

1. PREFACE TO REGIONAL STRATEGY PLAN

1.01 Purpose of the Regional Strategy Plan

The purpose of the Regional Strategy Plan is to provide clear directions for the future allocation of public and private resources in the Region within a framework determined by the Government, through its State Planning Policies for the Region. This will enable the needs of the local residents and visitors to be met, while ensuring that State and regional aims are satisfied. The Regional Strategy Plan provides the necessary links between broad Government policies and the more specific local planning controls of the Councils within the Region.

The future role of the Regional Strategy plan is to ensure that planning in the Region continues to protect the special character and features of the Region in accordance with the Principles of Statement of Planning Policy No 3.

The Regional Strategy Plan applies to all the land within the Shire of Yarra Ranges.

1.02 Background

The Upper Yarra Valley and Dandenong Ranges Authority was established with the proclamation, in April 1977, of the *Upper Yarra Valley & Dandenong Ranges Authority Act 1976*. The Region for which the Authority was responsible comprised the former Shires of Healesville, Lillydale, Sherbrooke and Upper Yarra.

With local government restructure in December 1994, the Region generally covered the same area as the municipal district of the Yarra Ranges Shire.

The object of the Upper Yarra Valley and Dandenong Ranges Act was "*to enable increased protection for the special features and character of the Region*". The Act also required that the Authority prepare Regional Strategy Plans to implement amongst other things, State Planning Policies for the Region (in particular, the former Statement of Planning Policy No. 3, Upper Yarra Valley and Dandenong Ranges, April 1979).

The Regional Strategy Plan was prepared by the Authority having regard to the following matters (as outlined in Section 13 of its Act):

- *“The physical economic and social resources of the Region and the management and use of such resources.*
- *The likelihood of development in the Region or use of land in the Region destroying or detrimentally affecting the features or character of the Region and methods by which such development or use of land could be regulated in order to preserve such features or character.*
- *Whether provision of public services and utilities within the Region are adequate and whether, and if so what, provisions should be made to meet future needs of the community.*

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- *Whether leisure and recreation facilities in the Region are adequate and in particular whether open spaces such as parks, playgrounds and sports grounds within the Region are or will be adequate to meet the future needs of persons living within the Region and persons coming to the Region for recreational purposes.*
- *Planning schemes prepared by responsible authorities in the Region whether or not such schemes are in force.*
- *Land use and potential land use within the Region.*
- *Whether any part of the Region should be redeveloped or renewed in order to rectify conditions of bad or unsatisfactory location or layout or unhealthy or obsolete development.*
- *Whether the subdivision of any land within the Region should be prohibited regulated or permitted only subject to conditions.*
- *Any areas or buildings of historical or architectural interest, scientific interest, natural beauty or interest or of any other special significance which should be conserved or enhanced.*
- *Any other matter which in the opinion of the Authority should be considered in order to ensure that the planning of the Region might proceed in the best interests of the residents of the Region and the community generally.”*

The Authority was required to re-investigate the Region between four and six years following the approval of a Regional Strategy Plan. This occurred between 1987 and 1989, and resulted in the preparation and approval of a new Regional Strategy Plan (in the form of Amendment 29).

After the approval of the Regional Strategy Plan in 1982 the local sections of planning schemes within the Region have been progressively amended to make them consistent with the Regional Strategy Plan and to implement the policies contained within it. The future role of the Regional Strategy Plan is to ensure that there is a regional direction to planning in the Region and to provide a vehicle for implementation of State planning policies.

On the 14th December 1994 the State Government repealed the Authority's Act and set in motion a process to wind up the activities of the Authority. As a consequence of the Planning Authorities Repeal Act 1994, the Regional Strategy Plan came under the jurisdiction of the Minister for Planning. New provisions under the Planning and Environment Act 1987 will provide an on-going role for the Regional Strategy Plan, as a policy document setting 'regional' direction for local sections of planning schemes within the Region.

1.03 Implementation of the Regional Strategy Plan

The Regional Strategy Plan, with the repeal of the Authority's Act, is now prepared, amended and administered under the Planning and Environment Act. Section 46F of the Planning and Environment Act requires that the Minister must not approve an amendment which is inconsistent with the Regional Strategy Plan. Planning Authorities

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carrying out amendments to planning schemes must therefore ensure that the amendments are consistent with and implement the policies of the Regional Strategy Plan.

Planning for all uses and developments in any policy area must reinforce the primary purpose of these areas.

Section 46G of the Planning and Environment Act requires that no Government Department, Public Authority, or Council may carry out works or undertakings in the Region which are not in conformity with the Regional Strategy Plan. These works and undertakings must conform with the land management policies applying within the relevant policy area. Refer also to Public Land Policy Area policies.

1.05 More Restrictive Controls

In the event that special local circumstances require more restrictive land use, development or subdivision management controls, a planning authority may incorporate such provisions through amendments to its planning scheme, provided that there is no overall conflict with the policies and objectives of the Regional Strategy Plan.

1.06 Incremental Effects

Planning authorities, in preparing amendments to the local sections of planning schemes, must ensure that the incremental effects of individual changes to land uses and developments achieve, or do not prejudice, the primary purposes and policies of the policy areas within which they occur.

1.07 Meaning of Words and Terms

Words used in the Regional Strategy Plan have their common meaning, unless it is inconsistent with the context within which they are being used or unless they are otherwise defined in the Planning and Environment Act 1987, other relevant legislation or in the planning schemes applying in the Region.