshop with Council 	What are the key issues / topics to explore in the planning scheme review?	<ul style="list-style-type: none"> A list of five to six themes for stage two of the community engagement plan. High level of agreement
Two	Generate ideas Improve the quality of our planning documents	<ul style="list-style-type: none"> Help identify and assist with better understanding of community sentiment regarding major planning issues facing Strathbogie Shire To generate ideas to inform the review Build the capacity of participants to understand planning related issues that impact the local community To inform the development of a subsequent round of broad community engagement. 	<ul style="list-style-type: none"> Focus group meetings Letters seeking feedback Private Share Strathbogie Page One-on-one meetings 	Workshop questions <ul style="list-style-type: none"> What changes in Strathbogie Shire do you like? What changes are you concerned about? What ideas do you have for managing change in the future? 	<p>Those engaged in workshop say they are satisfied with the process</p> <p>Those engaged in workshop feel heard</p> <p>Stakeholders speak in support of the engagement process</p>
Three	Understand priorities	<ul style="list-style-type: none"> To understand the community's priorities on the topics and ideas generated in stage two To improve the quality of our planning policies To generate ideas to inform the review 	Engagement methods <ul style="list-style-type: none"> Share Strathbogie priority tool Submission form Communication tools <ul style="list-style-type: none"> Media release Social media Letters seeking feedback eNews Web content Advertising Posters 	<ul style="list-style-type: none"> What are your priorities? Is there anything we have missed? 	<p>Strong participation on Share Strathbogie</p> <p>Positive sentiment on communications channels</p>
Four	Closing the loop	<ul style="list-style-type: none"> To inform stakeholders and the community how their input was used To inform stakeholders and the community about the finalised planning scheme review. 	Communication tools <ul style="list-style-type: none"> Media release Social media Letters seeking feedback eNews Web content Advertising 		Community and stakeholders are informed and confident in the local planning policies

10.4. Method of Consultation

General and targeted consultation has taken place with the following stakeholders:

- Councillors & Executive Management Team
- Council Officers including:
 - Community Development Officers
 - Infrastructure
 - Strategic Planners & Statutory Planners

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- IT
- Environment
- Agencies:
 - DELWP
 - Goulburn Broken Catchment Management Authority (GBCMA)
 - CFA
 - Goulburn-Murray Water (GMW)
 - Goulburn Valley Water (GVW)
- Other Stakeholders including
 - General public through 'meet the planner days'

The consultation was undertaken as follows:

- Two internal Councillor workshops were held. The first was held on 28 March 2022 with Councillors and the second on 13 September 2022.
- Seven internal workshops with Council staff.
- Drop-in sessions were advertised and held for the community through 'meet the planner' days.
- Five one-on-one meetings with Agencies and stakeholders.
- Internet survey was sent to a range of stakeholders and agencies for completion.
- Emails and telephone calls were also made to a range of stakeholders.
- Individual meetings with residents were facilitated when requested.

10.5. Councillor workshops

The first of a range of in person workshops was held with Councillors and Executive Team on 29 March 2022. Prior to the session Councillors were asked to provide a response to the question '*what planning issue keeps you awake at night?*'. The list included the following responses;

- Commercial/Industrial spaces
- Cleaning up the areas deemed Farming when they should be residential. Etc.
- Designation and development of community open spaces
- Increased protection for all vegetation in subdivision and development design process
- Increased inclusion of lifestyle block development in farming zones associated with towns and in marginal farming areas
- More encouragement for local infill development within towns
- Ugly solid metal fencing
- Incorporation of water and energy conservation/recycling options and other climate change initiatives in all new developments and building projects.
- Increased recognition, protection and enhancement options for heritage infrastructure in the Shire
- Prioritizing the development of cycling and walking trails that increase connectivity both within and between urban centres
- Native vegetation removal and protection for our native vegetation as assets
- Subdivisions that are out of character with the rural setting and look too suburban
- Creating low carbon lifestyle through prioritising cycling and walking tracks
- Increasing the tree canopy of our towns to 100%
- Encouraging off grid building and living
- Making house orientation a priority to maximise solar and low carbon living
- Rural living/farming areas make this less complicated

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During the session Councillors in conversation discussed and worked together to consolidate the topics (as well as a couple of new ones) into the following seven themes, in priority order;

1. Individual township strategies
2. Character
3. Vegetation and biodiversity protections
4. Infrastructure delivery and integration
5. Advocacy
6. Development Contributions
7. Rural residential
8. Flood mitigation

Post consultation, on 13 September 2022. Councillors were briefed with respect to the the community, stakeholder and agency responses as well as their earlier priorities.

The results of these discussions have been input and themed into the overall discussion (11.6) of the consultation as well as informing the future strategic plan outlined in Section 14

10.6. Community engagement and broader engagement activities

In July 2022, the Council launched the 'Talk to a Planner' initiative. The initiative was a broad-ranging set of workshops and drop-in sessions held between 10 and 4pm in Violet Town, Graytown, Avenel, Euroa, Ruffy, Strahbogie, Nagambie and Longwood.

The sessions were used as an opportunity to work with community members, answer questions, and seek feedback and awareness of the Review process. The sessions were held in a drop-in, one on one type of consultation and were well attended.

Themes that emerged from the sessions were the need for;

- Protection of the character of the townships
- Protection of the environmental values of the municipality
- Improved infrastructure
- A settlement strategy
- Guidance on where rural residential development is best suited in the Farming Zone
- Better pedestrian connectivity within the townships
- More enforcement and auditing

The results of these discussions have been input and themed into the overall discussion (11.6) of the consultation as well as informing the future strategic plan outlined in Section 14

10.7. Online Survey - Discussion

An online survey was prepared by Strathbogie City Council and was accessible for eight (8) weeks Council's website from 16 June to 12 August 2022. The survey invited community, agencies and key stakeholders to provide feedback on the Strathbogie Planning Scheme.

Survey questions were designed to enable respondents to identify key trends and planning issues affecting the municipality and provide comments on the performance of the planning scheme.

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Questions included in the survey addressed such topics as:

- **Neighbourhood Character** [13 responses]
 - What changes in Strathbogie Shire do you like?
 - What changes are you concerned about?
 - Would you like more protection around heritage and neighbourhood character?
 - How would you like to see this happen?
 - What ideas do you have for managing change in the future?
 - How important is this to you? (range out of 1-5)
 - Do you have any further feedback on this topic?

- **Sustainable Development** [6 responses]
 - What changes in Strathbogie Shire do you like?
 - What changes are you concerned about?
 - What ideas do you have for managing change in the future?
 - How important is this to you? (range out of 1-5)
 - Do you have any further feedback on this topic?

- **Connectivity** [3 responses]
 - What changes in Strathbogie Shire do you like?
 - What changes are you concerned about?
 - How important is this to you? (range out of 1-5)

- **Vegetation and Environment** [12 responses]
 - What changes in Strathbogie Shire do you like?
 - What changes are you concerned about?
 - What ideas do you have for encouraging future development, while protecting vegetation?
 - How important is this to you?

- **Regular users of our planning process** [7 responses]
 - What is your role in the planning process?
 - Please list the general work undertaken by you, or your organisation, within the planning system?
 - Has your organisation completed, or are currently completing, any work that may need to be reflected in the Strathbogie Planning Scheme?
 - Does the Strathbogie Planning Scheme provide the overall strategic direction that you require for your role?

The survey questions and results are provided in Appendix D of this report.

There was a high engagement level for this type of work, with 51 contributions across all categories. The responses that were received helped provide feedback on the planning scheme.

The themes to emerge from the consultation was the need to:

- Protect the character of the townships through;
 - Road management (bypasses/wider roads)
 - Appropriate subdivision patterns
 - Town-specific controls (using schedules)
 - Heritage asset protection
 - Accessibility/pedestrian crossings
 - Larger lots
- Protect vegetation including old growth trees

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- Fast track approvals and reduce restrictions/red tape
- Encourage/facilitate better design outcomes, including encouraging single and adaptive dwellings
- Have new industrial land and developments in Nagambie and Euroa
- Have more rural living opportunities and more Rural Conservation areas

The results of these discussions have been input and themed into the overall discussion of the consultation as well as informing the future strategic plan outlined in Section 14.

10.8. External stakeholder meetings.

A range of meetings with external stakeholders and agencies who are key users or referral authorities were held on various dates through June, July and August 2022. The sessions were held for 30 minutes to 1.5 hours with individual teams and consultants. The discussions have been summarised as follows;

GBCMA

- Potential to rationalize jetty referrals
- New Catchment Strategy
- Fresh flood plain mapping
- Generally found referrals from Council had sufficient information and showed sound understanding of the areas of influence

GVW

- ESO's required for protection for buffers around wastewater plants and potable water supply
- Need to undertake water and sewer master planning in conjunction with Council and its planned growth
- Potential for future recycled waste water in Nagambie
- Generally found referrals from Council had sufficient information and showed sound understanding of the areas of influence

GMW

- Potential to rationalize jetty referrals
- Opportunity for MOU/coordination around direction for Nagambie
- Generally found referrals from Council had sufficient information and showed sound understanding of the areas of influence

CFA

- Generally found referrals from Council had sufficient information and showed sound understanding of the BMO
- Older DPO's need to be considered for review

The results of these discussions have been input and themed into the overall discussion (10.10) of the consultation as well as informing the future strategic plan outlined in Section 14

10.9. Internal stakeholder meetings.

A range of meetings with internal stakeholders from Strathbogie Shire on various dates through June, July and August 2022. The meetings were held for 30 minutes to 1.5 hours with individual teams and consultants. During the session, officers attended who represented the following disciplines;

- Planning
- Engineering and Infrastructure
- Community Development
- IT
- Economic Development
- Environment
- Parks and Gardens
- Executive Management Team

The discussion was held in relation to the reasons for the priorities of teams in terms of work being completed in the past four years. The results of these discussions have been input and themed into the overall discussion (10.10) of the consultation as well as informing the future strategic plan outlined in Section 14.

10.10. Discussion of consultation

Strathbogie Shire Council faces a broad suite of development issues, and challenges in delivering sustainable communities in growth of existing areas. In addition, the Strathbogie community is faced with the wider issues of climate change, health & wellbeing, rural land conflict issues, economic growth, accessibility, social exclusion and transport disadvantage.

It is noted that there had been many significant changes to the factors influencing growth in Strathbogie, including new State Government planning policies and standards. There was significant support for implementing the recent strategic documents into the planning scheme to reflect its policies, strategies and objectives in relation to land use and development. The need to revise the stated vision to ensure that the MPS contains better alignment and consistency with the Council Plan, the Public Health & Wellbeing Plan and other key Council policies and strategies also emerged as a consistent theme.

Aspects of the built environment were raised, particularly in the Workshop 1 with Councillors. It was indicated that built environments need to be walkable, have a high level of amenity, with surveillance for improved safety and active street frontages. The attributes of a pleasant and walkable built environment were discussed and were primarily focused around urban design issues. The built environment should enable active transport opportunities, encouraging residents to walk or ride bicycles in place of automotive modes. Identity and neighbourhood character were discussed as being important with the need for better design outcomes and respect of existing attributes of areas, including heritage controls.

During the workshops a key issue that was raised was that the existing scheme lacked policies that seek to protect the scenic amenity of the rural area and that there are existing framework plans that give clear guidance for decision making. One suggestion was that the Strathbogie Planning Scheme could be strengthened to ensure that there is a design framework that drives and protects the preferred character and built form. Similarly, it was suggested that there is a need to better define townships and villages and identify key landscapes that need to be protected.

There were a range of social issues facing the municipality that were identified during the consultation. These include housing affordability, health, aged accommodation, housing diversity, public housing and accessibility. Feedback

received was that there is a need for key or emerging social issues to be addressed in the Planning Policy Framework. Examples mentioned included the introduction of clearer recreation strategies, good design for community centres and open space, or by encouraging the community to be front and center when considering new development applications. These attributes while important are already articulated throughout the planning scheme at various sections. If Strathbogie is hoping to articulate something different from what is standard within the planning scheme specific and articulate local differences will need to be identified.

10.11. Discussion of consultation

Key recurrent themes emerged from consultation throughout the planning scheme review they are discussed in the following section.

10.11.1. Rural Land Use

Through the review one of the key issues raised was the need to define and deliver on a strategic vision for Rural Land Use and Rural Residential Uses. It is clear from the past that the Strathbogie Planning Scheme needs to be updated to clarify Council's position on small lots and protect rural areas from inappropriate uses and development.

The development of dwellings on small rural lots introduce residential uses into areas where farming is the main activity, and with the residential use, new amenity and service expectations. When not properly managed or located, the introduction of dwellings can bring land use conflicts and detrimentally impact both the nearby agricultural activity and the dwelling itself. Dispersed rural dwellings can also be an unnecessary burden on Council resources due to the increased cost of servicing them. This also inflates the value of rural land, making it more difficult for agricultural activities to expand or remain. One example given by an attendee of a consultation workshop was the ongoing conflict between residents and farmers in the Farming Zone, the impact of motorbikes and cars on livestock, and the complaints by residents about farming practices.

Planning for the rural areas has emerged as one of the most significant gaps in the Strathbogie Planning Scheme. Given that the previous Rural Land Use Strategy was developed over ten years ago and parts were not implemented into the planning scheme, as well as more recent work undertaken by the State Government.

It is noted that Council have commenced this work, which will be an important strategic document to assist the RA in decision making.

10.11.2. Environment policies relating to sustainability and climate change

Issues relating to sustainability were important for engagement participants and the lack of commentary provided by the Strathbogie Planning Scheme has been highlighted throughout the review process. The key concerns were:

- The lack of focus on requirements to encourage biodiversity and biodiversity links;
- Focus on needs to encourage native vegetation and roadside vegetation;
- Climate Change, in particular, future planning for settlements that may be affected by increased pressures of flooding or other threats;

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- Climate Change, in particular future planning for settlements;
- Renewable energy; and,
- Environmentally Sustainable Design (ESD) and higher standards for sustainable housing and development.

It is also noted that since the previous review, Council has declared a 'state of climate change emergency' and finalized a Climate Change action plan. The need to reflect these issues within the planning scheme was apparent as a key priority.

Issues of biodiversity, native vegetation protection and recognition of biodiversity assets within the municipality was also raised. It was suggested that the local policies should recognise the importance of promoting land use and development that encourages and protects native vegetation (particularly in areas of important biodiversity) through, for example, encouraging design solutions that minimise the removal of native vegetation.

Many of these issues will require investigation regarding the ongoing design and management in areas where these threats and development converge. In some cases, it was identified that there may be a need to commence an advocacy role to approach the State Government with respect to existing climate change and ESD principles.

Participants suggested a range of changes to the planning scheme, including a review of the application of Environmental Significance Overlays (ESOs) and Vegetation Protection Overlays (VPOs) across the municipality.

10.11.3. Managing environmental risk

Issues relating to managing environmental risk were a strong theme during the engagement, particularly with officers and external agencies. There are a number of gaps that were identified in the planning scheme in particular;

- No overlay reflecting or identifying defined potable water catchments
- No overlay protecting or identifying buffers around waste water treatment plans
- Need to update flood mapping to identify and transparently reflect need to consider appropriate approaches to development

Another issue was highlighted by the CFA with respect to old development plans overlay schedules, and approved but undeveloped plans, which didn't reflect best practice approaches in particular bushfire. This has been reflected and picked up in the audit and recommendations relating to changes to the planning scheme.

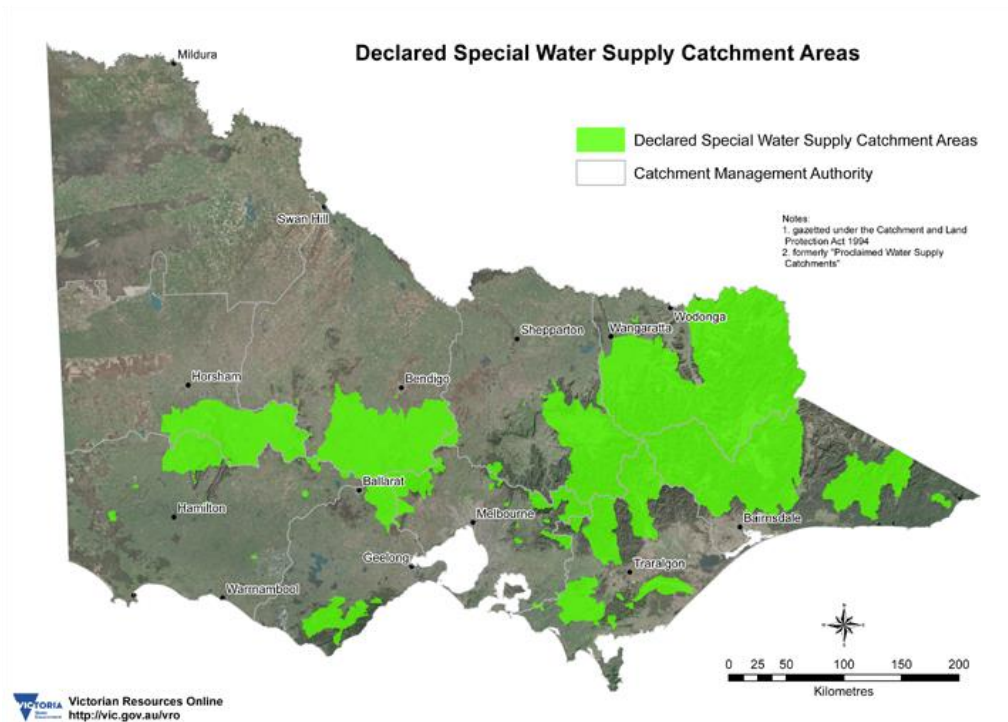
The conversations and input gained through the consultation were very informative and assisted the Review in understanding these concerns. To fully articulate the issues we have provided an overview of the issues and the possible remediation.

a) Potable Water

Many catchments supplying water for domestic, irrigation or other purposes within Victoria are protected under the *Catchment and Land Protection Act 1994*. These catchments have significant values as a source of water supply, both for domestic and for stock and household use.

The relationship of water quality and quantity with different levels of catchment planning is the basis for catchment planning and management under the provisions of the *Catchment and Land Protection Act, 1994*. Under this Act, Water Supply Catchments Areas officially recognise designated catchments for water supply

purposes. This process highlights to the community, land managers and planners, the importance of the catchment for water supply purposes.



Within Strathbogie these areas that are identified are;

Table 4: Potable water catchments

Catchment Name	River Basin	Total area (ha)	Date gazette
Honeysuckle Creek near Violet Town	Goulburn	2460 ha	2 June 1976
Seven Creeks near Euroa	Goulburn	18991.6 ha	4 July 1984

Once a catchment is 'Declared', approvals for activities conducted under other statutes and statutory planning schemes must be referred to the responsible land management authority (water authority, GBCMA or DELWP). However, if not identified in an overlay and mapped within the planning scheme there can be conflicts or the existence of the potable can be 'missed' during planning permit application processes.

In terms of the two areas within Strathbogie in the past it hasn't been a significant issue, however it has been noted by the Review that in a best-case scenario these areas would be transparently identified and managed.

b) Flooding

Since the previous review the GBCMA have completed undertaking new flood mapping for the municipality. Flood studies aim to provide data that can be used to develop products for flood response and help manage risks to the community. They involve the use of hydrologic and hydraulic models to determine flood flows, levels and velocities for a range of design flood Annual Exceedance Probabilities (AEPs). The models are usually calibrated to one or more historic flood events, where applicable data or other information is available on peak flow rates and water levels. The modelling results are used to determine flood hazard (often

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expressed as a velocity – depth- product), flood damages and ultimately flood risk (expressed as the product of probability and consequence of occurrence) should be targeted as only land use planning issues.

Council is responsible for land use planning and assessment of development applications on areas of flood prone land. The best practice approach is to identify areas affected by riverine flooding with a LSIO or a FO. It is a planning tool that is used to trigger the need for a planning permit for significant changes or developments on sites. It also ensures that applications are referred to the GBCMA for consideration. Once flood mapping is available to Council, it is important that the information is translated into a meaningful planning control and applied in a transparent manner so that the risks can be avoided or mitigated.

If the overlay is not applied to the affected areas, there is a risk of approving potentially inappropriate developments or failing to provide an appropriate mechanism for review (in this case a planning permit trigger). This may lead to a situation where Council is deemed negligible or liable in its role as planners, public authorities and asset managers

c) Wastewater Treatment Plant Buffers

During the consultation with GVW it was noted that the key wastewater treatment plants did not have adequate planning controls to provide protections and buffers within mapping and the planning scheme.

Managing the interface between industries and sensitive uses is a longstanding planning issue. Planning approaches to address buffer issues can vary, be complex and lead to inconsistent decision making. In addition to the impact of land uses with offsite impacts on the amenity of sensitive uses, unplanned encroachment of sensitive uses can constrain the operation of industries.

In March 2021, Planning Practice Note 92: Managing buffers for land use compatibility was introduced into the planning scheme along with guidance for the new Clause 44.08- Buffer Area Overlay (BAO). this instance it is considered that Council consider applying a BAO to the wastewater treatment plan buffers for dual purposes;

- Protect wastewater treatment plant from encroachment, as well as to
- Clearly and transparently allow adjacent landowners with an understanding of their existence.

The BAO aims to identify areas with potential off-site impacts on safety or human health, or significant off-site impacts on amenities, from industry, warehouse, infrastructure or other uses. The BAO also ensures that use and development within buffer areas are compatible with potential off-site impacts.

10.11.4. Managing Growth and Development

Noted earlier in the Review were the implications and impacts of Covid-19 pandemic for accelerating growth in townships within Strathbogie Shire. A theme to emerge from the consultation was along the lines of needing to better manage and direct this growth. Through consultation, it has been highlighted that it is important for Strathbogie to continue retain its distinctive character.

Given that any growth of smaller township populations may on face-value represent a small number of people, their demographic characteristics and the functioning of the township's housing markets can be dramatically affected if not appropriately directed. This is important to understand these differences while developing housing or population policies.

Land use planning cannot stop population growth. People will continue to have children and move here from Melbourne and other parts of regional Victoria. Through consultation and other themes in the Review, there is a

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requirement for a sound Settlement Strategy. The purpose of this strategy would be to;

- analyse future housing needs and trends
- develop a clear policy framework that will guide planning and decision-making and
- help meet future housing needs

The following subthemes also should be considered when developing the Settlement Strategy.

a) Social infrastructure and improved built environment

Aspects of the built environment were raised throughout the consultation. It has been indicated that built environments need to be walkable, have a high level of amenity, with passive surveillance for improved safety and active street frontages. The attributes of a pleasant and walkable built environment were discussed and were primarily focused on urban design issues. The built environment should enable active transport opportunities, encouraging residents to walk or ride bicycles in place of automotive modes. Identity and neighbourhood character were discussed as being important with the need for better design outcomes and respect of existing attributes of areas, including heritage controls.

During the workshops a key issue that was raised was that the existing scheme lacked policies that seek to protect the scenic amenity of the rural area and that there are existing framework plans that give clear guidance for decision making. One suggestion was that the Strathbogie Planning Scheme should be strengthened to ensure that there is a design framework that drives and protects preferred character and built form. Similarly, it was suggested that there is a need to better define townships and villages and identify key landscapes that need to be protected.

There were a range of social issues facing the municipality that were identified during the consultation. These include housing affordability, health, aged accommodation, housing diversity, public housing and accessibility. Examples mentioned included the introduction of clearer recreation strategies, good design for community centres and open space, or by encouraging community to be front and center when considering new development applications.

These attributes while important are already articulated throughout the planning scheme at various sections. If Strathbogie is hoping to articulate something different from what is standard within the planning scheme specific and articulate local differences will need to be identified. This has also been identified as a gap of policy for the transition to the new PPF format.

b) Physical Infrastructure

For the Review, physical includes transport infrastructure such as roads, rail and airports; civil infrastructure such as electricity, water, sewer and communications; and community infrastructure such as parks, playgrounds, community and education centres, and sports and recreation places and spaces. All of these types of infrastructure require consideration when planning for communities, however, many of these infrastructure elements sit outside the direct responsibility of local government. The types of infrastructure available to communities influences the way in which they can operate. For example, dwellings without sewer infrastructure need to manage wastewater onsite, generally meaning they require larger lot sizes, and some types of industry require access to particular types of infrastructure services to operate effectively.

Through consultation with agencies it has also become apparent that there is a need to coordinate and work with strategic coordination of servicing including roads, drainage, sewer and water.

c) Public Transport.

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Access to V/Line train and bus services are a key element of the public transport mix for Strathbogie townships. These services are important for the community particularly, with a high proportion of the community (28 per cent), being over 65 years old. This is further exacerbated with increasing fuel prices and the number of people living outside existing urban areas which will increase the demand for both public and community transport services. Limited public transport options can lead to dependency on car based transit and increase risk of social isolation for non-car owners, such as the elderly, the young or low income earners

10.12. Findings

The Review finds that:

- A new Settlement Strategy is required for a consolidated land use vision for managing townships growth and development.
- Recurrent themes emerged from consultation throughout the planning scheme review, including the need for:
 - a review of the rural land uses;
 - a clear stance on environmental management, sustainability and climate change; and
 - managing environmental risk through implementing various overlays and initiating further strategic work.
- Consultation has aided the review of the planning scheme and highlighted a number of key themes which have informed the recommended approach for Council in terms of;
 - Prioritization of projects
 - Approach for further strategic work
 - Process improvements

SECTION D: EFFECTIVENESS OF PLANNING SCHEME

11. Audit and assessment of the current Scheme

An audit of each local provision and schedule in the planning scheme has been undertaken. This audit has compared the drafting and application of each provision against the Ministerial Direction on the Form and Content of Planning Schemes, a Practitioners' Guide to Victorian Planning Schemes (Version 1.5, April 2022) and relevant planning practice notes.

Each provision has also been assessed with consideration to the work it does in achieving the strategic objectives set out in the State, regional and local planning provisions. The detailed outcomes of the audit are contained in Appendix A to the Review. Findings on improvements that could be made are 11.5 and Appendix A

11.1. Municipal Planning Strategy (MPS)

. The MPS is comprised of four sections:

- the Municipal context;
- the Vision;
- strategic directions; and,
- Strategic Framework Plan.

The MPS provides a simple overview of the regional and local context for land use and development and then goes on to describe the type of municipality a council seeks to create. The general structure and content of the MPS (including page limits) forms part of the Ministerial Direction - The Form and Content of Planning Schemes. The MPS is supposed to be a succinct expression of a municipality's overarching strategic policy directions. It will provide for the planning scheme's policy foundation, based on the municipality's location and regional context, history, assets, strengths, key attributes and influences. It should also form the strategic basis of the planning scheme.

Through undertaking an audit, the Review considered the Municipal Planning Strategy (MPS) outlined at Clause 2 of the planning scheme.

11.1.1. Findings:

- Currently, the MPS provides limited value, is quite broad brushed, and provides a Strategic Framework Plan that provides little benefit for directing or managing growth.
- Council's MPS Section will need to be developed with a clearer land use vision. This land use vision should include engagement with Councilors and reflect the principals of the Council plan (and other documents as appropriate).
- In particular the framework plan should be updated to direct policy rather than reflect existing conditions.
- These policies must be rewritten to:
 - Remove vague policy directions;
 - Improve clarity, direction with respect to how land use and the Strathbogie direction; and,
 - Result in policies that are positively framed – to encourage rather than discourage unless absolutely necessary.

11.2. Planning Policy Framework (PPF)

The PPF constitutes Clauses 11 – 19 which comprises three levels; the state, regional and local. These policies are grouped by theme, with directly relevant regional and local policies ‘nested’ under the corresponding state planning policy if more specific policy is required for that subject matter (see Figure 2).

11.2.1. Findings:

- Since the 2018 Review a full rewrite and amendment to incorporate the local provisions into the overall framework occurred.
- Although there are a few pieces of new strategic work are required to be implemented over time into the PPF
- No significant restructures or amendments are required at this time.

11.3. Zones

The purpose of planning zones is to control land use and development in accordance with the purpose of each zone. There are 15 zones applied to land throughout Strathbogie. Unlike overlays, zones cannot overlap with each other; therefore, there can only be one zone for each piece of land.

Under each zone, the uses within that zone will be set out as a Section 1, Section 2 or Section 3 land use.

- Section 1 land uses do not require a planning permit.
- Section 2 land uses require a planning permit.
- Section 3 land uses are prohibited.

Many zones also stipulate minimum lot sizes for subdivision, advertising requirements and decision guidelines. Zones form part of the Victorian Planning Provisions, each having a standardised head provision. Schedules to zones provide Council with an opportunity to include localised content.

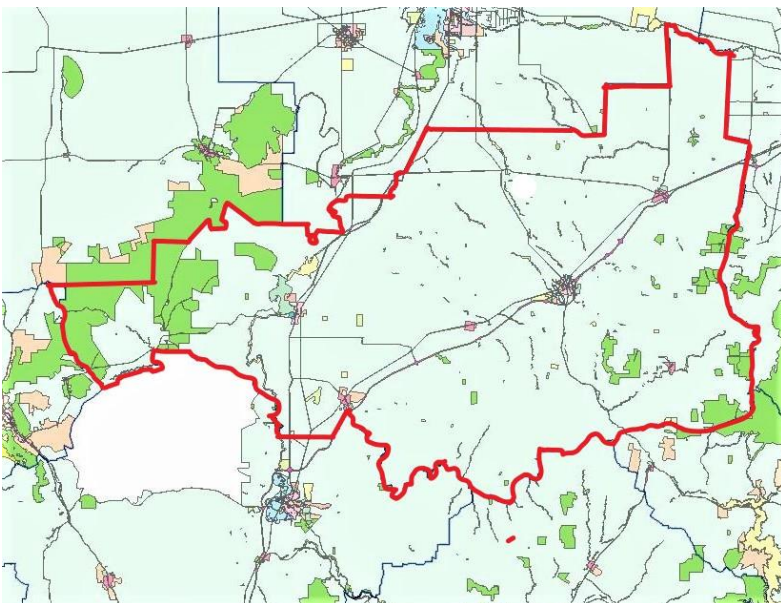


Figure 5: Showing zones across Strathbogie

Apart from implementing adopted work, the most notable zone changes since 2012 has already been facilitated through the introduction of the new suite of residential, rural, commercial and industrial zones. As part of the review analysis has been undertaken to ensure that the changes introduced do not necessitate any further changes. This analysis reveals that there are no fundamental issues with zone selection. Feedback from officers, community representatives, agencies and stakeholders has revealed that while the zone selection generally remains appropriate, the zone schedules typically need review.

In addition, there may be a need to select some new zones to implement further strategic work commissioned by Council.

11.3.1. Findings

- Currently, the schedules to the residential zones are not utilised. Consideration should be given to better utilisation of these schedules for 'localisation' and to set objectives for different townships character.
- It has been highlighted through engagement that the Rural zones need to be reviewed. This review will need to incorporate extent of zones, potential application of Rural Activity Zone, and better utilise the zones' schedules.
- There is a need to update zones to be consistent with the Form and Content ministerial direction requirements.

11.4. Overlays

There are ten overlays applied throughout Strathbogie Shire Council. Some are used to provide single site-specific provisions, such as the Heritage Overlay, which can be applied to a single site to protect a single building. Others can be applied across a wide geographic range, such as the Land Subject to Inundation Overlay (LSIO), which deals with riverine flooding. Many have one or more schedules, which provide localised requirements (and exemptions) for planning permit applications.

Schedules to Overlays provide Council with a valuable opportunity to include localised content. Similar to the zones, all overlays are part of the Victorian Planning Provisions, so they each have a standardised head provision. However, unlike zones, a piece of land can apply more than one overlay, such as a Bushfire Management Overlay (BMO) and a Heritage Overlay (HO).

The ten overlays are grouped as follows:

- Environmental and Landscape overlays
 - Environmental Significance Overlay - two (2) Schedules
 - Vegetation Protection Overlay - two (2) Schedules
- Heritage and Built Form overlays
 - Heritage Overlay – 85 Schedules
 - Development Plan Overlay - five (5) Schedules
- Land Management overlays
 - Erosion Management Overlay - one (1) Schedule
 - Floodway Overlay - one (1) Schedule
 - Land Subject to Inundation Overlay - one (1) Schedule

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- Bushfire Management Overlay - one (1) Schedule
- Other overlays
 - Public Acquisition Overlay - three (3) Schedule
 - Airport Environs Overlay - one (1) Schedule
 - Specific Control Overlay – three (3) specific controls

A detailed analysis of overlays and schedules is provided at Appendix A

11.4.1. Findings:

- Much of the more minor changes proposed through this work is to ensure that the overlays conform with the format changes and to introduce additional exemptions to reduce triggers for permits. In particular exemptions should be considered for the following;
 - Clause 42.01 Environmental Significance Overlay (all schedules)
 - Clause 44.01 Erosion Management Overlay
- Through consultation it has become apparent that there are some significant gaps in policy with respect to applying overlays for
 - Buffers around wastewater treatment plans
 - Identifying areas of potable water
- Further work has also been identified for strategic review of DPOs which may result in removal or revision of working.
- The previous review also noted that the ESO1 is not mapped in the correct location. The Overlay is not applied within the mapping areas of the scheme except for an area relating to a tip in Violet Town which is irrelevant to the overlay. Therefore, there is no trigger or need for the overlay appropriate to the schedule of the ESO.

11.5. Particular provisions

Since the last review there has been a significant reshuffle, revision and new particular provisions introduced into the Planning Scheme through VC148 (Gazetted in August 2018). Now the particular provisions from Clauses 52, 53 and 57 have been organised into three categories that more clearly recognise their different functions and make them easier to navigate: 1. Provisions that apply only to a specified area (Clause 51). 2. Provisions that require, enable or exempt a permit (Clause 52). 3. General requirements and performance standards (Clause 53). The restructure has resulted in the renumbering of several provisions.

An extensive audit of the overlays is provided in Appendix A, which investigates the recommendations of the previous 2011 Review and provides updated recommendations, summarised in the key findings below.

Generally, Strathbogie Shire have not sought to utilise the majority of the provisions, only one provision Clause 51.01-Specific Sites and Exclusions being used currently. It is also noted that the Gaming Provisions are the subject of a current Amendment C78, the policy has been prepared taking into consideration the new particular provision structure and requirements introduced by VC148. While the provisions haven't been utilised, they are not necessary for the effective ongoing use of the Strathbogie Planning Scheme.

As a result of this review the only work that is suggested is that all schedules should be updated to meet the requirements of the Ministerial Direction on form and content.

11.5.1. *Findings:*

- Matters that could be addressed are Update Form and Content of Schedules to be consistent with current requirements.

11.6. Background and Incorporated Documents

Background and Incorporated documents have been considered and discussed as part of this review, which is incorporated at Appendix A.

11.6.1. *Findings:*

As a result of the review a number of background and incorporated documents need to be removed due to their inability to be located or due to their relevance. There are also a number of documents that need to be updated to reflect more recent work completed by Council.

11.7. Key Recommendations:

The Review recommends:

- i. Having considered all of the themes and policy topics set out within the PPF structure, as well existing zones, overlays and particular provisions the following matters are considered to be gaps in policy that may need to be explored to provide Council with a robust framework:
 - Council's MPS Section will need to be developed with a clearer land use vision. This land use vision should include engagement with Councilors and reflect the principles of the Council plan (and other documents as appropriate). In particular, the framework plan should be updated to direct policy rather than reflect existing conditions. In undertaking the rewrite we believe that the principles for the review should follow the following rules; These policies must be rewritten to:
 - Remove vague policy directions;
 - Improve clarity, direction concerning how land use and the Strathbogie direction; and,
 - Result in positively framed policies – to encourage rather than discourage unless absolutely necessary.
 - Policies could be updated to ensure provisions meet the Ministerial Direction on form and content.
 - Any background and incorporated documents should be published on Council's website so that external agencies and stakeholders can readily locate and access them
- I. Council undertakes a discrete piece of work to review all DPOs need to be make sure that any future development meets appropriate best practice planning.

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Figure 6: Recommended changes to Planning Scheme from Audit

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
MPS	Include First Nations people recognition in Clause 02.01 Context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MPS	Make minor amendments to the Context (02.01) to include updated economic and population data and the Vision (02.02) to reflect the current Council Plan (2021-2025).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Needs to be updated with new Council plan. Words include reference to 2021/22 Council Plan. <ul style="list-style-type: none"> • Clear land use related work required • Needs to be updated to reference Council Plan Vision and actions. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	They are consistent but no additional value is offered to guide practical outcomes for the Council's vision and direct policy basis. There are limited directions articulated. Work is required to include settlement planning and status of each settlement.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Maps should be updated based on settlement planning of the townships and the manner in which growth should be directed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Update Strategic Framework Plans Land Use Framework Plan (02.04) to include strategic directions for the municipality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MPS	Update Strategic Framework Plans Strathbogie Framework Plan (02.04) to include strategic directions from recently adopted strategic plans.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PPF	Make minor amendments to policy names and content to comply with the Ministerial Direction.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PPF	Amendments will be required to implement new work that has been undertaken.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PPF	Gaps in the scheme at Clause 12 is <ul style="list-style-type: none"> • Development around waterbodies (rivers and lakes) • Landscape protection 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PPF	Delete policies in 13.02-1 which are unnecessary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PPF	Reword policies at 14.01-1L Housing and House lot excisions for clarity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
Zones				
Zones	Rezone Violet Town and Avenel to GRZ and insert character into schedules as required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zones	Work on schedules where they apply to townships (in particular Strathbogie and Longwood)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zones	Apply to Violet Town and Avenel (rather than Township Zone) and insert character into schedules as required. Utilisation of the schedules and neighbourhood character statements are recommended	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zones	RLZ1 - The schedule should be updated to have a specified amount and not refer to Clause 43.04. A map should also be produced to aide this schedule for clarity. The schedule should contain a floor area for clarity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zones	RLZ 2 requires updates need to occur to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays				
Overlays	ESO1 – needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	ESO2 – needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	ESO2 - Through consultation it was revealed that none of the other township wastewater management facilities have appropriate buffers. <ul style="list-style-type: none"> • The entire application of the ESO should be reviewed and extended to other facilities. • Exemptions and application should be reviewed • Application requirements should be inserted • Referrals should be updated in accordance with the overlay. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	ESO Gap – need to map and insert potable water supply areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	VPO1 - Should update to remove where there are double ups from 52.17 to delete dot points 3, 5, 6 at 4.0 – Application requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	VPO2 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	DPO1 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	DPO2 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
Overlays	DPO3 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	DPO4 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	DPO5 - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Other work – DPOs need to be reviewed to make sure that any future development meets appropriate best practice planning.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	EMO - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	FO - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	LSIO - needs to be updated to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	PAO1 – can be deleted. Project is completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	AEO2 – Additional exemptions are warranted	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Particular provision				
Particular provisions	Schedule 1 to 51.01 (Specific site and exclusions) requires redrafting to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Particular provisions	Schedule to 52.17 (Native Vegetation Removal) requires redrafting to comply with MD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operational provisions				
Operational provisions	Nil.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION E: STRATEGIC WORK PLAN

12. Previous planning scheme review

12.1. Planning Scheme Review 2018/19

In 2018/19 Council undertook a comprehensive review of its planning scheme. This review included an audit of planning permits as well as consultation.

The Planning Scheme Review identified six major planning issues for the Strathbogie Shire, these included:

- Flooding;
- Bushfire;
- Climate Change, Sustainability and Renewable Energy;
- Infrastructure and Facilities;
- Sustainable Development; and,
- Odour.

Key findings from the planning scheme review were as follows:

- Much of the strategic work identified in the previous planning scheme review (2011) has been completed and implemented into the planning scheme;
- The Municipal Strategic Statement (MSS) content has been updated incrementally as part of planning scheme amendments for specific matters. However, as a result of recent changes and structure of the PPF, it is considered that the Strathbogie Planning Scheme should be rewritten to improve clarity and to include policy directions from key Council adopted documents and strategic planning work, as well as to make changes to the structure and introduction of the PPF;
- There are many opportunities to update and improve the overlay schedule local provisions and schedules, such as including permit exemptions and improving decision guidelines;
- There is an opportunity to improve and update rural land use strategies for the municipality, to ensure that use and development is undertaken in an appropriate manner;
- Much of the strategic work which established township plans for Strathbogie are now at least 10 years old. A program of review is required to consider how these plans are progressing and update, where necessary, relevant aspects;
- The review and audit of planning permits has highlighted a number of opportunities to improve statutory planning processes and the assessment framework and internal processes.

13. Strategic Work Program

This section of the report addresses the 'Strategic Work' program which Council is committed to undertaking as part of the maintenance of the existing planning scheme as an outcome of this Planning Scheme Review.

13.1. Completed Strategic Work

An array of strategic research and analysis has been undertaken in-house or commissioned by Strathbogie City Council since the last scheme review in 2018.

The completed strategic work (with relevance to the land use planning) includes the following:

- Council Plan 2021-2025
- Climate Change Action Plan 2022-2027
- Asset Management Plan 2021/31
- Playground Management Plan (Inventory)
- Sustainable Strathbogie 2030 Strategy and Action Plan
- Violet Town Flood Study Report
- Arts and Culture Strategy (2019-2023)
- Memorandum of Understanding – Strathbogie Shire Council and Taungurung Land and Waters Council
- Mutual Respect Charter (adopted September 2021)
- Electronic Gaming Machine (EGM) Policy Statement (readopted 2020)
- Gender Equality Action Plan 2021-2025
- Strathbogie Shire Council Community Engagement Strategy
- Tracks and Trails Strategy
- Euroa Township Strategy (2020)
- Nagambie Streetscape Plan (2022)

These strategies/plans have been considered in the context of the Review.

In reviewing these documents, it has been considered:

- Whether they should be included as a background document;
- Whether they include information that should be included in the planning scheme;
- Whether this could be addressed through a planning rewrite; and/or,
- Whether they identify the need for further strategic work.

Where appropriate, and land use related, recommendations to incorporate themes into the Planning Scheme.

13.2. Current initiatives of the Strategic Planning Team

In addition to the requirements and aspirations set out within the Council Plan; Council's Planning Unit is managing a raft of other strategic investigations at various development stages. The projects are listed and categorised as Strategic Projects "In Progress" by the Planning and Investment Department, these include:

- Rural Land Use and Rural Residential Strategies (underway);
- Nagambie Industrial Precinct Structure Plan (underway);
- Avenel 2030 (underway)
- Nagambie Growth Management Strategy (underway)

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- Violet Town District Strategic Development Plan (underway)
- Planning Scheme Amendment to incorporate updated Township Management Plans into Planning scheme
- Planning Scheme Amendment C52 – Flooding Controls (underway)
- Planning Scheme Amendment C80 – Private planning scheme amendment to rezone land in High Street Nagambie (underway)
- Planning Scheme Amendment C85 – Private planning scheme amendment to rezone land in Murray Street Nagambie (underway)
- Proposed Combined Planning Scheme Amendment and Planning Permit – Dookie Violet Town Road, Violet Town (underway)
- Proposed Anomalies Amendment
- Proposed Amendment to Update Schedules to the Environmental Significance Overlay
- Update to Council Public Open Space Policy and Preparation of a Council Policy for receiving Developer Works in Kind.

These commitments have a significant impact on the working program for Council's Planning and Investment Department.

13.2.1. Discussion

As part of the Review, Councillors developed and adopted a strategic work plan in March 2019. The proposed work plan has been reviewed as part of the current project and a summary forms Appendix B to this report.

Since 2018/19, strategic work has been completed and adopted at the state, regional and local level. On 3 March 2022 the planning scheme was restructured to make it compliant with the new Planning Policy Framework. DELWP undertook this work in consultation with the Strathbogie planning team.

Since the previous Review the Council has been in an information project phase, with several significant strategic pieces of work being commenced but not completed. This has meant that there has been much policy development reflecting a small, tightly resourced, dynamic team which has been under pressure to deliver on a large workload during a challenging environment (Covid). Reflections on the impact of Covid and the global pandemic are addressed as part of the Statutory Planning review in Appendix C and in the Further Work section of this report (Section 14).

13.3. Key Findings

The Review finds:

- Much of the strategic work identified in the previous 2018/19 Planning Scheme Review has not yet been completed and implemented into the planning scheme.
- The outstanding items have been input and refined into the proposed further work program addressed later in this report outlined at Appendix B.

14. Further Work and Key Priorities

14.1. Further work

A repeated theme to emerge from the consultation, undertaken for this review, was for Council to accumulate all of its strategic research, identify gaps, consult and then prepare a version of the new PPFAs as reflected above, Council has completed a significant amount of strategic work since the last formal review of the planning scheme. Much of the completed strategic work has yet to be implemented into the planning scheme or advanced as amendments to the Strathbogie Planning Scheme as outlined in this report. On that basis, it is recommended that Council develop an integrated approach to its strategic planning to achieve its overarching Council Plan (2021-2025) ambitions in a coordinated manner.

It is clear that Council is seeking to address issues it has identified as being outstanding matters and directly seeking to respond to issues of community concern.

Having noted this, Council must be careful not to over-commit in its strategic work plan. The sequencing of work (and corresponding amendment preparation) is critical. Prioritisation and scheduling of tasks is essential to ensure that issues are addressed comprehensively and coordinated manner.

14.2. Key Findings:

The Review finds:

- Council has an ambitious set of strategic planning work already underway.
- Prioritisation of tasks is critical for the Strategic Planning team to ensure the success of the team and the work program. Appendix B contains a proposed work plan with priorities assigned.

14.3. Recommendation:

- It is recommended, to focus on key priorities the Review has identified the following priorities for Council over the next four years:
 - Finalize the following key projects:
 - Rural Land Use and Residential Strategy
 - Nagambie Growth Management Strategy
 - Nagambie Industrial Precinct Structure Plan
 - Using existing policy and strategy work, the MPS should be rewritten to improve clarity, include policy directions from key Council adopted documents and strategic planning work, and make changes to the structure and introduction of the PPF.
 - Using existing policy work, undertake is an overall growth strategy and framework plan that sets a vision and high-level guidance for land use and development over the next 20 years.

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Further work from VCAT

- Further imbed controls related to township plans into Planning Scheme where the policy exists.
- Undertake a review of its approved Development Plans and approved 'Master Plans for major developments. As part of this review, the following should be considered;
 - whether they align with current best planning practices and regulations; and
 - whether there has been 'scope creep' over years of new approvals or revision of plans

Section F – Appendices

List of Appendices

- Appendix A: Audit of Planning Provisions
- Appendix B: Further work program
- Appendix C: Planning Scheme Audit and Analysis Report
- Appendix D: Consultation responses (verbatim)

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