Planning Policy Framework, Integration version March 2014

Revised SPPF with <u>draft</u> *Plan Melbourne* and RGPs included, and showing potential integration of local policy.

This document has been prepared by the SPPF Review Advisory Committee.

This document is based on the Advisory Committee's interpretation of the October 2013 version of Plan Melbourne, and the December 2013 versions of Regional Growth Plans.

The Committee proposes that state policy appears in each scheme, but regional policy appears only in relevant schemes. Local policy would appear only in the scheme to which it applies. All state and regional policy would appear in the Victoria Planning Provisions, but local policy would not.

This version shows the how policy would apply in the:

PLANNING POLICY FRAMEWORK CLAUSE: 01 The operation of the Planning Policy Framework

ABOUT THIS DOCUMENT

This document has been prepared by the SPPF Review Advisory Committee.

It is document a 'work-in-progress' of the Committee for comment. Comments are sought until 23 May 2014. An information package containing and explaining this document as well as general information about consultations and the actions of the Committee can be found on the website of the Department of Transport, Planning and Local Infrastructure at www.dtpli.vic.gov.au/planning. Go to the section listing current planning panels and advisory committees.

The Committee is headed towards an integrated version of state, regional and local policy to replace the SPPF and LPPF and provide a more streamlined and easy to interpret presentation of policy.

The Committee has benefited from feedback on its earlier 'foundation draft'. Two critical issues have emerged:

1. The 'rules of entry into the Planning Policy Framework (PPF), and
2. A more defined approach to language.

Mark up conventions

Clauses in this draft have been marked to identify where the policy has originated:

[10.2p5]	Clause and paragraph number from current SPPF. These policies my have been edited by the Committee.
[New]	New text introduced as part of a policy neutral review of the SPPF by the Committee.
[Update]	New text inserted after consultation with policy owners (State government departments and statutory authorities and agencies).
[PM pg 10] [1.1.1.1]	*Plan Melbourne* page reference or action reference
[RGP]	New text to implement Regional Growth Plans
[DP]	Metropolitan Planning Strategy Discussion Paper, 2012

Rules of entry

New policy must meet each of the rules of entry to be considered for inclusion in the PPF.

Rule 1. Status

1. At a state policy level, the policy must be formally adopted policy of the State Government.
2. At a regional policy level, the policy must be formally adopted policy of the State Government or all the affected councils.
3. At the local policy level, the policy must be formally adopted policy of the relevant planning authority, or the State Government.

Rule 2. Relevance

1. The policy must achieve at least one of the following four objectives:
    (a) facilitate sound, strategic planning and co-ordinated action at State, regional and municipal levels
    (b) facilitate the integration of land use and development planning and policy with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels
    (c) facilitate development
    (d) facilitate positive actions by responsible authorities and planning authorities to meet the planning objectives of Victoria.
2. The policy is best applied through the land use planning and development system.

Rule 3. Drafting

1. The text of the policy must be prepared in a form that meets the drafting conventions of the Planning Policy Framework.

Rule 4. Document references

1. Documents required to make or inform a planning decision, which meet Rule 1, may be included under "Guidelines for decision makers."

2. Documents which do not meet Rule 1, but which form useful background as to why a policy has been drafted in a particular way, may be included as "Background Documents".

Defined language

Strategies

The following matrix of strategy verbs presents the Committee's approach to the use of verbs in strategies based on the policy approach to be taken and the type of action to which the policy is directed. It identifies whether the strategy has a focus of facilitation, regulation, further planning work or identifying matters for consideration.

Matrix of strategy verbs	APPROACH TO BE TAKEN		
	Make it happen (facilitate	Support it happening support)	Control what happens
		(should	must)
ACTION THEMES Build new	Facilitate Provide	Support Create	Require
Repair	Upgrade	Improve	Restore
Reinforce	Maintain	Conserve	Protect Reinforce
Preserve	Reduce (the adverse impact)	Minimise (the adverse impact)	Avoid (the adverse impact)
Decide	Recognise Balance		
Plan	Prepare (a specific type of plan) Plan/design Use (a specific technique or approach)		

Particular provisions

Particular provisions relevant to the policy matter have been listed to aid the decision maker.

Guidelines for decision makers

These include:

1. Relevant matters to be considered

2. Information to be supplied with permit applications

3. Standards that should be met in planning decisions.

Documents to be considered as relevant hold weight in decision making, at the discretion of the decision maker.

Strategic planning guidelines

The strategic planning guidelines are intended to indicate desirable further strategic work within a framework of continuous improvement.

List of strategic planning guideline verbs	a)	Monitor, consider
	b)	Review
	c)	Plan, Prepare (a specific type of plan), Identify
	d)	Use

Background documents

These are reference documents that provide background information to assist in understanding the context within which objectives, strategies and guidelines have been framed.

CONTENTS

01 THE OPERATION OF THE PLANNING POLICY FRAMEWORK

01.01 THE ROLE OF THE PLANNING POLICY FRAMEWORK

01.01-S-01 The role of the Planning Policy Framework

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The Planning Policy Framework must be taken into account when a 'planning authority' prepares an amendment to this scheme or a 'responsible authority' makes a decision under this scheme. [10.3p2]

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities in Victoria. It also informs the investment decisions of all levels of government, private developers and the community. [10.1p1]

The Planning Policy Framework is an important tool in co-ordinating incremental changes to deliver long term strategic outcomes. It elaborates the objectives of planning in Victoria through appropriate land use and development policies that integrate transport, environmental, cultural, social, health and economic factors in the interests of net community benefit and sustainable development. [10.2p1]

The Planning Policy Framework implements the following objectives of the planning framework in Victoria (as set out in Section 4(2) of the *Planning and Environment Act 1987)*: [Update]

(a) *To ensure sound, strategic planning and co-ordinated action at State, regional and municipal levels.* [Update]

(c) *To enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.* [Update]

(d) *To ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.* [Update]

(e) *To facilitate development which achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.* [Update]

(g) *To encourage the achievement of planning objectives through positive actions by responsible authorities and planning authorities.* [Update]

It also incorporates the transport objectives set out in the *Transport Integration Act 2010.* Planning authorities are required by the *Transport Integration Act* to have regard to these objectives (and related decision making principles) when a significant impact to the transport system will likely be caused by the action. This requires land use decisions to have regard to impacts on the current and future development and operations of the transport system.

The Planning Policy Framework sets the priorities to be observed and applied through the administration of planning across the State. [New]

01.02   INTEGRATED PLANNING AND DECISION MAKING

01.02-S-01   The objectives of planning

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The *Planning and Environment Act 1987* and its subordinate legislation is the primary suite of controls by which land use and development is regulated in Victoria. [New]

Planning schemes direct land use activities as well as built form outcomes while regulations direct the process to apply to approvals and reviews of decisions by planning bodies including the Minister for Planning, councils and government agencies. [New]

The objectives of planning in Victoria (as set out in Section 4(1) of the *Planning and Environment Act 1987*) are: [10.2p2]

(a)   *To provide for the fair, orderly, economic and sustainable use, and development of land.* [10.2p3]

(b)   *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.* [10.2p4]

(c)   *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.* [10.2p5]

(d)   *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.* [10.2p6]

(e)   *To protect public utilities and other facilities for the benefit of the community.* [10.2p7]

(f)   *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).* [10.2p8]

(g)   *To balance the present and future interests of all Victorians.* [10.2p9]

The *Transport Integration Act* outlines six transport system objectives:

1.   Social and economic inclusion

2.   Economic prosperity

3.   Environmental sustainability

4.   Integration of transport and land use

5.   Efficiency, co-ordination and reliability

6.   Safety and health and wellbeing.

01.02-S-02   Integrated decision making

Planning authorities and responsible authorities must identify the policies applicable to issues before them and give effect to the policies to ensure integrated decision making. [10.3p3]

Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. [10.4p2]

Councils acting as responsible authorities are required to identify the potential for regional impacts in their decision-making. [10.4p3 part]

Development should not compromise achievement of infrastructure and transport network development plans where this would compromise meeting long-term needs if there are reasonable and fair alternatives to the layout or design of a development. Transport network development plans are produced by public agencies and typically outline an approach to meeting future needs without being committed government policy. [New]

01.02-S-03   Integrated strategic planning

The Planning Policy Framework enables land use and development planning and policy to be integrated with transport, environmental, social, economic, conservation and resource management policies at State, regional and municipal levels. [Update]

Planning should anticipate future infrastructure and transport needs. Planning authorities must ensure that land use and development decisions reinforce the function of the designated Principal Transport Networks reflecting the critical nature of transport and land use integration in determining and supporting urban structure. Planning authorities must have regard to the transport system objectives, decision making principles and any statement of policy principles set out in the *Transport Integration Act 2010* when making a decision that is likely to have a significant impact on the transport system. The requirement for planning authorities to have regard to the objectives and principles in the *Transport Integration Act 2010*. [Update]

The decision making principles of the *Transport Integration Act 2010* are: [Update]

1. Integrated decision making

2. Triple bottom line assessment

3. Equity

4. Transport system user perspective

5. Precautionary principle

6. Stakeholder engagement and community participation

7. Transparency.

Local planning policy should also be informed by municipal public health and wellbeing plans prepared under the *Public Health and Wellbeing Act 2008*. [4.3.2.1]

Councils acting as planning authorities should co-ordinate strategic planning with neighbouring councils and other public bodies to further the objectives of the Planning Policy Framework and make efficient use of planning resources. Strategic plans should address logical planning units having regard to on-the-ground conditions and not artificial boundaries. [10.4p3part]

01.03 STRUCTURE AND APPLICATION

01.03-S-01 Structure of the Planning Policy framework
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The Planning Policy Framework is dynamic and will be built upon as the needs of the community change. [10.1p2]

Clauses 01 to 13 set out the State Planning Policies which apply to all land in Victoria and to particular areas and regions in the State. Regional and local policy applies in addition to statewide policy. [10.3p1]
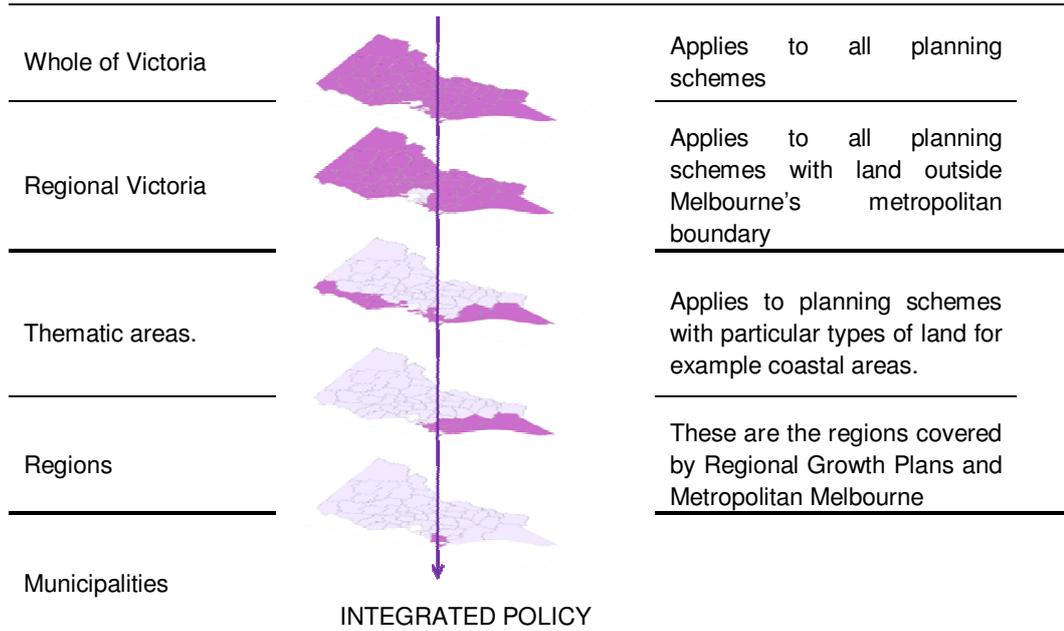
Local policy can also be included in schemes under the relevant headings in the Planning Policy Framework to present consolidated policy settings for a municipality. Local policy in the Planning Policy Framework may refine, but not vary, state or regional policy. [New]

Each subclause can include the following policy elements: [10.5p11]

1. **Objectives** to be achieved. [10.5p12]

2. **Strategies** that outline how the objectives are to be achieved. [10.5p13]

3. **Particular provisions** that may be relevant to the policy. [New]

4. **Guidelines for decision makers** (responsible authorities and planning authorities) that provide specific guidance to be considered, in addition to objectives and strategies, in planning decisions. [10.5p14]

5. **Strategic planning guidelines** that detail what planning authorities should consider in preparing plans or planning scheme amendments. [New]

6. **Background documents** that provide additional information about the objectives and strategies, and have the same status as reference documents in other parts of the scheme. [New]

The subclause may also contain a context statement if some explanation is required to better understand the policy. [New]

FIGURE 1: INTEGRATED POLICY FRAMEWORK

Whole of Victoria		Applies to all planning schemes
Regional Victoria		Applies to all planning schemes with land outside Melbourne's metropolitan boundary
Thematic areas.		Applies to planning schemes with particular types of land for example coastal areas.
Regions		These are the regions covered by Regional Growth Plans and Metropolitan Melbourne
Municipalities		

INTEGRATED POLICY

The Planning Policy Framework is structured around the following themes: [10.5p1]

1. Clause 01 The operation of the Planning Policy Framework [New]
2. Clause 02 Context [New]
3. Clause 03 The planning vision [10.5p2]
4. Clause 04 Environmental values [10.5p3]
5. Clause 05 Environmental risks [10.5p4]
6. Clause 06 Landscape and built environment [10.5p6, 10.5p3part]
7. Clause 07 Heritage [10.5p6part]
8. Clause 08 Housing [10.5p7]
9. Clause 09 Economic development [10.5p8]
10. Clause 10 Community development [New]
11. Clause 11 Open space [New]
12. Clause 12 Transport [10.5p9]
13. Clause 13 Infrastructure [10.5p10]

01.03-S-02   Application of regional policy

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The application of State, regional, area and local policy is shown at 1.03-2: Table 1.

TABLE 1: APPLICATION OF POLICY

	LOCATION	APPLIES TO THE FOLLOWING PLANNING SCHEMES
S	STATE POLICY	All schemes in Victoria.
RV	REGIONAL VICTORIA	All schemes included in R1 to R8 below plus metropolitan fringe planning schemes: Brimbank, Cardinia, Casey, Frankston, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maroondah, Melton, Mornington, Nillumbik, Whittlesea, Wyndham and Yarra Ranges.
A01	COASTAL AREAS	Bass Coast, Bayside, Cardinia, Casey, Colac-Otway, Corangamite, East Gippsland, Frankston, French Island and Sandstone Island, Glenelg, Greater Geelong, Hobsons Bay, Kingston, Mornington Peninsula, Moyne, Port Phillip, Port of Melbourne, Queenscliffe, South Gippsland, Surf Coast, Warrnambool, Wellington and Wyndham,
A02	THE GREAT OCEAN ROAD AREA	Colac-Otway, Corangamite, Moyne, Surf Coast and Warrnambool.
A03	PORT ENVIRON AREAS	Glenelg, Greater Geelong, Hobsons Bay, Maribyrnong, Melbourne, Port of Melbourne and Port Phillip.
A04	ALPINE AREAS	Alpine, Alpine Resorts, Baw Baw, East Gippsland, Mansfield, Murrindindi, Towong and Wellington.
A05	BUSHFIRE AREAS	All schemes included in R1 to R8 below plus Cardinia, Casey, Frankston, Knox, Manningham, Melton, Mornington Peninsula, Nillumbik, Whittlesea and Yarra Ranges.
A06	MELBOURNE'S PERI-URBAN AREA	Bass Coast, Baw Baw, Cardinia, Casey, Golden Plains, Greater Geelong, Hepburn, Hume, Macedon Ranges, Melton, Mitchell, Moorabool, Mornington Peninsula, Mt Alexander, Murrindindi, Nillumbik, Queenscliffe, South Gippsland, Surf Coast, Whittlesea, Wyndham, Yarra Ranges.
A07	MELBOURNE'S GREEN WEDGE MUNICIPALITIES	Brimbank, Cardinia, Casey, Frankston, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maroondah, Melton, Mornington Peninsula, Nillumbik, Whittlesea, Wyndham, Yarra Ranges.
A08	GROWTH AREAS	Casey, Cardinia, Hume, Melton, Mitchell, Whittlesea, Wyndham.
M00	METROPOLITAN MELBOURNE	All schemes included in M1 to M5 below plus Mitchell.
M01	CENTRAL SUBREGION	Melbourne, Stonnington, Maribyrnong, Port of Melbourne, Port Phillip, Yarra.
M02	WESTERN SUBREGION	Brimbank, Hobsons Bay, Melton, Moonee Valley, Wyndham.
M03	NORTHERN SUBREGION	Banyule, Darebin, Hume, Moreland, Nillumbik, Whittlesea.

	LOCATION	APPLIES TO THE FOLLOWING PLANNING SCHEMES
M04	EASTERN SUBREGION	Boroondara, Knox, Manningham, Maroondah, Monash, Whitehorse, Yarra Ranges.
M05	SOUTHERN SUBREGION	Bayside, Cardinia, Casey, Frankston, Glen Eira, Greater Dandenong, Kingston, Mornington Peninsula.
R01	CENTRAL HIGHLANDS REGION	Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees,
R02	G21 REGION	Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast.
R03	GIPPSLAND REGION	Alpine Resorts, Bass Coast, Baw Baw, East Gippsland, French Island and Sandstone Island, Latrobe, South Gippsland and Wellington.
R04	GREAT SOUTH COAST REGION	Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool.
R05	HUME REGION	Alpine, Alpine Resorts, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga.
R06	LODDON MALLEE NORTH REGION	Buloke, Campaspe, Gannawarra, Mildura and Swan Hill.
R07	LODDON MALLEE SOUTH REGION	Greater Bendigo, Central Goldfields Shire, Loddon Shire, Macedon Ranges Shire and Mount Alexander Shire.
R08	WIMMERA SOUTHERN MALLEE REGION	West Wimmera, Horsham, Yarriambiack, Northern Grampians and Hindmarsh.
B01	BELLARINE LOCALISED PLANNING STATEMENT	Greater Geelong, Queenscliffe.
B02	MACEDON RANGES LOCALISED PLANNING STATEMENT	Macedon Ranges.
B03	MORNINGTON PENINSULA LOCALISED PLANNING STATEMENT	Mornington Peninsula.
B04	YARRA RANGES LOCALISED PLANNING STATEMENT	Yarra Ranges.
gnut	INDIVIDUAL PLANNING SCHEME	Each planning scheme will have a unique four letter identifier.