

PROPOSED PLANNING REFORMS OCTOBER 2017



Economic Development,
Jobs, Transport
and Resources



PURPOSE OF TODAY

- Victoria's planning system
- Context – why now?
- Details of proposed reforms
- Question and answers

How to provide feedback:

planning.vic.gov.au/animal-industries

Provide feedback by **Tuesday, 14 November 2017**

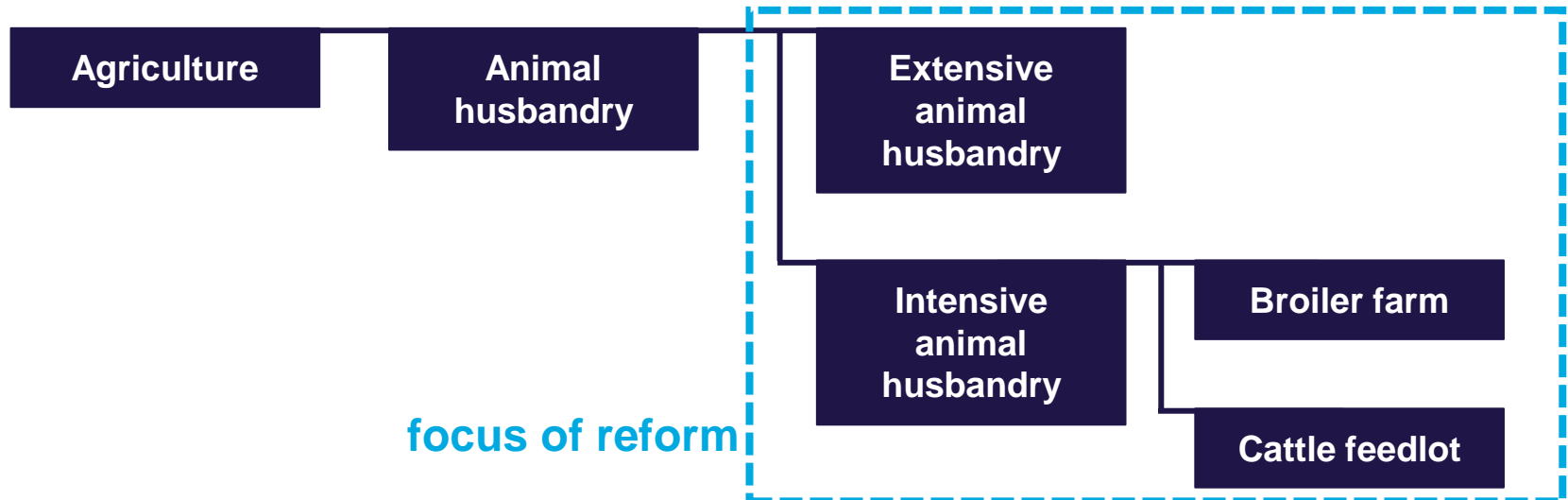
OVERVIEW OF PLANNING SCHEMES



Economic Development,
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LAND USE TERMS

- Land use terms used in the planning scheme are defined in Clause 74.
- A land use term may include other defined terms
- A reference in the planning scheme to one term includes all other 'nested' terms



ZONES – USE

Divided into 3 categories

- Section 1 – planning permit not required
- Section 2 – planning permit required
- Section 3 – prohibited

s.1 and s.2 uses may need to meet conditions:

- s.1 use \neq condition  s.2 use
- s.2 use \neq condition  s.3 use

ZONES - USE (Current terms)

Section 1 – Permit not required

Use	Condition
Agriculture (other than Intensive animal husbandry)	
Cattle feedlot	Must meet the requirements of Clause 52.26. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.

Section 2 – Permit required

Use	Condition
Broiler farm	Must meet the requirements of Clause 52.31.
Cattle feedlot – if the Section 1 condition is not met	Must meet the requirements of Clause 52.26. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Intensive animal husbandry (other than Broiler farm and Cattle feedlot)	

Section 3 – Prohibited

Use
Amusement parlour
Brothel
Child care centre

ZONES - USE (Current terms)

Section 1 – Permit not required

Use	Condition
<u>Agriculture</u> (other than Intensive animal husbandry)	
Cattle feedlot	<ul style="list-style-type: none"> Must meet the requirements of Clause 52.26. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.

Use terms defined in Clause 74

Land use term includes other 'nested' land use terms unless specified otherwise

Section 2 – Permit required

Use	Condition
Broiler farm	Must meet the requirements of Clause 52.31.
Cattle feedlot – <u>if the Section 1 condition is not met</u>	<ul style="list-style-type: none"> Must meet the requirements of Clause 52.26. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Intensive animal husbandry (other than Broiler farm and Cattle feedlot)	

Section 3 – Prohibited

Use
Amusement parlour
Brothel
Child care centre

s.1 → s.2
if the s.1 condition is not met

s.2 → s.3
if the s.2 condition is not met

IMPETUS FOR REFORM



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IMPETUS FOR REFORM

- **Agriculture is changing**
- Principles of planning have not changed:

Support economic development while balancing environmental outcomes and community expectations.



MINISTERIAL ADVISORY COMMITTEE

Animal Industries Advisory Committee

To consider how planning system can better support the establishment and expansion of productive, competitive and market-responsive animal industries in Victoria, while balancing environmental outcomes and community expectations.

- Discussion paper
- 146 submitters – strong engagement from farmers, industry, community
- Public hearings
- Strong expectation for government action

ANIMAL INDUSTRIES ADVISORY COMMITTEE (AIAC) - FINAL REPORT



- 37 recommendations – addresses issues across entire planning process
- Platform for major reform to land use planning for animal industries

GOVERNMENT RESPONSE

12 actions to deliver strategic vision.

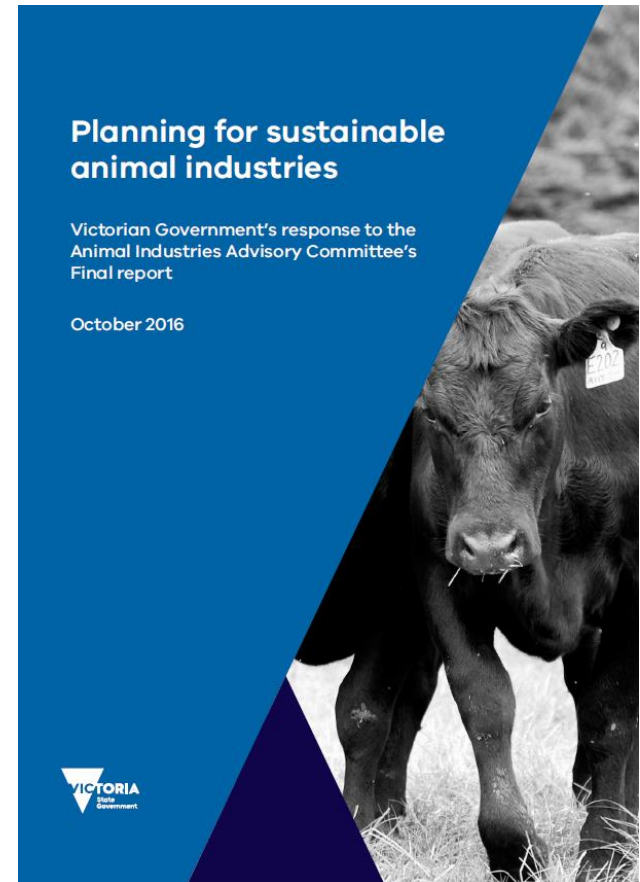
Strategic Vision:

Victoria's animal industries continue to grow in a sustainable manner

Environmental and amenity impacts of animal industries are considered and well-managed through the planning system

Local government is supported to make well-informed decisions

Community has confidence in Victoria's animal industries.



Download at: agriculture.vic.gov.au/planning-animal-industries

PROPOSED PLANNING REFORMS

Proposed planning reforms deliver:

- **Action 3** – Introduce clear land use definitions for animal industries into the Victoria Planning Provisions
- **Action 4** – Take a graduated approach to planning controls based on risk
- **Action 12** – Develop clear guidance to improve quality of planning permit applications and develop model permit conditions to guide local government.

Also:

- Minor amendment to the *Victorian Code for Broiler Farms 2009*

PROPOSED PLANNING REFORMS

View consultation document and submit feedback at:

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QUESTION BREAK

THEN:

PROPOSED REFORMS



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HOW PROPOSED REFORMS HAVE BEEN DEVELOPED

- Animal Industries Advisory Committee
- Consultation
- Implementation Reference Group
- Other regulation
- Other state approaches
- Purpose of Victoria's planning system

CURRENT DEFINITIONS

Extensive animal husbandry Land used to keep or breed farm animals, including birds, at an intensity where the animals' main food source is obtained by grazing, browsing, or foraging on plants grown on the land. It includes:

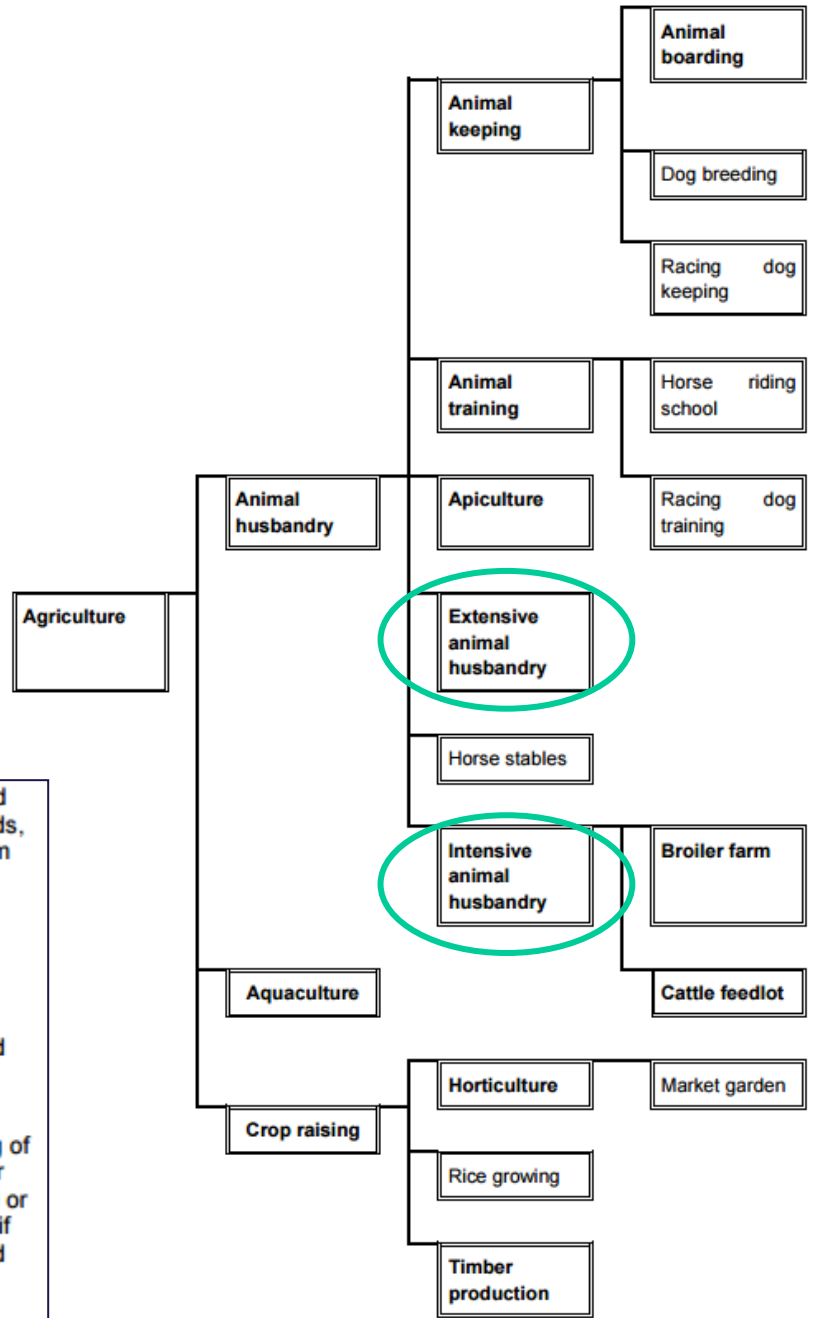
- a) emergency and supplementary feeding; and
- b) the incidental penning and housing of animals, including birds, for brooding, weaning, dipping, or other husbandry purposes.

Intensive animal husbandry Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures. It does not include:

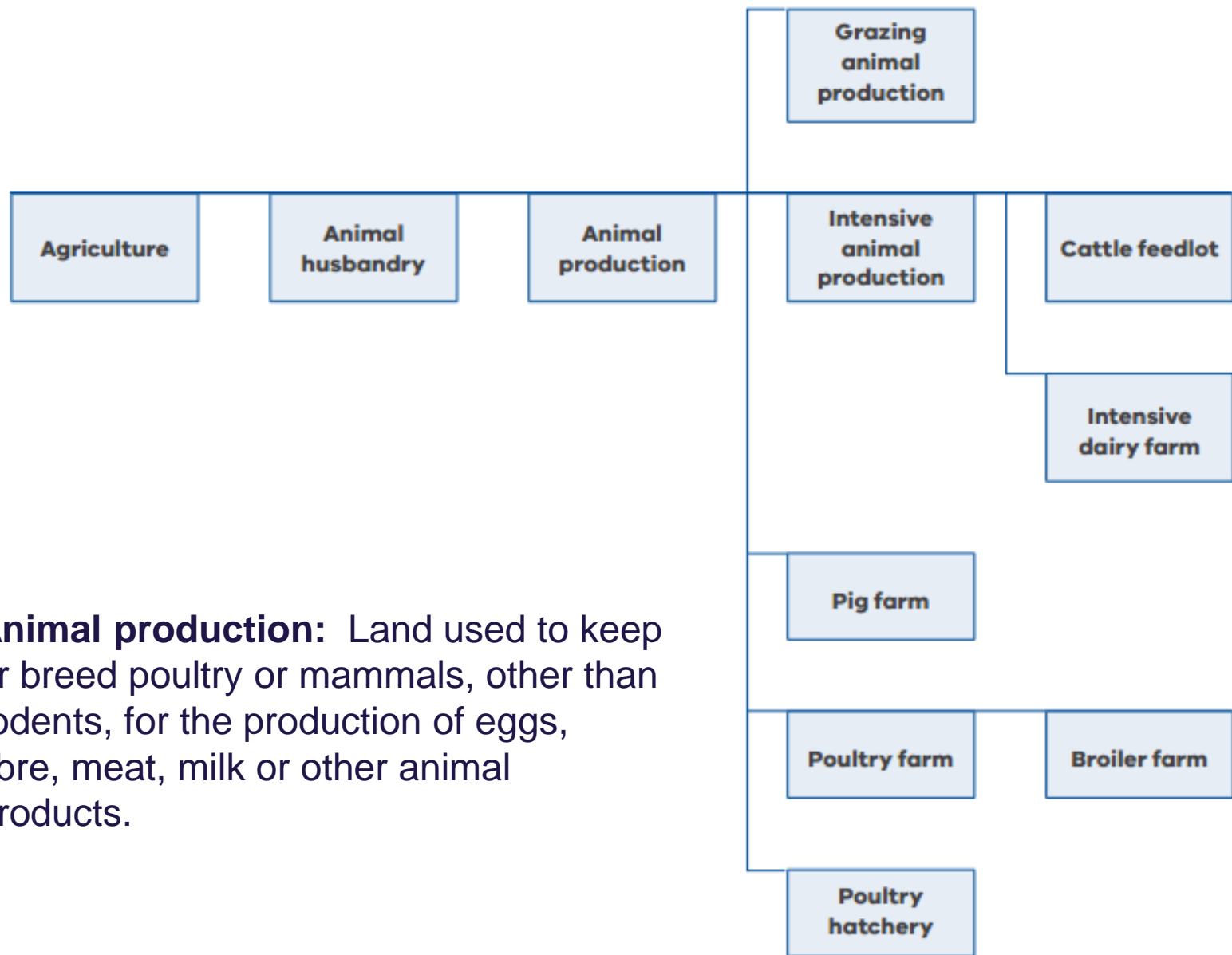
- a) an abattoir or sale yard;
- b) emergency and supplementary feeding if incidental to the use of land for extensive animal husbandry; or
- c) the penning and housing of animals, including birds, for brooding, weaning, dipping or other husbandry purposes if incidental to the use of land for extensive animal husbandry.

What is most?
50%?
Over what time period?

What about 'free range'?



Appendix B | PROPOSED NESTING DIAGRAM



Animal production: Land used to keep or breed poultry or mammals, other than rodents, for the production of eggs, fibre, meat, milk or other animal products.

GRAZING ANIMAL PRODUCTION



Grazing

Land used for animal production where the animals obtain food by directly grazing, browsing or foraging plants growing on the land.

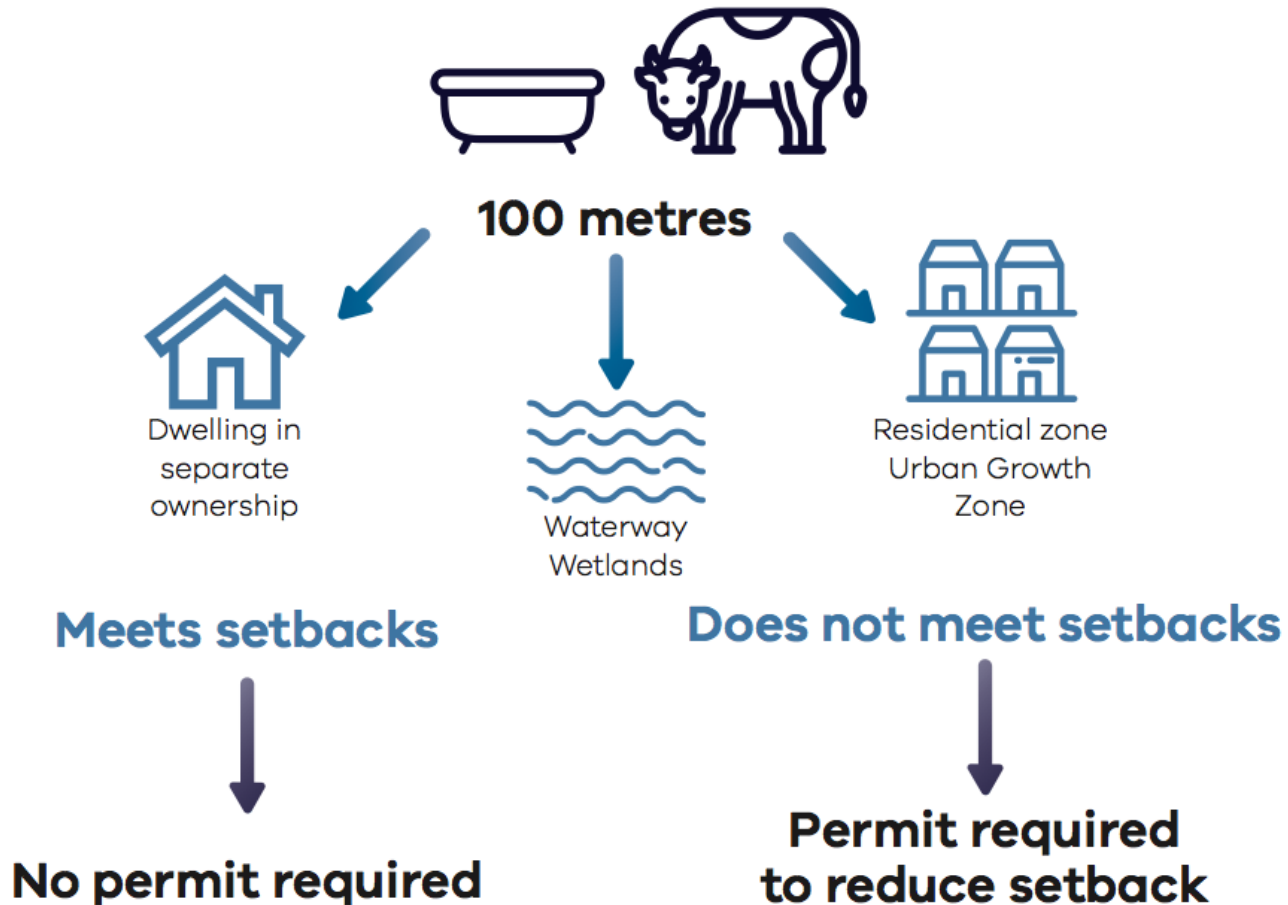
It includes emergency, seasonal and supplementary feeding.

In this definition:

- *emergency feeding* means feeding animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;
- *seasonal feeding* means feeding animals for no more than 6 months within any 12 month period when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;
- *supplementary feeding* means routinely feeding animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.

IF SUPPLEMENTARY FEEDING

No feeding infrastructure in these setbacks:



INTENSIVE ANIMAL PRODUCTION:

Land used for animal production where:

a) **all** of the animals' food is imported from outside the immediate building, enclosure, paddock or pen; and

b) the animals do not obtain food by directly grazing, browsing or foraging plants growing on the land on a daily basis.

Intensive dairy farm

Land used for intensive animal production where cattle are kept or bred for the production of milk.

Cattle feedlot

Land used for intensive animal production where cattle are kept for the production of meat.

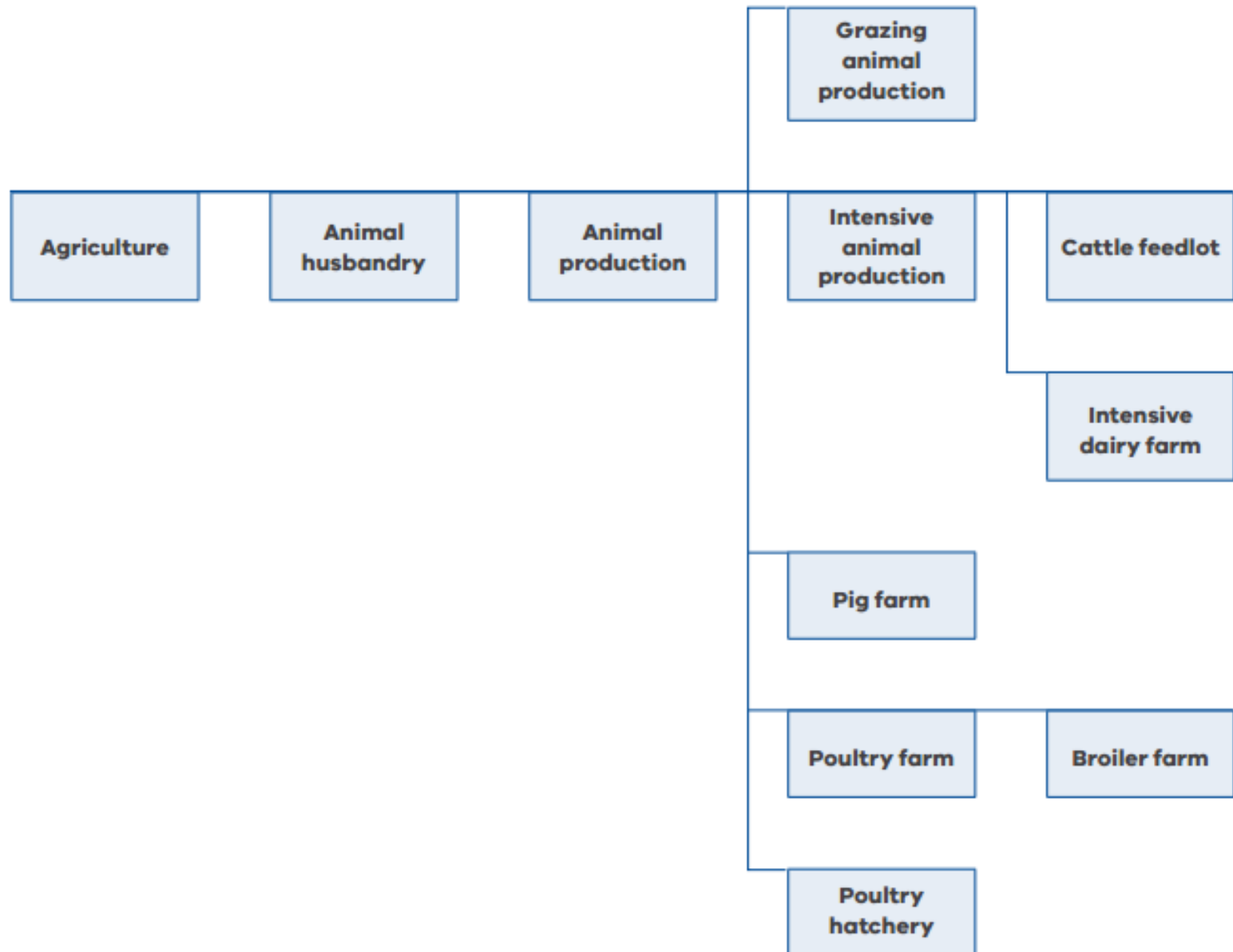


No grazing



Permit required

Appendix B | PROPOSED NESTING DIAGRAM



PIG FARM: Land used to keep or breed pigs for the production of meat.

No permit required

Meet these conditions:

2-4 hectares:

1 sow + 1 boar + progeny
OR 4 pigs

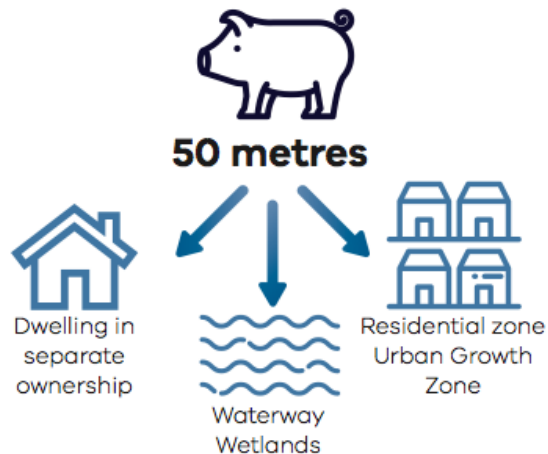
>4-5 hectares:

2 sows + 1 boar + progeny
OR 8 pigs

>5 hectares:

3 sows + 1 boar + progeny
OR 10 pigs

No pigs located in these setbacks:



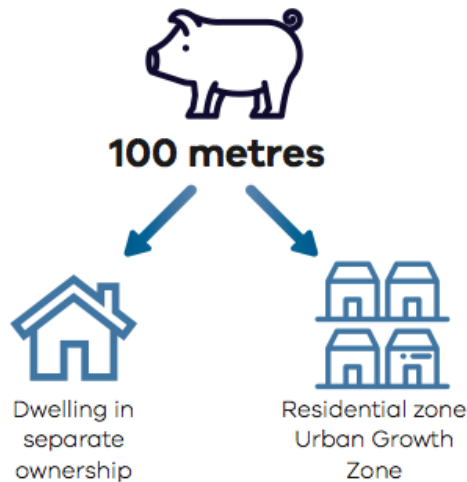
Permit required

Streamlined application process*

Meet these conditions:

No more than 8 sows + 1 boar + progeny

No pigs located in these setbacks:



*Exemption from notice and third party review requirements

Distance of setbacks to waterways will be determined as part of the permit process

Permit required

Standard application process

If the conditions specified for 'streamlined application process' are not met.

POULTRY FARM: Land used to keep or breed poultry for the production of meat or eggs.

No permit required

Meet these conditions:

≤ 200 poultry

≤ 10 emus and ostriches

No poultry housing in these setbacks:



50 metres

No poultry in this setback:



30 metres



100 metres



Dwelling in separate ownership



Residential zone Urban Growth Zone



Waterway Wetlands

Permit required

Streamlined application process*

Meet these conditions:

≤ 450 poultry

≤ 25 emus and ostriches

No poultry housing in these setbacks:



Dwelling in separate ownership



Residential zone Urban Growth Zone

*Exemption from notice and third party review requirements

Distance of setbacks to waterways will be determined as part of the permit process

Permit required

Standard application process

If the conditions specified for 'streamlined application process' are not met.

POULTRY HATCHERY: Land used to incubate and hatch poultry eggs.

BROILER FARM: Land used to keep broiler chickens for the production of meat.

- Propose minor amendment to *Victorian Code for Broiler Farms 2009*
- Consistent planning requirements for free range and conventional broiler farms

OTHER ZONES

Appendix C | SUMMARY OF ZONE CHANGES

	Broiler farm	Cattle feedlot	Grazing animal production	Intensive animal production ¹	Pig farm	Poultry farm	Other animal production uses
Farming Zone	Section 1* / 2	Section 1* / 2*	Section 1	Section 2	Section 1* / 2	Section 1* / 2	Section 2
Rural Activity Zone	Section 1* / 2	Section 1* / 2*	Section 1	Section 2	Section 1* / 2	Section 1* / 2	Section 2
Green Wedge Zone	Section 1* / 2	Section 2*	Section 1	Section 2	Section 1* / 2	Section 1* / 2	Section 2
Green Wedge A Zone	Section 2*	Section 3	Section 2	Section 3	Section 2	Section 2	Section 2
Rural Conservation Zone	Section 2*	Section 3	Section 2	Section 3	Section 2	Section 2	Section 2
Rural Living Zone	Section 2*	Section 3	Section 2	Section 3	Section 2	Section 2	Section 2
Urban Floodway Zone	Section 2*	Section 2*	Section 1	Section 2	Section 2	Section 2	Section 2
Urban Growth Zone	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3
Industrial zones	Section 2*	Section 2*	Section 2	Section 2	Section 2	Section 2	Section 2
Commercial zones	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3
Residential zones	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3	Section 3

¹ Other than *cattle feedlot*.

* If specified conditions are not met, the use becomes a section 2 use (permit required) or section 3 use (prohibited).

ACTION 12 BETTER PERMIT APPLICATIONS & MODEL PERMIT CONDITIONS



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BETTER PERMIT APPLICATIONS

- Improving the quality and relevance of application information
- Little guidance about what information to provide – creates delays
- Published online - along with other information about preparing an application
- Monitored over 18 months
- Other actions may further refine the list or result in more specific, targeted information requirements for different types of farms

MODEL PERMIT CONDITIONS

- Useful for councils and referral authorities to assist drafting planning permits
- Not all of the model conditions will be relevant to every application
- Provide a prompt for planners as they draft permits
- Promote a more consistent approach

UP NEXT: QUESTION AND ANSWER SESSION

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