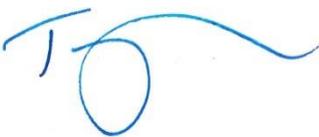


Planning and Environment Act 1987

Infrastructure Design Manual Advisory Committee Report

6 October 2015

Planning and Environment Act 1987
Report pursuant to Section 151 of the Act
Infrastructure Design Manual Advisory Committee Report
6 October 2015

A handwritten signature in blue ink, consisting of a stylized 'T' and 'O' followed by a long, sweeping horizontal line.

Trevor McCullough, Chair

A handwritten signature in black ink, featuring a complex, scribbled initial 'M' and 'K' followed by a long, sweeping horizontal line.

Michael Kirsch, Member

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List of Abbreviations

BDAV	Building Designers Association of Victoria
CFA	Country Fire Authority
DELWP	Department of Environment, Land, Water and Planning
HIA	Housing Industry Association
IDM	Infrastructure Design Manual
LGIDA	Local Government Infrastructure Design Association
MSS	Municipal Strategic Statement
PTV	Public Transport Victoria
SPPF	State Planning Policy Framework
ToR	Terms of Reference
VPP	Victoria Planning Provisions

Executive Summary

(i) Summary

The Infrastructure Design Manual Advisory Committee (The Committee) has been appointed by the Minister for Planning to consider issues associated with the potential implementation of the Infrastructure Design Manual (IDM) into planning schemes across regional Victoria.

The Advisory Committee process complements the work of the panel on Greater Shepparton Planning Scheme Amendment C112 that proposed to implement the IDM into the Greater Shepparton Planning Scheme.

The Terms of Reference require the Committee to provide the following:

- An assessment of the scope of the Infrastructure Design Manual and whether it is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.
- Identification of the extent and scope of any change to the exhibited Infrastructure Design Manual and any recommendations in relation to the Infrastructure Design Manual content.
- Assess the merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.
- Identification and assessment of other planning scheme implementation options including, but not limited to, Municipal Strategic Statement, Local Planning Policy, Reference Document, Incorporated Document, Schedule to Clause 56, new stand-alone Clause 57.
- Advice on the suitability of, and most effective manner for the Infrastructure Design Manual to be included within other regional planning schemes.

The Committee invited submissions from: all non-metropolitan Councils; regional service authorities and referral authorities; and over 530 regional consultants, developers, practitioners and peak industry groups. The Committee also considered all submissions made in relation to the Greater Shepparton C112. 16 new submissions were received in addition to the 31 received in response to Greater Shepparton C112.

New written submissions included:

- All but one submission provided general support for the IDM, including support for its broader implementation.
- Comments on the IDM's relationship to Clause 56 and submissions in support of reviewing Clause 56.
- Requests for changes to content of the IDM.
- The Housing Industry Association (HIA) strongly opposed the inclusion of the IDM in the planning scheme in any form.
- Some submitters relied on their previous submissions to Greater Shepparton C112.

- Submissions relating to the technical content of the IDM, including those from Wannon Water, CFA and PTV were referred to the LGIDA Technical Committee.

The Committee concludes that Clause 56 remains relevant to regional Victoria, but that it should be reviewed, particularly with respect to the currency and completeness of standards. The IDM should complement, but be subordinate to, Clause 56. The Committee also concluded that the introduction of the IDM into regional planning schemes should not be delayed pending a review of Clause 56.

The Committee concluded that the IDM is a technically sound and useful document, the scope of the IDM is appropriate and there are appropriate processes in place to manage, review and update the IDM. The Committee makes a number of recommendations to improve and clarify the context of the IDM.

In terms of the future application of the IDM, the Committee concluded that the IDM should be implemented in relevant regional planning schemes through the Municipal Strategic Statement, and should be included as a reference document.

The Committee believes it is appropriate to implement the IDM on a staged basis utilising the Minister's powers under section 20(4) of the *Planning and Environment Act 1987*.

(ii) Recommendations

The Committee recommends the following actions:

- **The Infrastructure Design Manual be introduced in the Municipal Strategic Statement of regional council planning schemes, generally consistent with the suggested wording contained in Appendix D of this report, and including the Infrastructure Design Manual as a reference document.**
- **The Minister consider the implementation of the Infrastructure Design Manual into regional council planning schemes utilising powers under Section 20(4) of the *Planning and Environment Act 1987*.**
- **The Department of Environment, Land, Water and Planning review Clause 56 of the Victoria Planning Provisions, particularly with respect to the currency and completeness of standards.**

The Committee recommends that the Local Government Infrastructure Design Association make the following changes to the Infrastructure Design Manual:

- **Remove superfluous material that describes planning scheme processes and approvals.**
- **Clarify the role of 'outline development plans' in Clause 4.**
- **Identify and explain any requirements that may vary the relevant Clause 56 standards.**
- **Identify and highlight the objectives and requirements that relate to a planning permit application from those that relate to other approvals.**
- **Review clause 3.2 and remove any information requirements not absolutely essential to making a decision on a planning permit application.**

1 Introduction

1.1 The Infrastructure Design Manual Advisory Committee

The Infrastructure Design Manual Advisory Committee (the Committee) was appointed by the Minister for Planning on 24 May 2015 pursuant to section 151 of the *Planning and Environment Act 1987*. The Committee comprises Mr Trevor McCullough (Chair) and Mr Michael Kirsch.

The purpose of the Committee is to consider issues associated with the potential implementation of the Infrastructure Design Manual (IDM) into planning schemes across regional Victoria.

The Advisory Committee process complements the panel for Greater Shepparton C112 that proposed to implement the IDM into the Greater Shepparton Planning Scheme. That Panel report was released on 17 June 2015.

1.2 Terms of Reference

The Committee's Terms of Reference (ToR) are included at Appendix A of this report.

The ToR set out the key outcomes of the Committee's report as follows¹:

- An assessment of the merits of Greater Shepparton Planning Scheme Amendment C112 and any recommendations in relation to the amendment.
- An assessment of the scope of the Infrastructure Design Manual and whether it is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.
- Identification of the extent and scope of any change to the exhibited Infrastructure Design Manual and any recommendations in relation to the Infrastructure Design Manual content.
- Assess the merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.
- Identification and assessment of other planning scheme implementation options including, but not limited to, Municipal Strategic Statement, Local Planning Policy, Reference Document, Incorporated Document, Schedule to Clause 56, new stand-alone Clause 57.
- Advice on the suitability of, and most effective manner for the Infrastructure Design Manual to be included within other regional planning schemes.
- An assessment of submissions to the Amendment and to the Advisory Committee.
- Any other relevant matters raised in the course of the Advisory Committee hearing.
- A list of persons who made submissions considered by the Advisory Committee.

¹ Terms of Reference paragraph 27

- A list of persons consulted or heard.

Initially it was proposed to run the Greater Shepparton C112 process concurrently with the Advisory Committee. The Greater Shepparton amendment process overtook the Advisory Committee and the Panel report was finalised before the broader Advisory Committee process was commenced. The Advisory Committee requested a change to the ToR to address this change in timing. The Minister approved the revised ToR on 13 September 2015. Appendix A is the revised version.

The Greater Shepparton C112 Panel Report was effectively used as the basis for discussions on the broader Advisory Committee issues.

1.3 The Advisory Committee process

(i) Submissions

In a letter dated 22 July 2015, the Committee invited written submissions from interested parties in relation to the ToR and the Greater Shepparton C112 Panel Report. The invitation was extended to:

- All non-metropolitan Councils.
- DELWP Regional Managers.
- A total of over 530 regional consultants, developers, practitioners and peak industry groups across the State.
- Regional service authorities and referral authorities across the State.

The invitees included those identified in the ToR and all parties invited to submit on Greater Shepparton C112.

These parties were advised that previous submissions made in relation to Greater Shepparton C112 would be considered by the Committee where relevant.

The Committee notes that the Local Government Infrastructure Design Association Incorporated (LGIDA) Technical Committee has considered submissions referred to it from the Greater Shepparton C112 Panel and has made a number of changes to the IDM as a result, included in the recently released Version 4.4.

The invitation process attracted 16 new submissions that are listed at Appendix B. The Panel has also considered the 31 written submissions received in relation to Greater Shepparton C112 (also listed Appendix B) as well as presentations made to the C112 Panel Hearing.

The key issues raised in the new written submissions included:

- All but one submission provided general support, including support for broader implementation.
- Comments on relationship to Clause 56 and submissions to change Clause 56.
- Request for changes to content of the IDM.
- The Housing Industry Association (HIA) submitted that it is premature to give formal recognition to the IDM.
- Some submitters relied on their previous submissions to Greater Shepparton C112.

Submissions relating to the technical content of the IDM, including those from Wannon Water, CFA and PTV were referred to the LGIDA Technical Committee.

(ii) Workshop

The Committee convened a workshop that was held on Thursday 27 August 2015. The purpose of the workshop was primarily to discuss in more detail the most appropriate mechanisms to implement the IDM into planning schemes as required by the ToR.

Table 1 Participants at the workshop

Participant	Represented by
Local Government Infrastructure Design Association	Ralph Kop, Jon Griffin, John Webster
Metropolitan Planning Authority	Tim Peggie
Bass Coast Shire Council	Jodie Kennedy
Latrobe City Council	Jason Pullman, Leanne Khan
Greater Shepparton City Council	Ian Boyle
Macedon Ranges Shire Council	David Nevin, Stuart Grigg
Ballarat City Council	Maya Doherty
Housing Industry Association (HIA)	Mike Hermon
John Keaney	

The Committee also met with Nicole Reynolds (East Gippsland Shire Council) on Monday 25 August 2015 and had informal discussions with DELWP officers regarding the history of Clause 56 and issues with the planning scheme implementation of the IDM.

The key issues raised in the workshop included:

- The HIA reiterated its opposition to including the IDM in the planning scheme.
- General support for including the IDM as a reference document and not an incorporated document.
- General agreement around including references to the IDM in Clause 21 but not an explicit policy in Clause 22.
- Some support for adding reference to the IDM in the SPPF, although an equal number opposed this.
- There were differing opinions about how the IDM should relate to Clause 56, but general agreement that some aspects of Clause 56 should be ‘refreshed’ or brought up to date.
- There was general agreement that some of the planning language should be removed from the IDM, particularly Chapters 3 and 4.
- There was general support to giving Councils an option to opt-in to a State-wide VC amendment to apply the IDM as a reference document, along with references in the MSS.

2 Background

2.1 The Infrastructure Design Manual

(i) Background

The IDM is a joint initiative of Victorian rural and regional Councils to formulate and maintain a set of consistent requirements and standards for the design and development of infrastructure. The IDM is owned and maintained by the Local Government Infrastructure Design Association Incorporated (LGIDA).

The IDM was initiated in 2004 by Campaspe Shire Council, Greater Shepparton City Council and the City of Greater Bendigo. The purpose of the project was to develop a common engineering manual that documented infrastructure standards that could be uniformly applied across the three municipalities.

In December 2006, a draft IDM was exhibited for a seven week consultation period and the first version of the IDM came into use in October 2007.

The use of the IDM subsequently spread to councils in other regions, leading to changes in the IDM structure to provide for local or regional variations, including the use of 'selection' tables.

(ii) Operation

The LGIDA was 'incorporated' in August 2014 and is managed by a Board elected by the member Councils. It operates under a set of 'rules', a copy of which was provided to the C112 Panel following the Hearing for that Amendment.

The purposes of the LGIDA are to:²

- Develop and maintain an authoritative and comprehensive standard for designing and constructing municipal infrastructure that is consistently used by a wide range of participating Councils and recognised in their planning schemes, and that commands the respect and confidence of all major stakeholders;

- Provide credible and consistent advice to state government and statutory authorities on all matters relating to the provision of affordable and sustainable municipal infrastructure and development;

- Encourage and promote innovation, research and development relevant to the design, construction, maintenance, evaluation and renewal of municipal infrastructure;

- Provide a forum for industry practitioners to share their knowledge and experience and further their professional development by arranging courses, workshops and seminars; and

- Develop and maintain strategic alliances with major stakeholders.

The LGIDA Board appoints a Technical Committee which provides advice on the ongoing development, maintenance and deployment of the IDM. The Board cannot publish, amend

² Rules Local Government Infrastructure Design Association page 5

or withdraw the IDM without having first obtained advice from the Technical Committee, including stakeholder consultation.

The IDM has been the subject of extensive consultation with various industry associations and agencies, together with developers and consultants. The IDM has been progressively reviewed and refined, including various revisions that were made in response to submissions to Greater Shepparton C112.

Importantly, the IDM is intended to operate as a ‘guideline’ document, with scope to vary its standards.

(iii) Existing use of the IDM

As of February 2015, 43 Councils are members of the IDM Association (See Figure 1). 38 of these have formally adopted the IDM. Only five non-metropolitan Councils are not members of the IDM Association at this time: Queenscliff Borough, Hindmarsh Shire, West Wimmera Shire, Moynie Shire and Northern Grampians Shire.

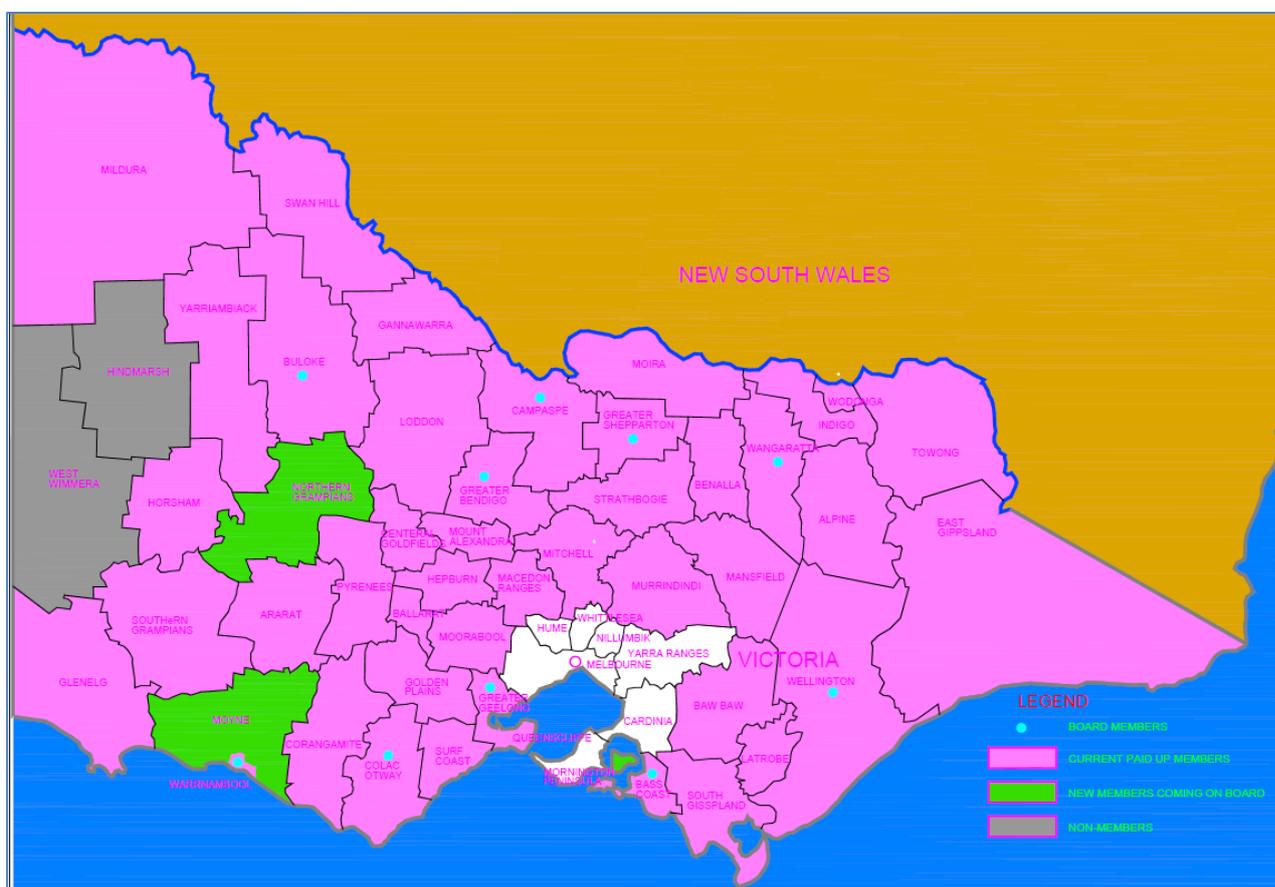


Figure 1 Map showing councils (in pink) that have joined the IDM

The IDM is used on a ‘day-to-day’ basis in member municipalities in the assessment of subdivision and development applications, and the application of planning permit conditions.

According to the LGIDA, 11 municipalities currently have some form of direct reference to the IDM; either as a listed reference document in the MSS, reference in development plans, or otherwise mentioned in the local policy framework.

It was put to the Committee that, in a sense, ‘the horse has bolted’ and what is now needed is a more structured and consistent approach to referencing the IDM.

The Committee believes that, unless a more structured and controlled approach is taken, there is a real risk of widespread ad hoc and potential mis-use of the IDM in regional planning schemes. The Panel has a strong view that any reference to the IDM must be put in the proper context and make clear that the IDM is a discretionary tool and not a set of mandatory controls.

2.2 Greater Shepparton Planning Scheme Amendment C112

(i) Overview

The purpose of Amendment C112 is to augment the existing references to IDM in the Greater Shepparton Planning Scheme.

It was exhibited between October and December 2014 and attracted 31 submissions after having been being very widely notified.

Following its consideration of submissions, Council requested that the Minister for Planning appoint a joint Panel and Advisory Committee to review submissions on Amendment C112, to consider the application of the IDM more broadly within the State and to make recommendations about implementing the IDM in other planning schemes.

The Panel was appointed on 26 February 2015 and consisted of the two Advisory Committee members. Public Hearings were held on 20 and 22 May 2015 and the Panel’s report was released on 17 June 2015.

(ii) Panel report

The Amendment C112 Panel considered many of the matters raised in the Committee’s ToR, and the two reports should be read in conjunction.

The Panel made a number of key findings:

- The IDM is a useful document that should be applied and used within Greater Shepparton.
- The IDM should be implemented through the Greater Shepparton Planning Scheme.
- The IDM should be implemented through the Municipal Strategic Statement, including a brief overview of the IDM, an objective, four strategies and its inclusion as a reference document.
- The IDM should not be an Incorporated Document and should not include any provisions that could be interpreted as being mandatory requirements under the Planning Scheme.
- There would be merit in applying the IDM in other planning schemes and in adopting a consistent approach to how this is done.

- The LGIDA rules and processes provide a sound basis on which to review IDM content issues and to manage updates and revisions.

The Panel recommended that Amendment C112 be adopted, subject to:

- Including more focussed and concise MSS material.
- Reviewing and updating the IDM in response to detailed technical submissions.

In particular, the Panel recommended that the MSS references to the IDM provide very clear context to the IDM as a discretionary guidelines rather than requirements.

3 Planning Context

3.1 Policy framework

The State section of the planning scheme includes a number of general references to infrastructure design:

Clause 15 Built Environment and Heritage

Clause 15.01-03 (Neighbourhood and subdivision design) which includes the objective:

To ensure the design of subdivisions achieves attractive liveable, walkable, cyclable, diverse and sustainable households.

Clause 18 (Transport) which includes:

Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

Clause 19 (Infrastructure) which includes:

Growth and redevelopment of settlements should be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Strategic planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Mr Keaney noted that the draft 'new format Planning Policy Framework' that was released by the Minister for Planning for comment in 2014 includes a section on 'Infrastructure design' that includes the 'strategic planning guideline':

Prepare infrastructure design manuals or guidelines to apply to subdivision and development.

Within the Particular Provisions in all Victorian planning schemes there is a collection of particular design requirements and guidelines that form the overarching framework for development approvals in specific circumstances. Of particular relevance to residential development is ResCode - comprising Clauses 54 (One dwelling on a lot), 55 (Two or more dwellings on a lot and residential buildings) and 56 (Residential subdivision). The main area of potential overlap with the IDM arises with Clause 56, although the IDM applies more broadly than Clause 56, and includes residential, commercial and industrial subdivision and development.

3.2 Clause 56

Clause 56 (Residential subdivision) applies to subdivision applications in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone, and any Comprehensive Development Zone or Priority Development Zone that provide for residential development.

It includes objectives and standards in relation to:

- Subdivision site and context description and design response (Clause 56.01)
- Policy implementation (Clause 56.02)
- Liveable and sustainable communities (Clause 56.03)
- Lot design (Clause 56.04)
- Urban landscape (Clause 56.05)
- Access and mobility management (Clause 56.06)
- Integrated water management (Clause 56.07)
- Site management (Clause 56.08)
- Utilities (Clause 56.09).

The IDM includes variations to some elements of Clause 56 and includes cross references to relevant provisions. These issues are discussed in sections 4.1 and 4.2.

3.3 Planning strategies

(i) Plan Melbourne

Plan Melbourne (May 2014)³ includes the following ‘short term’ initiative:

Prepare and implement a new ‘good planning guide’, improving ResCode (Clauses 54, 55, 56 of the Victoria Planning Provisions), to streamline the planning system and protect our suburbs by providing guidance for multi-unit development and the application of the reformed residential zones.

The Committee understands that DELWP prepared a draft brief for a review of Clause 56 in 2013, but that the project is yet to commence.

(ii) Public Transport Guidelines for Land Use and Development (2008)

This document is referenced as a ‘policy guideline’ in Clauses 18.01 (Integrated transport), 18.02-3 (Principal Public Transport Network) and 18.02-5 (Car parking) of the SPPF.

The IDM includes cross references to various elements of the Public Transport Guidelines.

(iii) Engineering Design and Construction Manual for Subdivision in Growth Areas, Growth Areas Authority (2011)

The Manual provides a set of consistent, best practice standards that outline approval and supporting processes for the planning, design and construction of subdivision infrastructure in growth areas. The standards, specifications and processes were developed by the former Growth Areas Authority and Councils in Melbourne’s growth areas, in consultation with industry representatives.

The standards are intended to be applied in planning permits that implement Precinct Structure Plans.

The Committee understands that the Manual has only been used in metropolitan areas, and it is not known if the standards would be applicable to non-metro areas.

³ Initiative 2.1.1 Apply the reformed residential zones

4 Response to Terms of Reference

The ToR includes a number of requirements relating specifically to Greater Shepparton C112. The Panel responded to those issues in the C112 Panel Report and they are not repeated in this report.

The Committee has synthesised the remaining ToR requirements into the key issues that are discussed in this Chapter.

Appendix E to this report provides a summary of the Committee's responses to the ToR.

4.1 Is Clause 56 relevant to regional Victoria?

(i) The issue

The issue is whether Clause 56 has continuing relevance within regional Victoria. This discussion responds to section 16 (b) of the ToR.

(ii) Submissions and discussion

Most submissions, including those from regional Councils, acknowledged that Clause 56 has an ongoing role in regional Victoria, but questioned whether all of the detail, particularly the 'standards', remained current and relevant. These concerns underpinned those submissions that advocated a broader review of Clause 56, particularly the currency and relevance of some standards. This specific issue is discussed in the following section of this report.

Although Clause 56 has a much narrower scope than the IDM, the Committee acknowledges that it is current State policy and agrees that it continues to provide the primary basis for determining residential subdivision applications.

(iii) Conclusion

The Committee concludes that Clause 56 remains relevant to regional Victoria.

4.2 Should Clause 56 be reviewed?

(i) The issues

The issues are whether Clause 56 should be reviewed and what implications this might have for the IDM.

Although this issue was not specifically included in the ToR, it was raised by a number of submitters and the Committee's response is provided in accordance with section 27(g) of the ToR.

(ii) Submissions and discussion

The HIA argued strongly that the IDM should not be given any formal recognition until there has been a broader review of Clause 56 and the Engineering Design and Construction Manual.

Some Councils advocated a broad based review of infrastructure requirements, but supported the use of the IDM in the interim.

As mentioned in Chapter 3, the Committee understands that DELWP prepared a draft brief for a review of Clause 56 in 2013, but that the project is yet to commence.

The Committee agrees that there are some aspects of Clause 56 that may warrant review given that it was drafted in 2001. The Committee does not believe that the objectives will be fundamentally different, although some standards might warrant revision, including whether there should be an opportunity to include alternative standards where this can be justified. Notably, the IDM provides the opportunity for some standards to be varied in response to local circumstances through the inclusion of 'lookup' tables.

A review of Clause 56 might also assess whether there would be merit in broadening its scope (or developing new provisions) to address other forms of subdivision, such as commercial and industrial subdivision. This broader approach was adopted for the IDM.

The Committee does not agree with the HIA that planning scheme references to the IDM should be held over until Clause 56 is reviewed. The timing of any such review is uncertain and the Committee is concerned that if no structured approach is taken to dealing with the IDM in the short term, further ad hoc references will be included by different councils, leading to inconsistent and inappropriate application of the IDM. In particular, there is a need to consistently describe the status and use of the IDM, and to clearly establish that it contains discretionary guidelines and not mandatory requirements.

(iii) Conclusions

The Committee concludes that:

- Clause 56 should be reviewed, particularly with respect to the currency and completeness of standards.
- The structured introduction of the IDM into regional planning schemes should not be delayed pending a review of Clause 56.

(iv) Recommendation

The Committee recommends the following action:

- **The Department of Environment, Land, Water and Planning review Clause 56 of the Victoria Planning Provisions, particularly with respect to the currency and completeness of standards.**

4.3 Is the IDM an appropriate assessment and implementation tool?

(i) The issues

The issues are: whether the IDM is technically sound; whether its scope is appropriate; and whether the processes for reviewing and updating it are adequate.

This section responds to section 27(b) of the ToR.

(ii) Submissions and discussion

Most submitters supported the IDM, particularly regional Councils who advised that it is used on a daily basis. Some submissions raised detailed technical issues, including suggested changes to various standards or the inclusion of new standards. These submitters included

the Country Fire Authority, Wannon Water, the Association of Land Development Engineers, SMEC Australia and Public Transport Victoria. Some Council submissions also raised technical issues with the IDM.

The merits of the IDM were considered by the Greater Shepparton C112 Panel which found that:

The development of the IDM has been a comprehensive, collaborative process to achieve a coordinated and consistent approach to infrastructure provision in rural and regional municipalities. The Panel supports this approach and commends the members of the LGIDA for initiating and developing the IDM.

Some submitters, such as the City of Ballarat highlighted the need to ensure that the IDM is regularly reviewed and updated to reflect 'new trends and best practice'.

The C112 Panel considered this issue and concluded that:

The Panel is also satisfied that the LGIDA Technical Committee process and rules provide an appropriate mechanism for managing, reviewing and updating the IDM.

The Committee supports these findings and is satisfied that the IDM is a technically sound and useful document. The Committee also notes that since the release of the C112 report, the LGIDA has considered various technical content issues raised in the C112 submissions and issued a revised version of the IDM. This confirms the Committee's view that appropriate processes are in place to competently and expeditiously manage, review and update the IDM.

A notable feature of the IDM (in contrast to Clause 56) is that it applies to a range of subdivision types, not just residential subdivision. The Committee believes that the scope of the IDM is one of its key strengths and agrees with the East Gippsland Shire Council that:

The IDM provides the ability to translate and use the guidelines within all zones, including industrial and commercial development and allows for the consideration of the incorporation of best practice and sound engineering design into the planning permit process.

In relation to the technical issues raised in submissions to the Committee, the Committee adopts the approach of the C112 Panel which referred the consideration of technical issues to the LGIDA. The Committee encourages the LGIDA to review the changes sought in submissions and to issue a further revision of the IDM if appropriate.

(iii) Conclusions

The Committee concludes that:

- The IDM is a technically sound and useful document.
- The scope of the IDM is appropriate.
- There are appropriate processes in place to manage, review and update the IDM.

4.4 Should the IDM be implemented in regional Victoria?

(i) The issue

The issue is whether the IDM should be implemented in regional Victoria.

(ii) Submissions and discussion

There was general support in Council submissions for implementing the IDM as part of the planning approvals process in regional planning schemes. There was also support for adopting a consistent approach to implementing the IDM. The Greater Shepparton C112 Panel noted that:

The IDM is a well-considered resource that is extensively used in Greater Shepparton as well as in many other rural and regional Councils in Victoria. It assists Councils, applicants and other stakeholders to achieve appropriate and consistent infrastructure standards.

It also concluded that the IDM 'is a useful resource that warrants recognition in the Greater Shepparton Planning Scheme and potentially in other rural and regional planning Schemes'.

The Housing Industry Association (HIA) and the Building Designers Association of Victoria (BDAV) expressed concerns that providing the IDM formal status as part of the planning approval process would increase delays, inefficiencies and development costs. In this context, the HIA submitted that the IDM would have:

...the real potential to be misused and cause unnecessary delays and add undue excessive cost to the front end of any application to which it is applied as local government planners, unwittingly most likely but nonetheless, will use the IDM as a tool to request detailed engineering as part of Section 54 More Information (Request for Further Information) that does not add value to the initial assessment and determination of a planning application.

The Greater Shepparton C112 Panel considered this issue and concluded that:

...there was almost universal support for the IDM in submissions, although the HIA raised concerns about 'process' issues. These concerns were not substantiated and are not a basis for abandoning the Amendment. The Panel does not accept that the IDM will create higher up-front costs but rather should increase the level of certainty about what is required, reduce the need for design rework and reduce planning permit timeframes.

The Committee agrees with the Greater Shepparton C112 Panel that the IDM should be implemented in regional Victoria. Doing so will provide a more up to date set of residential subdivision standards, while addressing the lack of planning scheme guidance for non-residential subdivisions.

In relation to the HIA and BDAV submissions, the Committee was not presented with any evidence to substantiate these concerns, or to demonstrate that Councils using the IDM are requesting unnecessarily detailed information in support of planning permit applications. Nevertheless, the Committee agrees that this could be an issue that warrants further consideration and ongoing monitoring by the LGIDA and member Councils. This issue is also discussed in more detail in section 4.7, where the Committee recommends changes to the IDM relating to 'information requirements'. The Committee does not believe that the concerns raised by the HIA and BDAV warrant a recommendation against the implementation of the IDM.

(iii) Conclusion

The Committee concludes that the IDM should be implemented in regional Victoria.

4.5 How should the IDM be implemented?

(i) The issue

The issue is how the IDM should be implemented in regional planning schemes. This section responds to section 27 (d), (e) and (f) of the ToR.

(ii) Submissions and discussion

What status should the IDM have?

Council submissions generally supported the IDM being given an elevated status in regional planning schemes, although there were varying proposals for how it should be done. These options were foreshadowed in the Committee's ToR, which included implementation through: Municipal Strategic Statements; Local Policy; inclusion as a Reference Document; a schedule to Clause 56; or a new stand-alone clause.

Before discussing those options, it is appropriate that the Committee provide its views on what planning scheme 'status' the IDM should have. The Committee agrees with submitters and the C112 Panel that the IDM is a 'guidance document' and that its use should be discretionary rather than mandatory. There has not been any support for including the IDM as an Incorporated Document, although some Council's submitted that it should be referenced in the SPPF.

In relation to residential subdivision, the Committee believes that the IDM should complement, but be subordinate to, Clause 56, and that any IDM variations to Clause 56 standards need to be clearly justified against the relevant Clause 56 objective as part of the planning permit process. The Committee is satisfied that this approach is consistent with Clause 56 which includes:

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

The Committee believes that the IDM could itself include some of that higher level, rather than site specific, justification for variations. In adopting this view, the Committee notes that the nature and extent of variations are fairly limited (refer to Appendix C).

The Committee is satisfied that any planning scheme references to the IDM should be consistent with this approach.

State Planning Policy Framework

Some submitters believed that the IDM should be referred to in the SPPF and attributed significant statutory weight, comparable to Clause 56. They submitted that this would be important in the context of defending IDM standards at the Victorian Civil and Administrative Tribunal (VCAT).

Adopting this approach would require that the IDM effectively become 'State policy'. While that might be an option in the future, the Committee does not believe that it should occur at the moment or as a result of this Advisory Committee process. Such a fundamental change to the status of the document and the operation of the VPP would need to follow a broader

review of Clause 56, including an assessment of whether subdivision controls (such as Clause 56) should also be applied to non-residential land uses, and the need and justification for variations between 'State' standards and the IDM's regional standards. The Committee believes that is not necessary at this time as it has not been demonstrated that the current controls are substantially flawed. The Committee prefers refinement of the current controls and inclusion of the IDM through appropriate MSS objectives and strategies.

The Committee also believes that if it were to be afforded a higher level status in the planning scheme, the IDM would require significant refinement so that it is focussed on planning approval outcomes and is not a 'whole of Council' set of engineering standards and processes. As the HIA noted, it would not be appropriate to include an 'engineering document within the framework of the VPPs'.

Clause 56 or a new standalone 'subdivision' clause

For the same reasons discussed in relation to referencing the IDM in the SPPF, the Committee does not believe that the IDM should form the basis of a revised Clause 56 or a new standalone subdivision clause. This situation may change in the future, but would require a broader review of subdivision provisions and infrastructure requirements. For the time being, the Committee is satisfied that the IDM can live comfortably along side Clause 56 and other planning provisions, provided that its role is qualified in the MSS.

Municipal Strategic Statement or Local Planning Policy

Most submitters supported the recommendation of the Greater Shepparton C112 Panel that the IDM be implemented through a consistent set of MSS provisions.

During the Advisory Committee process, some submitters proposed that the IDM be given additional status in a Local Planning Policy. The Committee does not support this approach and is satisfied that including IDM material in the MSS is sufficient. To include it in a Local Planning Policy would be needlessly repetitive and would be difficult for those Councils that no longer have Local Planning Policies.

In the longer term, there may be scope to create a Local Planning Policy (or a set of MSS 'policy guidelines') that seek to implement specific elements of the IDM (rather than rely on it as a document that sits outside the planning scheme), but the merits of this approach would need to be weighed against other options such as a revised Clause 56 or a standalone clause in the General Provisions.

The Committee concludes that the approach recommended in the Greater Shepparton C112 Panel Report is the most appropriate, and the IDM should be introduced into regional planning schemes through the MSS. The Committee has included suggested draft wording at Appendix D of this report, although it is acknowledged that the wording may need to be tailored to a degree to fit into each individual MSS.

The important components of the MSS material are:

- Explanatory text that provides a context for infrastructure provision and the use of the IDM.
- An overarching objective in support of 'clear and consistent infrastructure guidelines'.

- Strategies that encourage new subdivision and development that are consistent with the IDM.
- Introducing the IDM as a reference document.

Most importantly, any reference to the IDM should not provide it with status beyond that of a guideline document. The MSS should not, for example, state that subdivision or development must be 'in accordance with the IDM'.

Reference Document or Incorporated document

For the reasons outlined earlier, the Committee believes that the IDM should be included as an MSS Reference Document and not an Incorporated Document at Clause 81. Nevertheless, some submitters, such as Macedon Ranges Shire Council, questioned whether this approach is consistent with Planning Practice Note 13: *Incorporated and Reference Documents* (PPN13) which establishes that reference documents, by themselves, typically have a very limited role in decision making. In this context, the Committee agrees that simply including the IDM as Reference Document provides it with little or no statutory weight, certainly not to the extent sought by Councils. Instead, the status of the IDM is provided by the proposed MSS objective and strategies, particularly the strategy:

- Encourage new subdivision and development that has regard to the objectives and requirements of the IDM or an approved Precinct Structure Plan.

This strategy foreshadows that Councils will have regard to the IDM and encourages outcomes that are consistent with it. In this context, the Committee believes that the IDM will function in a similar manner to the 'policy guideline' documents in the SPPF. In adopting this approach, the Committee is mindful that PPN13 describes a number of factors that can be used to test how much weight is given to a document that is not incorporated, including:

- the relationship and relevance between the objectives sought by the planning scheme and the objectives of the document
- the amount of public scrutiny the document has been subject to
- the strategic basis for the document
- the availability of the document
- the currency of the document and whether or not it has been superseded by more recent studies or guidelines.

The Committee is satisfied that an assessment of these factors, in conjunction with the proposed MSS objective and strategies, will provide the IDM with an appropriate level of planning schemes status.

A process for implementing the IDM

The Committee believes that the approach for implementing the IDM that was recommended by the Greater Shepparton C112 Panel provides a suitable model for how amendments to other planning schemes should be configured. Depending on the content and structure of other planning schemes, there might need to be variations to the Greater Shepparton model, but its essential elements, including brevity and clarity, should be retained. Above all else, it needs to be clear that the IDM is a 'guideline document' and does not impose any mandatory requirements. Suggested MSS wording is shown in Appendix D.

The Committee believes that the Minister could consider approving these amendments under section 20(4) of the *Planning and Environment Act 1987*. This is particularly so where a Council:

- Has formally adopted the IDM
- Is a member of the LGIDA
- Has consistently applied the IDM over a period of time, and
- Can demonstrate general support for using the IDM as a 'guideline' document within the local development community.

If these conditions are not able to be met, the IDM should be introduced through the normal planning scheme amendment process.

There would also be significant efficiencies in approving a number (or all) of the necessary amendments in a group or in batches, rather than individually. This could be done on an opt-in basis, with DELWP inviting relevant Councils to be part of a GC amendment process. Ultimately this would require an analysis of administrative and resourcing issues best undertaken by DELWP, however, the Committee believes the process of implementing the IDM should be as quick and efficient as possible.

(iii) Conclusions

The Committee concludes that:

- The IDM should be implemented in relevant regional planning schemes.
- The IDM should complement, but be subordinate to Clause 56.
- The IDM should not be an Incorporated Document and should not include any provisions that could be interpreted as being mandatory requirements under the Planning Scheme.
- The IDM should not be referenced in the State Planning Policy Framework at this time.
- The IDM should not be included in Clause 56, nor as a new clause in the Particular Provisions.
- There should be a consistent approach to how the IDM is implemented, based on the approach recommended by the Greater Shepparton Amendment C112 model.
- The IDM should be implemented through the Municipal Strategic Statement, including a brief overview of the IDM and an objective and inclusion of the IDM as a reference document.
- Planning scheme amendments to implement the IDM could be approved under section 20(4) of the *Planning and Environment Act 1987*.

(iv) Recommendations

The Committee recommends the following actions:

- **The Infrastructure Design Manual be introduced in the Municipal Strategic Statement of regional council planning schemes, generally consistent with the suggested wording contained in Appendix D of this report, and include the Infrastructure Design Manual as a reference document.**

- **The Minister consider the implementation of the Infrastructure Design Manual into regional council planning schemes utilising powers under Section 20(4) of the *Planning and Environment Act 1987*.**

4.6 Should there be further refinements to the IDM?

(i) The issue

The issue is whether the IDM should be revised further. This section responds to section 27 (c) of the ToR.

(ii) Submissions and discussion

In light of submissions to the Committee and its review of the IDM, the Committee believes that the IDM warrants further revision, in addition to the recommendations of the Greater Shepparton C112 Panel.

In particular, Macedon Ranges Shire Council raised concerns about Clauses 3 and 4 of the IDM and the extent to which they include ‘terms and descriptions of planning processes which are not applicable or current to all participating Councils.’ This was particularly so in relation to the Outline Development Plan requirements. Macedon Ranges submitted that these Clauses should be removed in their entirety. The Committee shares this concern and agrees that describing ‘planning scheme’ processes in the IDM is unnecessary and potentially confusing. The Committee believes that the LGIDA should review Clause 3 and remove superfluous ‘planning scheme’ related material. It may be sufficient to simply include a reference to State documents such as *Using Victoria’s Planning System, 2015* and *Writing Planning Permits, 2007*. The Committee also believes that the purpose of Outline Development Plans (Clause 4) and when they might be required need to be clarified.

The HIA submitted that the IDM should be separated into two parts: distinguishing between statutory planning requirements and detailed engineering requirements. It expressed concern, for example, about Councils requesting unnecessarily detailed engineering information at the planning permit stage and the costs and inefficiencies associated with this. The Committee agrees there is a potential confusion about which elements of the IDM relate to the planning permit process and which relate to other approvals. The Committee believes that the LGIDA should review the content and necessity of the design information required by the IDM in support of planning permit applications. Where necessary, the IDM requirements should be revised or clarified to ensure that only necessary material is required in support of applications. This is discussed in Section 4.7.

(iii) Inconsistencies between Clause 56 and the IDM

There was some discussion at the workshop about inconsistencies between Clause 56 and the IDM.

The Committee does not believe that the degree of inconsistency between the IDM and Clause 56 is a concern. The LGIDA provided the Committee with a comparison of Clause 56 and the IDM that is attached as Appendix C. The Committee agrees with the LGIDA that the number and nature of the variations are limited and that the reasons for the variations are

generally clear. For these reasons the Committee does not believe that there is a need to modify either document to remove inconsistencies.

There was also a suggestion at the workshop that there may be value in clearly identifying in the IDM where it varies from Clause 56. The Committee agrees that this has merit and that it would improve the transparency of applying the IDM in conjunction with Clause 56. It would also be useful for the IDM to spell out why and under what circumstances standards may vary.

(iv) Conclusions

The Committee concludes that the IDM would benefit from a review that seeks to:

- Remove superfluous material that describes planning scheme processes and approvals
- Clarify the role of 'outline development plans' in Clause 4
- Identify and explain any requirements that may vary the relevant Clause 56 standards
- Identify and highlight the objectives and requirements that relate to a planning permit application from those that relate to other approvals.

(v) Recommendations

The Committee recommends that the Local Government Infrastructure Design Association make the following changes to the Infrastructure Design Manual:

- **Remove superfluous material that describes planning scheme processes and approvals.**
- **Clarify the role of 'outline development plans' in Clause 4.**
- **Identify and explain any requirements that may vary the relevant Clause 56 standards.**
- **Identify and highlight the objectives and requirements that relate to a planning permit application from those that relate to other approvals.**

4.7 Information requirements

(i) The issue

The issue is whether the IDM should require additional information in support of planning permit applications.

This section responds to section 27 (c) of the ToR.

(ii) Submissions and discussion

Clause 3.2 of the IDM requires certain information in addition to the requirements under Clause 56.01 (Subdivision Site and Context Description and Design Response) of the VPP.

As discussed earlier, the HIA expressed concerns about whether implementing the IDM would create unnecessary information requirements from Councils as part of the planning permit application process. In this context, Clause 3.2 of the IDM seeks the following additional information:

- The interval of contour information as per Table 1
- Details of onsite wastewater management systems
- Levels on the adjacent lot where lot filling or construction of structures may impact overland flow of drainage waters
- Details of impervious surfaces.

The Panel agrees with the HIA that in most cases this level of information is simply not necessary to determine a planning permit application, and can reasonably be provided later in the approval process. If such detailed information is required it can be included in a permit condition, but it should not delay the issuing of a (conditional if necessary) permit.

The Committee believes that these information requirements in Clause 3.2 of the IDM should be reviewed by the LGIDA and removed as a pre-requisite unless absolutely essential to assessing a permit application.

(iii) Conclusion

The Committee concludes that:

- The LGIDA should review Clause 3.2 of the IDM and remove any information requirements not absolutely essential to making a decision on a planning permit application.

(iv) Recommendations

The Committee recommends that the Local Government Infrastructure Design Association make the following changes to the Infrastructure Design Manual:

- **Review Clause 3.2 and remove any information requirements not absolutely essential to making a decision on a planning permit application.**

Appendix A Terms of Reference

Terms of Reference

Infrastructure Design Manual Advisory Committee

Infrastructure Design Manual Advisory Committee

Version: 6 – 24 July 2015

Advisory Committee appointed pursuant to Part 7, Section 151 of the Planning and Environment Act 1987 to report on Greater Shepparton Planning Scheme Amendment C112 and potential implementation of the Infrastructure Design Manual into planning schemes across Victoria.

Name

1. The Advisory Committee is to be known as the 'Infrastructure Design Manual Advisory Committee'.
2. The Advisory Committee is to have members with the following skills:
 - a. Strategic and statutory planning.
 - b. Understanding of infrastructure provision issues faced by rural and regional councils.
 - c. Civil Engineering.

Purpose

3. The purpose of the Advisory Committee is to complement the Panel considering submissions on Planning Scheme Amendment C112 introducing the Infrastructure Design Manual to the Greater Shepparton Planning Scheme. As this amendment may form the basis for other planning authorities within the state to implement the Infrastructure Design Manual into their respective planning schemes, the Infrastructure Design Manual Advisory Committee will also advise on the suitability and most effective manner for this to take place.
4. It is expected that the Advisory Committee and the Planning Scheme Amendment will be assessed concurrently and a joint report provided on both matters.

Background

5. The basis of the planning system in the state is the Victoria Planning Provisions (VPPs) which is a 'model' planning scheme that all councils around the state select from in structuring its own local scheme.
6. A key clause in the VPP is Clause 56 which is a mandatory inclusion in every scheme in the state and which deals with 'residential subdivision'. This clause was introduced into all schemes by Amendment VC12 in August 2001 and contains objectives and standards for a variety of subdivision related issues including lot layout, road design, drainage, open space, landscaping, mobility, stormwater management and utilities.
7. The policy settings of some aspects of Clause 56 have moved considerably since it was first introduced with issues including environmental sustainability, water conservation and energy efficiency increasingly important. This is an opportunity to consider whether Clause 56 as it applies to development in regional Victoria is the most appropriate way to provide municipal infrastructure.
8. In September 2004, Campaspe Shire, Greater Shepparton City and Greater Bendigo City Councils began to develop a common engineering manual documenting infrastructure standards that could be uniformly used across the three municipalities. In December 2006 the draft Infrastructure Design

Manual was exhibited for a seven week consultation period. As at October 2014, Version 4.2 of the Infrastructure Design Manual was being used by 43 councils around rural and regional Victoria.

9. The Infrastructure Design Manual is designed to clearly document and standardise regional councils' requirements for the design and development of municipal infrastructure. It also aims to expedite councils' engineering approvals and ensure that minimum design criteria are met in regard to the design and construction of municipal infrastructure by developers and councils alike.
10. Amendment C112 to the Greater Shepparton Planning Scheme was exhibited from October to December 2014. The amendment seeks to formally introduce the Infrastructure Design Manual into the Greater Shepparton Planning Scheme by way of modifications to Clause 21 (the Municipal Strategic Statement) and by including the Infrastructure Design Manual as a 'Reference Document'. The amendment was prepared by council with a view to being used as a 'pilot' for other councils to follow suit.
11. As part of the exhibition process, all rural and regional councils around the state were formally notified. The exhibition process also included the conduct of six information sessions in regional centres. The sessions attracted a good spread of planners, engineers, referral authorities, developers and consultants with over one hundred stakeholders attending in total.
12. A total of 30 submissions (including 10 late submissions) were received to the amendment. A directions hearing was held in relation to the amendment on 12 March 2015 with the Panel Hearing set down for 20 and 22 May 2015.
13. On 12 April 2015 the Minister for Planning advised the Urban Development Industry of Australia (Victoria) that he would consider a review of ResCode and Clause 56 once the updating of Plan Melbourne has been completed.
14. The advisory committee report will assist in determining the issues and matters that may need to be addressed in these reviews.

Method

15. The Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of its report.
16. The Advisory Committee may inform itself in anyway it sees fit, but must consider:
 - a. Greater Shepparton Planning Scheme Amendment C112.
 - b. Whether Clause 56 remains relevant for the provision of municipal infrastructure in regional Victoria.
 - c. The Infrastructure Design Manual provides responsible authorities with a more appropriate tool than the current Clause 56 to assess and implement engineering standards for subdivision.
 - d. The scope of the Infrastructure Design Manual is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.
 - e. The extent and scope of any change to the exhibited Infrastructure Design Manual and how the planning scheme will address updated versions of the Infrastructure Design Manual.
 - f. The merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.
 - g. Other planning scheme options including, but not limited to, Municipal Strategic Statement, Local Policy, Reference Document, Incorporated Document, Schedule to Clause 56 or new stand-alone Clause 57.

- h. The suitability and most effective manner for the Infrastructure Design Manual to be included within Greater Shepparton Planning Scheme.
 - i. The suitability and most effective manner for the Infrastructure Design Manual to be included in other regional and rural planning schemes.
- 17. The Advisory Committee is not expected to carry out any additional public notification or referral, but may do so if it considers it to be appropriate.
- 18. The Advisory Committee must consider all relevant submissions.
- 19. The Advisory Committee is expected to carry out a public hearing.
- 20. The Advisory Committee may conduct workshops or forums to explore design issues or other matters. Any workshops or forums will be a public process and it must consider all relevant submissions and information provided.
- 21. The following parties should be asked to meet with the Advisory Committee:
 - a. Greater Shepparton City Council.
 - b. Infrastructure Design Manual Member Councils.
 - c. Local Government Infrastructure Design Association/Infrastructure Design Manual Board.
 - d. Municipal Association of Victoria.
 - e. Urban Development Institute of Australia (Victoria).
 - f. Metropolitan Planning Authority.
 - g. Housing Industry Association Ltd.
 - h. Submitters.
- 22. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.
- 23. The Advisory Committee may limit the time of parties appearing before it to 30 minutes.
- 24. The Advisory Committee may prohibit or regulate cross-examination.

Submissions are public documents

- 25. The Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it directly until a decision has been made on its report or five years has passed from the time of its appointment.
- 26. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report, unless the Advisory Committee specifically directs that the material is to remain 'in camera'.

Outcomes

- 27. The Advisory Committee must produce a written report for the Minister for Planning providing:
 - a. An assessment of the merits of Greater Shepparton Planning Scheme Amendment C112 and any recommendations in relation to the amendment.
 - b. An assessment of the scope of the Infrastructure Design Manual and whether it is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.

- c. Identification of the extent and scope of any change to the exhibited Infrastructure Design Manual and any recommendations in relation to the Infrastructure Design Manual content.
- d. Assess the merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.
- e. Identification and assessment of other planning scheme implementation options including, but not limited to, Municipal Strategic Statement, Local Planning Policy, Reference Document, Incorporated Document, Schedule to Clause 56, new stand-alone Clause 57.
- f. Advice on the suitability of, and most effective manner for the Infrastructure Design Manual to be included within other regional planning schemes.
- g. An assessment of submissions to the Amendment and to the Advisory Committee.
- h. Any other relevant matters raised in the course of the Advisory Committee hearing.
- i. A list of persons who made submissions considered by the Advisory Committee.
- j. A list of persons consulted or heard.

Timing

- 28. The Advisory Committee is required to complete consultation and hearings no later than 30 business days from the date of the release of the Greater Shepparton C112 panel report.
- 29. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than 30 business days from the completion of its hearings and/or consultations.

Fee

- 30. The fee for the Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the Planning and Environment Act 1987.
- 31. The costs of the Advisory Committee will be met by the Greater Shepparton City Council.

Project Manager

- 32. Administrative and operational support to the Committee will be provided by Greta Grivas, Senior Project Officer, the Department of Environment, Land, Water and Planning, phone 03 8392 6393 and email greta.grivas@delwp.vic.gov.au.


Hon Richard Wynne MP
Minister for Planning

Date: 13/9/15

Appendix B Submitters

Submitters to Advisory Committee process

No.	Submitter
1	Country Fire Authority
2	Wannon Water Corporation
3	City of Ballarat
4	Association of Land Development Engineers
5	Bass Coast Shire Council
6	SMEC Australia
7	East Gippsland Shire Council
8	Housing industry Association Ltd
9	Building Designers Association of Victoria
10	Public Transport Victoria
11	Greater Shepparton City Council
12	Chris O'Brien and Company Pty Ltd
13	Latrobe City Council
14	Moorabool Shire Council
15	Macedon Ranges Shire Council
16	Wellington Shire Council

Submitters to the Greater Shepparton C112 process

No.	Submitter
1	C Kiely (Environment Protection Authority)
2	N Vlahandreas (Alpine Shire Council)
3	G Tierney (Goulburn Broken Catchment Management Authority)
4	N Reiter (City of Ballarat)
5	N Repacholi (Goulburn Murray Water)
6	J McNulty (Shire of Campaspe)
7	D Payes (Urban Development Institute of Australia)
8	J Griffin (Local Government Infrastructure Design Association)
9	S Redman (VicRoads)
10	A Dunn (East Gippsland Catchment Management Authority)

No.	Submitter
11	A Dunn (West Gippsland Catchment Management Authority)
12	M Berry (Glenelg Shire Council)
13	G Hatley (Municipal Association of Victoria)
14	M Hermon (Housing Industry Association)
15	C O'Dwyer (Department of Environment and Primary Industries)
16	T Peggie (Metropolitan Planning Authority)
17	B Butler (Colac Otway Shire)
18	K Nelson (East Gippsland Shire Council)
19	S Sibley (Baw Baw Shire Council)
20	S Davies (Bass Coast Shire Council)
21	B Green (City of Ballarat)
22	J Blight (Spiire)
23	E Bryant (City of Greater Bendigo)
24	L Gervasoni (Moorabool Shire Council)
25	B Hearsey (Wellington Shire Council)
26	D Viney (Country Fire Authority)
27	A Johnson (Department of Environment and Primary Industries)
28	E Kubeil (Shire of Strathbogie)
29	R McAliece (Public Transport Victoria)
30	P Bettess (City of Greater Geelong)
31	Latrobe City Council

Appendix C LGIDA comparison of Clause 56 and the IDM

LGIDA Comparison of IDM Requirements with Clause 56

Clause 56 states that:

“A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.” Where IDM standards relating to residential development vary from those in Clause 56, the IDM is to be considered as providing alternative design solution.

56.01-1 Subdivision site and context description

In addition to the information required by this clause of the planning scheme, the IDM Clause 3.2 (Plans of existing site conditions) requires the following information:

- The interval of contour information as per Table 1
- Details of onsite wastewater management systems
- Levels on the adjacent lot where lot filling or construction of structures may impact overland flow of drainage waters
- Details of impervious surfaces.

56.06-5 Walking and cycling network detail objectives

Standard C18 footpaths, shared paths, cycle paths and cycle lanes should be designed to:

Be of a quality and durability to ensure:

- A minimum 20 year life span

IDM Clause 6.4 Specifications states that:

“Unless otherwise agreed by **Council**, the specifications for assets should ensure that the design life as listed below can be achieved with industry standard maintenance:

Concrete structures generally 80 years”

Concrete footpaths are a standard within the development industry. For these paths to be durable and not crack under traffic during dwelling construction, 125mm thick reinforced concrete is normally used, with a typical useful life of 80 years.

56.06-7 Neighbourhood street network detail objective

Standard C20

The design of streets and roads should (only those dot points where there is a possible variation are mentioned):

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, **the requirements of the relevant fire authority and roads authority must be met**
- Provide a minimum 5m x 5m corner splay at junctions with arterial roads and a minimum of 3m x 3m corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

Table C1 Differences

Access Lane

In relation to Access Lanes, Clause 12.3.1 of the IDM states that:

“Access Lanes as defined in The Planning Scheme are not considered desirable by the **Councils** listed in Selection Table 12.3.1 and should not be provided within **Developments** unless specific approval is obtained from the **Council’s Engineering Department**.”

Roads of width and function similar to Access Lanes may be approved as private roads or common property. However, **Council** may require specific treatment such as fencing, paving and drainage. It is recommended that this issue be addressed as early as possible in the planning process.”

The underlying principle underlying this is clause is that Access Lanes:

“...are considered to be socially undesirable as they provide out-of-sight places where undesirable behaviour often takes place. Where they are approved, specific conditions may be imposed by Council such as open fencing to adjacent properties, planting restrictions etc to create more open and visible environment.”

This is consistent with the objectives of Clause 56 which require that each development:

“... provides a safe neighbourhood street system for all users.”

Access Place

Provision	Clause 56	IDM	Comment
Traffic volume	300-1000 vpd	0-300 vpd	<i>Unlikely to reach greater than this volume given that the maximum length of an access street is 100m e.g. 12 houses @10vpd = 120vpd.</i>
Carriageway width	5.5m with one hardstanding verge parking space per 2 lots or 5.5m wide with parking on one side of carriageway	6.0m. Note CFA require 7.3m minimum unless parking is restricted to one side	
Verge width	7.5m minimum. States a minimum width on one side of 2.5m	3.5m both sides providing services fit in	<i>Issues with fitting services in due to footpaths both sides mean that 3.5m is required</i>
Road reserve width	Not stated	14m	
Footpath provision	Not required if less than 5 dwellings	Required both sides	<i>Disability Discrimination Act requires provision otherwise it could be deemed that discrimination is taking place.</i>

Access Street Level 1

Note that the IDM has only one classification of Access Street due to CFA requirements.

Provision	Clause 56	IDM	Comment
Traffic volume	Level 1 1000 -2000 vpd Level 2 2000 – 3000 vpd	1000-2500 vpd	<i>More realistic traffic volume for rural and regional areas</i>
Carriageway width	Level 1 5.5m with one hardstanding verge parking space per 2 lots or 5.5m wide with parking on one side of carriageway Level 2 7 -7.5m parking both sides	7.3m minimum	<i>CFA minimum is 7.3m</i>
Verge width	Level 1 - 4m Level 2 – 4.5m	3.5m both sides providing services fit in	<i>A 7.3m carriageway in 16m road reserve provides 4.2m verge widths</i>
Road reserve width	Not stated	16m	
Footpath provision	Required both sides	Required both sides	
Cycle path provision	Carriageway designed as shared zone and appropriately zoned	No mandatory cycle path provision. Access Streets are designed to offer a low speed environment suitable for use by cyclists.	

Connector Street Level 1

Provision	Clause 56	IDM	Comment
Traffic volume	3000 vpd	2500 - 6000 vpd	
Carriageway width	3.5m lane width in each direction 2.3m parking lane where parking is required Total 11.6m Additional width where bicycle lane is required	11.6m minimum	<i>Adopted PTV minimum requirements</i>

Verge width	4.5 minimum	6.0m	<i>Additional verge width is required because of shared paths and services Note 4 of Table C1 states that additional width may be required for shared path.</i>
Kerb Profile	Semi mountable	B2	<i>Parking is provided on street so there is no requirement for semi mountable kerb.</i>
Road reserve width	Not stated	24m	
Footpath provision	1.5m path required both sides	2.5m shared path required both sides	<i>If one or more on-road cycle lanes are provided one of the shared paths can be deleted.</i>
Cycle path provision	On road and additional carriageway width required	See footpath provision	

Connector Street Level 2

Provision	Clause 56	IDM	Comment
Traffic volume	3000 - 7000 vpd	6000 - 12000 vpd	<i>The provision of two traffic lanes in each direction means that these roads can accommodate the higher traffic volumes</i>
Carriageway width	3.5m minimum lane width in each direction of travel. 7m minimum carriageway width in each direction of travel where separated by a central median	2 x 7.0m with 6m median.	<i>Similar provision for dual lane carriageway but single lane option in each direction is classified as Connector Street Level 1.</i>
Verge width	6.0 minimum	6.0m	

Kerb Profile	Semi mountable	B2	<i>Parking is provided on street so there is no requirement for semi mountable kerb.</i>
Road reserve width	Not stated	34m	
Footpath provision	1.5m path required both sides and 1.7m bicycle lanes on the carriageway or 2.5m wide shared path on both sides	2.5m shared path required both sides	<i>If one or more on-road cycle lanes are provided one of the shared paths can be deleted.</i>

Splays

Clause 12.5.5 of the IDM states that:

“Splays of suitable dimensions should be provided at all corners of all intersections.

At intersections involving at least one collector road the minimum splay on the intersecting roads is 5m x 5m. At intersecting roads of lesser classification the minimum splay is 3m x 3m. Larger splays may be required to secure traffic safety and/or to accommodate the provision of services.”

There is a minor difference to the planning scheme in that the 5m x 5m splay comes into effect at Collector Street level not arterial road level.

Apart from mentioning safety reasons for the splay, the IDM also recognises that services at intersection may benefit from the larger splay.

Conclusion

While the IDM provides a good deal more detail as to how the alternative solution should be implemented, and covers many areas on which Clause 56 is silent, when dealing with residential subdivisions there are only very minor differences between IDM and Clause 56 of the Planning Scheme

Appendix D Standard MSS insert

XX.X Infrastructure Planning, Design and Construction

The design, management and delivery of infrastructure are key issues for Council. The efficient delivery of infrastructure is a fundamental element in providing affordable and diverse housing, generating economic growth and managing the municipality in a sustainable manner.

Standardised infrastructure design guidelines provide the opportunity to improve the efficient assessment and development of infrastructure. The *Infrastructure Design Manual* prepared by the Local Government Infrastructure Design Association (IDM) has been adopted by Council to assist in this assessment and is included as a Reference Document in this planning scheme.

The IDM includes guidelines for the design and construction of infrastructure within the Municipality, including (among other things) roads, drainage, stormwater, car parking, landscaping, access, earthworks, landscaping, public lighting and intersection infrastructure.

The IDM complements the objectives and standards of Clause 56 for residential subdivision applications. The IDM will also be used to assess subdivision and development applications in all other zones and in the development and assessment of Precinct Structure Plans and development plans.

Objective - Infrastructure

To provide clear and consistent guidelines for the planning, design and construction of infrastructure.

Strategies - Infrastructure

- Encourage a consistent approach to the design and construction of infrastructure across the municipality.
- Encourage an integrated approach to the planning and engineering assessment of new subdivision and development.
- Encourage new subdivision and development that has regard to the objectives and requirements of the IDM or an approved Precinct Structure Plan.
- Encourage the provision of infrastructure that is responsive to township and local character.

Reference Document

Infrastructure Design Manual (as revised), Local Government Infrastructure Design Association

Appendix E Summary of Committee responses to Terms of Reference

ToR requirement (from para 27)	Committee response	Report ref
a. An assessment of the merits of Greater Shepparton Planning Scheme Amendment C112 and any recommendations in relation to the amendment.	The Greater Shepparton C112 Panel recommended that the Amendment be adopted with the IDM introduced through the MSS.	C112 Panel Report
b. An assessment of the scope of the Infrastructure Design Manual and whether it is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.	The IDM is a technically sound and useful document. The scope of the IDM is appropriate. There are appropriate processes in place to manage, review and update the IDM.	Section 4.3 and C112 report
c. Identification of the extent and scope of any change to the exhibited Infrastructure Design Manual and any recommendations in relation to the Infrastructure Design Manual content.	The Greater Shepparton C112 Panel recommended a number of changes to the IDM that have been included in the latest version 4.4. The Committee (and the C112 Panel) received a number of submissions requesting changes to technical details in the IDM. These have been referred to the LGIDA for consideration, and to a large degree have been incorporated in the latest version. The Committee recommends that the LGIDA should further review the IDM to: <ul style="list-style-type: none"> Remove superfluous material that describes planning scheme processes and approvals Clarify the role of 'outline development plans' in Clause 4 Identify and explain any requirements that may vary the relevant Clause 56 standards Identify and highlight the objectives and requirements that relate to a planning permit application from those that relate to other approvals Review clause 3.2 of the IDM and remove any information requirements not absolutely essential to making a decision on a planning permit application. 	Sections 4.6, 4.7

ToR requirement (from para 27)	Committee response	Report ref
<p>d. Assess the merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.</p>	<p>Clause 56 remains relevant to regional Victoria.</p> <p>The IDM should be implemented in relevant regional planning schemes.</p> <p>The structured introduction of the IDM into regional planning schemes should not be delayed pending a review of Clause 56.</p>	<p>Sections 4.1, 4.2, 4.5</p>
<p>e. Identification and assessment of other planning scheme implementation options including, but not limited to, Municipal Strategic Statement, Local Planning Policy, Reference Document, Incorporated Document, Schedule to Clause 56, new stand-alone Clause 57.</p>	<p>The IDM should not be an Incorporated Document and should not include any provisions that could be interpreted as being mandatory requirements under the Planning Scheme.</p> <p>The IDM should not be referenced in the State Planning Policy Framework at this time.</p> <p>The IDM should not be included in Clause 56, nor as a new clause in the Particular Provisions.</p> <p>The IDM should complement, but be subordinate to Clause 56.</p>	<p>Section 4.5</p>
<p>f. Advice on the suitability of, and most effective manner for the Infrastructure Design Manual to be included within other regional planning schemes.</p>	<p>The IDM should be implemented in relevant regional planning schemes.</p> <p>There should be a consistent approach to how the IDM is implemented, based on the approach recommended by the Greater Shepparton C112 model.</p> <p>The IDM should be implemented through the Municipal Strategic Statement, including a brief overview of the IDM and an objective, strategies and inclusion as a reference document.</p> <p>Planning scheme amendments to implement the IDM could be approved under Section 20(4) of the <i>Planning and Environment Act 1987</i>.</p>	<p>Sections 4.4, 4.5</p>
<p>g. An assessment of submissions to the Amendment and to the Advisory Committee.</p>	<p>Assessment of submissions against each issue is contained throughout this report.</p>	<p>Chapter 4</p>

ToR requirement (from para 27)	Committee response	Report ref
<p>h. Any other relevant matters raised in the course of the Advisory Committee hearing.</p>	<p>A number of other matters were raised during the course of the hearings. These are discussed as appropriate throughout the report.</p> <p>One issue raised in submissions that was not explicitly spelt out in the ToR was the need for Clause 56 to be reviewed. HIA, in particular, made submissions on this issue. The Committee concluded that Clause 56 should be reviewed, particularly with respect to standards.</p>	<p>Chapter 4</p> <p>Section 4.2</p>
<p>i. A list of persons who made submissions considered by the Advisory Committee.</p>	<p>As shown in Appendix B</p>	<p>Appendix B</p>
<p>j. A list of persons consulted or heard.</p>	<p>As listed in Section 1.3</p>	<p>Section 1.3</p>