



Central Goldfields Shire Council

Planning Scheme
Review 2020



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Report Author: Raph Krelle, Centrum Town Planning

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Suite 29, 1st Floor, Killians Walk

Queen Street, Bendigo

Telephone: (03) 5410 0565

www.centrumplanning.com.au

Acknowledgement of Country

Central Goldfields Shire Council acknowledges the ancestors and descendants of the Dja Dja Wurrung. We acknowledge that their forebears are the Traditional Owners of the area we are on and have been for many thousands of years. The Djaara have performed age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

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1 Executive Summary

This report documents the finding of a review of the Central Goldfields Planning Scheme ('the Planning Scheme'). Planning schemes are the main tool for guiding decision making on the use, development and protection of land.

The Review has been carried out to satisfy Section 12B of the Planning & Environment Act. The objectives of the Review are to ensure that planning schemes:

- are consistent in form and content with the directions or guidelines issued by the Minister;
- set out effectively the policy objectives for use and development of land in the area to which the Planning Scheme applies; and
- make effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The review process will inform:

- the first updates to the local section of the Planning Policy Framework (PPF) and the Municipal Planning Strategy (MPS);
- technical improvements and updates to other local provisions of the Planning Scheme;
- guidance for future strategic planning projects and initiatives.

The Review covers all components of the Planning Scheme. The Review has been prepared on the basis that the draft new Planning Policy Framework structure including the Municipal Planning Strategy will shortly be approved by the Minister for the Central Goldfields Planning Scheme. Once adopted by Council, the Review report will be provided to the Minister for Planning.

The Review was prepared between August, 2019, and April, 2020, and involved engagement with authorities and agencies, regular users of the planning system and the local community.

The key findings and recommendations of the Review are presented below under sub-headings that reflect the major sections of the report.

Policy changes and planning reform

- The Planning Scheme is, for the most part, unchanged since its introduction in 2000 and has been amended on relatively few occasions since this time.
- The recommendations of previous reviews of the Municipal Strategic Statement (2005) and Planning Scheme (2013) were not formally implemented through planning scheme amendments or other strategic planning work.
- Since 2013, the State Government has carried out a number of review and reform processes in planning and has made many changes to the VPPs to respond to changing needs and issues at the state level.

- The Planning Scheme and Council’s strategic planning work has generally not evolved to reflect the policy changes at the state level.

The recommendations for Council to address these issues involve:

- closer engagement with future State-led reform processes; and
- abandoning outdated planning scheme amendments that have stalled, or which are no longer relevant.

Permit activity and processing

- Between 2011 and 2018, Council received between 120 and 160 applications per year, consistent with long-term trends.
- Central Goldfields Shire took longer than most other comparable councils to assess planning permit applications between 2011 and 2018.
- There is a need to improve the quality of planning permit applications, which will improve permit application timeframes.
- There are opportunities to improve systems and processes within the Planning Department, mainly in relation to software systems and also in relation to staffing and delegations.
- Council’s role in issuing Planning Certificates is unlikely to be an efficient use of Council’s planning resources and should be reviewed.

The key recommendations to address these matters are to:

- Undertake a benchmarking exercise with similar councils to explore staff workloads and resources, file allocation processes and instruments of delegation.
- Explore new software system(s) that will enable online lodgement, monitoring and public notice of applications and improve internal file management and work-flows.
- Commence the necessary statutory and administrative steps to transfer the responsibility for issuing Planning Certificates to DELWP

Review of Scheme performance

- The Central Goldfields Planning Scheme has generally performed well in strategic decision making, although it has rarely been tested or used rigorously for this purpose.
- Council receives relatively few VCAT appeals and these are at levels consistent with comparable Shires.
- Poor quality applications represent approximately 40% of the applications that were refused between 2010 and 2018, suggesting that this is a key issue facing Council.
- Applications for dwellings constitute a large proportion of applications that are refused, many of which are likely to have been in rural areas of the Shire.

The key recommendations to address these matters involve initiatives that seek to improve the quality of applications, particularly in rural areas.

Review of strategic studies and plans

- There were no strategic studies or plans prepared between 2013 and 2019.
- Council's recently completed Population, Housing and Residential Strategy provides a sound basis for future settlement planning in the Shire and its recommendations should be supported.
- Council has prepared an appropriate short-term list of priority projects for the coming 18 months but needs to consider a strategic work program that looks out at least four years.

The key recommendations to address these matters are to:

- Prepare planning scheme amendments to implement the findings of all strategic planning work in the most efficient and logical manner.
- Develop a medium and longer term strategic work program for the next 4-8 years to address the 'strategic gaps and emerging issues' identified in the report.

Strategic influences

- Demographic trends in the Shire predict modest 0.5-1.0% population growth as the most likely scenario for the future.
- At the state and regional levels, there is strong recognition of the potential for higher levels of population growth in Maryborough to be driven by better transport connections with Ballarat and Melbourne.
- Emerging regional initiatives have a strong focus on tourism, railway infrastructure, transport and recreation opportunities.
- Intensive animal industries, food manufacturing and horticulture form part of Council's Economic Development Strategy, however, there is little direction in the MPS for these uses.

The key recommendations to address these matters involve engaging with DELWP to make changes to the PPF at the regional level and consider how regional directions for particular industries and activities can be reflected in the Planning Scheme.

Strategic gaps and emerging influences

Most of the key issues facing Central Goldfields Shire well captured in the MPS. The recently prepared Population, Housing and Residential Strategy provides Council with the key direction that is currently lacking for settlement. This Strategy should be implemented in the Planning Scheme as an immediate priority.

The Review has found that the MPS currently lacks strategic direction for the following key areas:

- direction of future urban growth in Maryborough and Carisbrook;
- the Carisbrook-Flagstaff area, where major land use conflict exists;
- urban consolidation, particularly medium density housing;

- land management overlays (Erosion Management Overlay and Salinity Management Overlay);
- various important landscapes;
- the preferred location of intensive animal industries.

Having regard to development activity and issues arising during planning permit applications, the Review has identified the following areas of further strategic work that are considered to be a high priority for Council:

- industrial land strategy;
- land use framework plan for the Carisbrook-Flagstaff area following, or as part of, the industrial land strategy;
- rural land study;
- structure plan for the Maryborough-Dunolly Road Precinct;
- implementation of flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale.

The Review has found that the local section of the PPF should be updated with policies that address:

- signage;
- heritage;
- walking and cycling trails.

The Maryborough Structure Plan and the Maryborough Central Business Area Structure Plan should also be updated.

Zones and overlays

- The Central Goldfields Planning Scheme generally makes appropriate use of the zones in the Victoria Planning Provisions, although further review work on various zones is required to ensure that they are fully achieving their strategic objectives.
- Large areas in the rural parts of the Shire are affected by environment and landscape, or land management overlays that have not been altered or reviewed since they were introduced in 2000.

Council should consider the following changes to overlays as a high priority:

- separating the Environmental Significance Overlay (Schedule 1) into two more function and effective overlays; one that relates to watercourses and one that relates to special water supply catchments, in conjunction with the NCCMA and water authorities;
- reviewing the Heritage Overlay, particularly for Maryborough; and
- reviewing the Land Subject to Inundation Overlay following new flood studies in consultation with the NCCMA.

Conclusion

- The Central Goldfields Planning Scheme has performed adequately in managing land use and development issues in Central Goldfields Shire since 2013, however, it has become progressively less relevant and useable for decision making.
- The Population, Housing and Residential Strategy provides Council with a strong evidence-based framework for future settlement planning.
- There are many areas of the Planning Scheme that lack strategic direction, or where the content of this MPS could be improved.
- Further strategic projects that should be undertaken as a high priority include an industrial land strategy, a land use framework plan for Carisbrook-Flagstaff and a rural land study; these projects will help to provide direction for some of the most challenging planning issues in the Shire.
- Council will need to prioritise the work based on its resources and priorities and will need to partner with DELWP, other authorities, the VPA and potentially neighbouring councils, to achieve timely and cost-effective changes.

Implementation

Most of the recommendations of the Review have been summarised in table format and fall broadly into seven categories:

- commencing a planning scheme amendment to implement the findings of the Review;
- changes to systems, processes and management;
- changes to the MPS and PPF to address strategic gaps and emerging issues;
- strategic work program;
- changes to zones and overlays;
- changes to other provisions, including particular provisions, referrals and notice and operational provisions;
- establishing an appropriate strategic planning budget.

Covid-19 Epidemic

Note, most of the research for this report, and part of its preparation, was undertaken prior to the outbreak of Covid-19 in Australia. The report does not discuss emerging changes to the Victorian planning system as a result of Covid-19.

2 Introduction

This report documents the finding of a review of the Central Goldfields Planning Scheme ('the Planning Scheme'). Planning schemes are the main tool for guiding decision making on the use, development and protection of land. They are given statutory effect by the Planning and Environment Act 1987 ('the Act'). It is important that the Planning Scheme accurately expresses Council's land use planning vision and implements planning policies that are set at the State level.

Central Goldfields Shire ('Council') engaged Centrum Town Planning to carry out the Review in June, 2019. The Review involved engagement with authorities and agencies, regular users of the planning system and the local community.

Purpose

The Review has been carried out to satisfy Section 12B of the Act, which includes a requirement for a planning authority to review its planning scheme once every four years, within 12 months of the election of a new Council. The objectives of the Review are to ensure that planning schemes:

- are consistent in form and content with the directions or guidelines issued by the Minister;
- set out effectively the policy objectives for use and development of land in the area to which the Planning Scheme applies; and
- make effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The review process will inform:

- the first updates to the local section of the Planning Policy Framework and the Municipal Planning Strategy;
- technical improvements and updates to other local provisions of the Planning Scheme;
- guidance for future strategic planning projects and initiatives.

Once adopted by Council, the Review report will be provided to the Minister for Planning.

Objectives

Council anticipates that the Review will lead to:

- clearer strategic objectives that reflect Council's current strategic priorities;
- less complex controls;
- removal of unnecessary permit requirements;
- simpler, clearer language;
- improved format, consistency and useability;
- enhanced community confidence in the planning system;
- ongoing improvements to the operations of the statutory and strategic functions of Council.

Context

Central Goldfields Shire is a small rural municipality located in central Victoria, approximately 140 kilometres from Melbourne. It has a population of approximately 13,000 (ABS, 2016).

Maryborough is the largest centre in the Shire. Approximately 60% of the Shire's population live in Maryborough. Other major towns are Dunolly and Carisbrook. The Shire's economy relies upon agriculture, manufacturing, retail and services. Tourism, relating to the Shire's gold mining history, is an emerging part of the economy.

Background

This is the second complete review of the Central Goldfields Planning Scheme since it came into effect in June, 2000 ('the 2020 Review'). The first complete review was adopted by Council in June, 2013 ('the 2013 Review'). In 2005, Council completed a review of the Municipal Strategic Statement. Neither of the previous reviews was implemented in the Planning Scheme through a planning scheme amendment.

At the state level, there have been a large number of changes to the Victoria Planning Provisions since 2013 as the planning system continues to evolve to reflect emerging issues and needs and changing priorities. These changes have included new residential zones, modified rural zones and the recent introduction of a major new structure for planning schemes ('the Planning Policy Framework') which occurred in July, 2018. There have, however, been few amendments to the local sections of the Central Goldfields Planning Scheme since the 2013 Review and no major strategic planning work has been completed by Council during this time. The need for the Planning Scheme to reflect changes at the state level is a key driver of the Review.

Various issues and influences have also emerged at the local and regional levels that require re-consideration of some of the issues and recommendations of the 2013 Review. In particular, Council has commenced the preparation of two important strategic projects: a Population, Housing and Residential Strategy and an Economic Development and Tourism Strategy. These projects are currently in draft form and will be integrated with the recommendations of this review report in the near future.

Scope

The project commenced as a review of all key local components of the Central Goldfields Planning Scheme, including the Municipal Strategic Statement, Local Planning Policies, zones and overlays. During the early stages of the project, Council accepted an offer from the Department of Environment, Land, Water and Planning (DELWP) to translate the local sections of planning schemes into the Planning Policy Framework (PPF) structure in a policy-neutral way. The product of this work is a more concise 'Municipal Planning Strategy' (MPS) and a small number of local policy statements in the PPF framework.

In early 2020, the scope of the Planning Scheme review was subsequently altered to accommodate the new PPF structure, which also incorporates the new vision contained within the latest Council Plan (2017-2021). At the time of writing, the new PPF structure had not been approved by the Minister, but the drafting had been substantially completed. The Minister's approval of the new PPF for Central Goldfields Shire is anticipated in the near future.

In an attempt to make the Review report as relevant and useful to Council as possible, this review report reflects the draft new PPF structure and provides recommendations that build upon this new structure. In relation to other local elements of the Planning Scheme such as zone and overlays and their schedules, this review refreshes rather than revises the findings of the 2013 Review and builds upon them where necessary.

The Review did not involve a detailed review of systems, processes or resources in the Central Goldfields Shire Planning Department, although some analysis of these matters has been undertaken in the context of permit activity data.

This review also provides an implementation plan and future strategic planning work. This implementation plan will be considered by Council and modified based on Council's resources and priorities.

3 Review process

3.1 Objectives of planning in Victoria

Maintaining consistency with the policies set out in the PPF is an important component of this review. The Planning Scheme must further the objectives of planning in Victoria, implement state policy at the local level and demonstrate clear links between state policy and local policy.

The objectives of planning in Victoria are stated in Section 4 of the Act. They are:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *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;*
- *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
- *to facilitate development in accordance with the objectives set out in paragraphs (a), (b),*
- *to balance the present and future interests of all Victorians.*

The objectives of the planning framework to ensure that planning is co-ordinated between governments, integrates different policy objectives, facilitates development.

3.2 Methodology

This Review was carried out in seven stages:

- an inception and information gathering phase;
- analysis of building and planning approvals data, a selection of planning permit application files and VCAT cases;
- synthesis of information, preparation and distribution of an issues paper;
- consultation with government departments, agencies and the community;
- review of the draft new Planning Policy Framework prepared by DELWP;
- preparation and drafting of the Review report;
- adoption by Council on 26 May, 2020.

Guiding principles

This review has been informed by the process set out in the *Continuous Improvement Review Kit for planning and responsible authorities* (DSE, 2006) and has been adapted to the needs of this particular project.

It has also been informed by various State Government planning practice notes. These include:

- Writing a Municipal Strategic Statement, June 2015, PPN04
- Writing a Local Planning Policy, June, 2015, PPN08
- Incorporated and background documents, September, 2018, PPN13
- Review of planning schemes, June, 2015, PPN32
- The role of mandatory provisions in planning schemes, September 2018, PPN59
- A practitioner's guide to Victorian planning schemes (2020)

These documents provide technical advice about the preferred format and content of the local provisions of planning schemes. The practitioners guide to Victorian Planning Schemes set out six key principles for planning schemes in Victoria (DELWP, 2020, 5). These are:

- *digital first;*
- *user focused;*
- *consistent;*
- *proportional;*
- *land use focused;*
- *policy and outcome focused.*

These principles have underpinned the methodology, findings and recommendations of this review.

Documents reviewed

To inform the Review, Centrum Town Planning has reviewed the key strategic documents that are most relevant to a Scheme review. These are identified in Section 7,8 and 10 of the report and in the list of references at the end of the report. It was not possible to review all documents that are currently referenced in the Planning Scheme as part of this review, noting that Clause 21.09 of the Planning Scheme includes reports dating back to the early 1980s. This list is likely to be rationalised as part of the introduction of the new PPF in the near future.

Report structure

The report can be broadly divided into three main sections:

- Sections 2-5 provide the context for the Review;
- Sections 6-13 contain the analysis, key findings of the Review and recommendations;
- Sections 14-15 provide general conclusions and implementation plan for the Review.

Each main section of the review contains a summary of key findings. The recommendations of the Review have been given a reference number with a two letter prefix that relates to the relevant section of the report (e.g. Scheme Performance – ‘SP’).

3.3 Stakeholder consultation

Workshops and interviews were held with the following stakeholders between September and November, 2019:

- Council town planning officers
- Central Highlands Water
- Country Fire Authority (CFA)
- Department of Environment, Land, Water and Planning (DELWP) - Planning
- Goulburn Murray Water (GMW)
- North Central Catchment Management Authority (NCCMA)

In response to a request from Council for feedback on the Review, written advice was received from the following agencies and departments:

- Coliban Water
- Country Fire Authority (CFA)
- Department of Environment, Land, Water and Planning (DELWP) – excluding Planning
- Environment Protection Authority Victoria (EPA)
- Grampians Central West Waste and Resource Recovery Group (GCWWRRG)
- North Central Catchment Management Authority (NCCMA)
- Parks Victoria

The findings of the consultation with stakeholders have been incorporated into relevant sections of this report.

3.5 Community consultation

The community was consulted about the project through a survey form that was made available on Council's website during October, 2019. A community drop-in session was held in October, 2019. Four written submissions or survey forms were received from the community during this time. The feedback identified a number of issues that are relevant to the Planning Scheme review, including (in summary):

- zone and overlay provisions in small townships such as Amherst that effectively prevent the development of new dwellings;
- the extent of the Heritage Overlay that applies to the former Bet Bet Primary School at 9 Cambridge Street, Bet Bet (HO49) and need to include the former gardens within the Heritage Overlay;
- opportunity for interpretation of pre-European land uses associated with the Bet Bet Bushland Reserve;
- opportunity for interpretation of the Bet Bet Bushland Reserve for environmental preservation;
- a need to undertake an audit of the Victorian Heritage Database to inform the application of planning controls for heritage assets;
- various suggestions for the further protection and promotion of heritage assets for economic development and tourism purposes.

4 Profile of Scheme

Structure

Following the introduction of the new PPF, the Central Goldfields Planning Scheme will be divided into seven key sections, as follows:

- Municipal Planning Strategy, including context, vision, strategic directions and strategic framework plans
- Planning Policy Framework, which includes policies at the state, regional and local levels under eight key themes
- Zones
- Overlays
- Particular Provisions
- General Provisions
- Operational Provisions

Municipal Planning Strategy

According to DELWP, the Municipal Planning Strategy (MPS) is a “succinct expression of the overarching strategic policy directions of a municipality” (DELWP, 2018, 3). Key topics covered by the MPS include the geographical and locational context, history, assets, strengths and key attributes of the Shire. It is intended to work in conjunction with the PPF to provide the strategic basis of a planning scheme. Key elements of the draft new MPS are shown in Table 1 on the following page.

Planning Policy Framework

According to DELWP, the PPF is the “policy content of planning schemes” (DELWP, 2018, 1). It includes the state and regional planning policies and local content in the form of local planning policies. This content is arranged by theme with regional and local policies listed under the corresponding state planning policy. The regional section of the Central Goldfields Planning Scheme is found in Clause 11.01-1R. It aims to:

- support Bendigo as the regional city and major population and economic growth hub in the region
- support growth in Maryborough as an ‘employment and service hub’ for the region;
- “maintain non-urban breaks between settlements”.

Key elements of the proposed local section of the Central Goldfields Planning Scheme are shown in Table 2 on the following page. A planning authority must take into account the MPS and PPF when amending the scheme. Together, the PPF and MPS provide the strategic basis for the application of zones, overlays and particular provisions in the planning scheme.

Table 1 Summary of the key strategic directions in the draft Central Goldfields MPS

Theme	Content and key strategic directions
Clause 02.01 Context	<ul style="list-style-type: none"> Location and history of Shire, including role of Maryborough and an overview of the settlement pattern and economy of the Shire.
Clause 02.02 Vision	<ul style="list-style-type: none"> Vision statement to be a 'vibrant, thriving and inclusive' community as per the Council Plan (2017-2021)
Clause 02.03 Strategic Directions (Settlement)	<ul style="list-style-type: none"> Overview of the settlement hierarchy and vision for Maryborough as the sub-regional centre, followed by Dunolly, Carisbrook and five other local community centres and hamlets.
Clause 02.03 (Environmental and landscape values)	<ul style="list-style-type: none"> Description of the ecological and landscape context and condition of the Shire including its Box Ironbark Forests, fauna, creeks and geographical features, and strategic directions for their protection.
Clause 02.03 (Environmental risks and amenity)	<ul style="list-style-type: none"> Identifies natural hazards including bushfire, land degradation, flooding and industrial-residential interfaces, together with strategies to address these risks.
Clause 02.03 (Natural resource management)	<ul style="list-style-type: none"> Describes the agricultural and horticultural industries in the Shire and the issues and opportunities presented by these industries from a land use perspective, including statements to protect their viability and manage the issues.
Clause 02.03 (Built environment and heritage)	<ul style="list-style-type: none"> Recognises the diverse aboriginal and European heritage in the Shire and urban design and presentation issues in Maryborough, including statements to protect, preserve and maintain these assets and manage urban design issues.
Clause 02.03 (Housing)	<ul style="list-style-type: none"> Recognises housing as an economic and lifestyle strength of the municipality, and the need for innovative housing types.
Clause 02.03 (Economic development)	<ul style="list-style-type: none"> Describes the local economy of the Shire with a focus on Maryborough and industrial and tourism development. Contains strategies to promote the Maryborough CBA, industrial areas, tourism and mining.
Clause 02.03 (Transport)	<ul style="list-style-type: none"> Describes the road, rail and air transport links in the Shire and their importance to industry and tourism. Contains strategies to improve their operations and viability.
Clause 02.03 (Infrastructure)	<ul style="list-style-type: none"> Recognises the importance of infrastructure to new development, particularly sewerage in small townships, and the need for Council to support this infrastructure.
Clause 22.04 (Strategic framework plans)	<ul style="list-style-type: none"> Contains Strategic Framework Plans for the Shire, Maryborough, and Structure Plans for Carisbrook, Dunolly, Talbot, Bealiba, Majorca and Timor-Bowenvale.

Source: Central Goldfields Shire Council, 2020, draft new PPF

Table 2 Summary of the local content of the draft Central Goldfields PPF (local sections)

Theme	Key local strategies
Clause 11: Settlement	<ul style="list-style-type: none"> Provide medium density residential opportunities close to Maryborough Central Business Area. Provide low density and rural living opportunities around the periphery of Maryborough and other centres where they do not conflict with environmental and agricultural objectives and where infrastructure can be supplied in a cost-effective way.
Clause 14: Natural Resource Management Sustainable agricultural land use	<ul style="list-style-type: none"> Encourage development of poultry abattoirs and finished poultry product processing in the Shire. Ensure intensive agriculture is located to minimise risks associated with effluent disposal and protect the amenity of adjacent land uses.
Clause 14: Natural Resource Management Water quality	<ul style="list-style-type: none"> Ensure effluent disposal systems in unsewered areas are located and maintained to minimise the risk of pollution to waterways
Clause 17: Economic Development Business - Maryborough	<ul style="list-style-type: none"> Direct private and government offices and civic developments to the Civic precinct in the Maryborough Central Business Area. Direct office, administration and personal services uses to the precinct at the west side of the Central Business Area (Clarendon Street/Civic Precinct).
Clause 17: Economic Development Out-of-centre development – Maryborough	<ul style="list-style-type: none"> Prevent the establishment of major retail facilities at locations isolated from the Maryborough Central Business Area. [21.12] Limit commercial zoning outside of the Maryborough Central Business Area to existing retail and/or business locations
Clause 17: Economic Development Industrial land supply	<ul style="list-style-type: none"> Requires industrial development to be connected to services Encourage industrial development in unsewered areas subject to conditions about road access, services and amenity.
Clause 17: Economic Development Industrial development siting	<ul style="list-style-type: none"> Facilitate establishment of compatible industries within buffer areas at the former Penney and Lang Abattoirs and the Maryborough wastewater treatment plant
Clause 18 Transport Maryborough Airport	<ul style="list-style-type: none"> Support tourism, recreational and commercial use and development at the Maryborough Airport
Clause 19 Infrastructure Integrated water management	<ul style="list-style-type: none"> Ensure effluent disposal systems can be contained within the site and minimise the potential for pollution if reticulated sewerage is not available

Source: Central Goldfields Shire Council, 2020, draft new PPF

Zones

Zones control the use and development of land, including subdivision. In this way, the application of zones is one of the main ways that Council can implement its strategic objectives. The Central Goldfields Planning Scheme contains the following zones:

- *Residential Zones:* General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone
- *Industrial Zones:* Industrial 1 Zone, Industrial 2 Zone
- *Business Zones:* Commercial 1 Zone, Commercial 2 Zone
- *Rural Zones:* Rural Living Zone, Rural Conservation Zone, Farming Zone
- *Public Zones:* Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Road Zone
- *Special Use Zones:* Goldfields Reservoir, Maryborough Golf Course

Zone provisions cannot be varied at the local level, however, schedules to each zone can introduce local content in the Planning Scheme to address local needs. The scope of matters that can be modified varies, depending on the zone. In the Central Goldfields Planning Scheme, local variations have only been made in the schedules to the Rural Living Zone and Special Use Zones. All other schedules contain the state standard default provisions.

Overlays

In addition to the zone provisions, overlays are applied where additional requirements apply to land. Like zones, the provisions of the overlays cannot be varied at the local level, however, schedules to the overlay can introduce local content in the planning scheme to reflect local circumstances. Like zones, the overlays must also have strategic justification. Council's strategic objectives are currently implemented by the following overlays:

- Environmental Significance Overlay (Schedules 1 to 2)
- Vegetation Protection Overlay (Schedule 1)
- Significant Landscape Overlay (Schedules 1 to 2)
- Heritage Overlay (Schedules 1 to 209)
- Design and Development Overlay (Schedules 1 to 2)
- Development Plan Overlay (Schedules 1 to 3)
- Erosion Management Overlay (Schedule)
- Salinity Management Overlay (Schedule)
- Land Subject to Inundation Overlay (Schedule)
- Bushfire Management Overlay (Schedules 1-3)
- Public Acquisition Overlay (Schedule)
- Environmental Audit Overlay

4.2 Evolution of the Scheme

The Central Goldfields Planning Scheme came into effect on 22nd June, 2000, following a consultation process and an Advisory Committee appointed by the Minister for Planning. This section provides a summary of the findings of the two previous reviews of the Scheme that have occurred since 2000.

Review of the MSS (2005)

In 2005, RPD Group prepared a review of the Municipal Strategic Statement. The purpose of this review was similar to that of the current review, however, its scope was limited to the Municipal Strategic Statement as this was the requirement of the Act at the time.

This review found that the Central Goldfields Planning Scheme furthers the objectives of planning in Victoria, but could be enhanced through changes to the MSS (RPD Group, 12). It concluded that the MSS and Planning Scheme do not require any substantial changes in direction, although identified opportunities to “*improve the planning scheme’s expression of Council’s vision through refining and restructuring it into the current format*” (RPD Group, 29).

Specifically, the Review found that:

- *the Planning Scheme furthers the objectives of planning in Victoria, but there are opportunities to enhance the pursuit of these objectives (page 12)*
- *the Central Goldfields MSS supports the SPPF and seeks to implement these policies at the local level, although this could be enhanced by re-structuring the MSS and:*
 - *developing a strategy for rural living;*
 - *improving discussion of local flooding and wildfire issues;*
 - *highlighting the Shire’s position on renewable energy; (page 14, 16)*
- *implementation of the state government strategies could be improved through:*
 - *the development of strategies to manage interfaces between private and public land;*
 - *strategies to preserve historical and cultural features reserves in heritage section;*
 - *reflection of key environment strategies relating to catchments, river health and regional vegetation in the environment section (page 15)*
- *strategic performance of the Planning Scheme could be improved through various changes to objectives, strategies and implementation tools for each planning theme (pp 17-22);*
- *the key themes of the Council Plan are reflected in the MSS (page 28);*
- *various changes would improve the format, consistency and usability of the Planning Scheme, including:*
 - *removing duplication of issues;*
 - *better internal linkages;*

- *improved assessment indicators; and*
- *ensuring local policies aid decision making (pp 28-29)*

The Review was adopted by Council in June, 2005. Following the Review, the Municipal Strategic Statement was re-drafted, however, it was not introduced in the Planning Scheme through a planning scheme amendment.

Review of the Planning Scheme (2013)

This review found that:

- *The Planning Scheme is generally consistent with the State Planning Policy Framework and seeks to implement it at the local level, although there are a number of gaps and areas that need to be strengthened, specifically in relation to climate change, bushfire management and flooding.*
- *The Municipal Strategic Statement (MSS) is generally concise, well-structured and easy to use, although would benefit from a range of structural improvements, removal of repetition, and the inclusion of key findings of recent strategic planning studies.*
- *The Planning Scheme is, for the most part, unchanged since its introduction in 2000 and, as a result, improvements to a number of Local Planning Policies, zone schedules, overlays, and other local provisions are also required to improve its relevance and performance.*

It found that, the key emerging planning issues facing the Shire are:

- *how to manage bushfire risk, which could prevent some existing zoned residential land from being developed for urban development;*
- *how to attract a sufficient share of urban growth when the majority of urban growth in the region is likely to occur in the larger regional centres of Bendigo and Ballarat;*
- *how to develop a credible strategy to accommodate significant population growth when DPCD population projections anticipate low growth to 2031;*
- *how to reconcile aspirations for urban growth with environmental risks such as bushfire and flooding, and the need to protect native vegetation;*
- *how to capture economic development opportunities associated with tourism in a shire that has significant heritage assets but under-developed tourism infrastructure and awareness of these assets.*

The Review suggests that Council should aspire to a strategic framework that has four key components:

- *a residential land strategy (a residential settlement strategy has been commenced);*
- *a commercial land strategy;*
- *an industrial land strategy;*
- *a rural land strategy, which should include an assessment of rural living land.*

The 2013 review also identified a significant amount of further strategic work that should be considered by the Shire. It identified the following strategic projects that should be considered as high priorities for Council:

- *develop strategic directions for low, medium and high growth settlement scenarios through the development of Council's Residential Settlement Strategy;*
- *prepare schedules to the Bushfire Management Overlay and planning scheme amendment to implement the findings in the Planning Scheme (project underway);*
- *seek guidance from the EPA on the status of Best Practice Environmental Management Siting, Design, Operation and Rehabilitation of Landfills (EPA, 2010);*
- *prepare a planning scheme amendment to implement the findings of the Flood and Drainage Management Plan for Carisbrook in the Planning Scheme;*
- *request that the NCCMA and State Government contribute to flooding investigations for Maryborough and Dunolly, or other priority areas as identified in consultation with the NCCMA;*
- *prepare a planning scheme amendment to implement the findings the Heritage Review Stage 1 (2004) in the Planning Scheme;*
- *develop a policy for urban development at the urban-forest interface;*
- *prepare a structure plan for the 'Bendigo-Maryborough Road Corridor'.*

The Review recommended that Council prepare a planning scheme amendment to update the Municipal Strategic Statement to implement the findings of the Review and develop a strategic planning forward program and ongoing budget for strategic studies and planning scheme amendments.

5 Policy changes and planning reform

The Central Goldfields Planning Scheme operates within a legislative and policy context that is set at the state level, and which regularly changes in response to state level policy initiatives and reform processes. This section of the report outlines the changes and initiatives that have occurred in the state, regional and local policy landscapes since 2013 that are relevant for Council and the Planning Scheme.

5.1 State context

Since the 2013 Review, there have been extensive changes to State Planning Policy, the Victoria Planning Provisions, and other directions and guidelines that must be considered by planning and responsible authorities under the Planning & Environment Act.

Amendments to the Planning & Environment Act

The Planning and Environment Act has been amended in various ways since 2013. The amendments that are most relevant to Central Goldfields Shire are:

- 2015, amendments to provide for the Victorian Civil and Administrative Tribunal and responsible authorities to have regard to the number of objectors to permit applications in considering whether a proposed use or development may have a significant social effect.
- 2015, amendments that introduced a new system for levying contributions towards the provision of works, services, facilities and plan preparation costs in relation to the development of land in areas where an infrastructure contributions plan applies.
- 2017, amendments that allow for voluntary arrangements to facilitate the provision of affordable housing through the planning framework and to streamline the processing of amendments to wind farm permits.
- 2017, amendments that establish the Victorian Planning Authority (VPA) and abolish the Growth Areas Authority (GAA).
- 2017, which introduced a land contribution for the infrastructure contributions plan scheme to enable land or funding for land required for public purposes to be provided as part of an infrastructure contribution when land is developed.

These amendments have little impact on the operational activities of Council and the Planning Department, although could become more important as the Shire explores new urban growth areas, considers major wind-farm applications or engages with the Victorian Planning Authority.

Amendments to the VPPs

Since the Planning Scheme was introduced in June, 2000, there have been 65 amendments that have made changes to the Victoria Planning Provisions (VC Amendments). The following VC Amendments are considered to have been the most relevant to planning in Central Goldfields Shire Council and this review, under relevant sub-headings:

Settlement

- Amendment VC100: Introduction of new Commercial zones, modified Low Density Residential Zones and industrial zones (July, 2013).
- Amendment VC103: Changes to the rural zones, including uses and definitions (September, 2013).
- Amendment VC106: Recognition of Plan Melbourne and Victoria's regional growth plans (May, 2014).

Biodiversity

- Amendment VC105: Amendments to Victoria's native vegetation and biodiversity provisions to reflect the new 'no net loss' approach rather than the previous 'net gain' approach (December, 2013).
- Amendment VC138: Reforms relating to vegetation removal following the release of Protecting Victoria's Environment - Biodiversity 2037 (December, 2017).

Sustainability

- Amendment VC136: Introduction of planning requirements for apartment developments (April, 2017).
- Amendment VC154: Modifications to the Victoria Planning Provisions to reflect new policies relating water management and stormwater (October, 2018).

Industry

- Amendment VC124: Changes to the planning provisions for wind energy facilities (April, 2015).
- Amendment VC150: Changes to the definitions of animal industries and the operation of related codes (September, 2018).

Systems and process reform

- Amendment VC114: Introduction of VicSmart to streamline planning assessments (VC114, September, 2014).
- Amendment VC101: Extensive changes to documents and guidelines referenced or incorporated into planning schemes (October, 2015).

- Amendment VC148: Introduction of a new Planning Policy Framework (PPF) and related content and structural changes to the (July, 2018).

The implications of the above amendments are discussed in more detail in the relevant sections of this report.

VicSmart (2014)

VicSmart was introduced in the VPPs in 2014 to fast-track simple planning permit applications. The types of applications covered by the provisions include simple subdivisions, signs and buildings and works, minor works in some overlays and tree removal and lopping. The applications are assessed by councils within 10 days, provided applications are complete and meet certain criteria.

The provisions were amended in 2017 to increase the cost of development threshold for some types of development such as commercial zones and the Farming Zone to \$500,000 and industrial zone to \$1 million, subject to certain criteria being met. The VicSmart provisions are now contained within the schedule to each zone.

Smart Planning (2016)

This is a State Government program that aims to make the planning system more “efficient and accessible”. The program has led to changes to the VPPs to expand the scope of the VicSmart process and more useable and contemporary planning provisions including land use terms. This program is also responsible for assistance with integrating planning schemes into the new PPF framework (www.planning.vic.gov.au) and has introduced a new Amendment Tracking System (ATS) for responsible authorities to manage planning scheme amendments online.

Sustainable Animal Industries

This initiative, which involved an Advisory Committee, sought to investigate improvements to the provisions of the VPPs that relate to intensive animal industries. In 2018, this work led to changes to the VPPs that clarified and better defined land use terms for these industries. The definitions and planning provisions now make a distinction between grazing animals and intensive animal production.

All pig and poultry farms require a planning permit in the zones that allow them, apart from small scale poultry farms. Low-density, outdoor pig and poultry farms that meet certain best practice criteria can use a streamlined permit application process. The Broiler Code of Practice (2009) also applies to both conventional and free-range broiler farms. The Piggeries Code of Practice (1992) was removed from the VPPs (State Government of Victoria, 2018).

Assessing planning proposals near landfills (EPA 1642, 2017)

This is a ‘guideline’ document that has been prepared primarily to guide planning and responsible authorities in their decision making on applications and planning scheme amendments near active or closed landfills. It provides advice on the level of assessment required and recommends a “staged, risk based approach” (EPA 1642, 2017, 2). Key elements of the document are that it:

- provides a definition of ‘sensitive use’ that includes any building (for landfill gas risk) and any land use that relates to amenity and well-being (for odour issues);
- re-inforces the recommended buffer distances of 500 metres for putrescible waste and 200 metres for solid inert waste as set out under the Landfill BPEM;
- states that, for operating landfills, gas and odour impacts should be assessed, but for closed landfills, only landfill gas impacts need to be assessed;
- provides a formula for determining the appropriate level of assessment that depends on the type of proposal (alterations, above and below ground structures), landfill size, landfill type and age;
- recommends a level of assessment based on the application of the above formula that includes requiring gas mitigation measures (for low scores), landfill gas risk assessment (for medium scores) and a Section 53V audit (for high scores);
- provides sample permit conditions to require mitigation measures to be employed or landfill risk assessments to be carried out, if these have not been provided.

Source: (EPA 1642, 2017).

Ministerial Direction No.19 (2018)

In response to the Independent Inquiry into the EPA, the Minister for Planning issued a new Ministerial Direction No.19 and a new Ministerial Requirement for information in 2018 (Minister for Planning, 2018). The new requirements aim to ensure that a planning authority seeks early advice from Environment Protection Authority Victoria (EPA) when undertaking strategic planning and preparing a planning scheme amendment that may result in significant impacts on the environment, amenity and human health due to pollution and waste (www.planning.vic.gov.au).

Planning practice notes

The State Government prepares planning practice notes to explain how planners and planning authorities should apply the VPPs in their Planning Schemes. These practice notes are updated from time to time. Notable new, or revised, practice notes that have been introduced since the last review include:

- PPN01 – Applying the Heritage Overlay (revised August, 2018)
- PPN42 – Applying the Rural Zones (June, 2015)
- PPN55 – Planning in Open Drinking Water Catchments (February, 2018)
- PPN64 – Local planning for bushfire protection (September, 2015)
- PPN90 – Planning for housing (December, 2019)
- PPN91 – Using the residential zones (December, 2019)

5.3 Regional context

The State Government allows planning schemes to be amended at the regional or 'group' level. Since 2013, regional planning scheme amendments to the Planning Scheme have included:

- Amendment GC8 (June, 2014), which replaced the Residential 1 Zone with the General Residential Zone in the Planning Scheme;
- Amendment GC13 (October, 2017), which updated the mapping and BMO ordinance at the regional level; and
- Amendment GC117 (February, 2019), which made administrative changes to local planning schemes.

5.4 Local context

Since 2013, there have been two local amendments to the Central Goldfields Planning Scheme. These amendments were:

- Amendment C25 (March, 2014), which exempted landowners from permit requirements under the BMO for works associated with one dwelling on a lot; and
- Amendment C27 (July, 2017), which updated the Heritage Overlay to reflect the Victorian Heritage Register.

Council is currently considering four following planning scheme amendments that have yet to be approved but which have been inactive for a long period of time, as follows:

- Amendment C11, which proposed to rezone land in Tullaroop Road from Industrial 1 to the Rural Living Zone. This Amendment was subject to a further information request from DSE in 2007 stating that the amendment is unlikely to be supported unless a review of industrial land supply and demand is undertaken. The request is unresolved. There has been no activity on the amendment since this time.
- Amendment C13/C19, which proposed to amend an error in the municipal boundary with Hepburn Shire Council. This amendment did not proceed to authorisation.
- Amendment C22, which commenced in 2016 and involved the rezoning of land to fix mapping errors in the Planning Scheme ('errors amendment'). Approximately 44 of the parcels are crown land, and DSE has made comment on their status and requested changes. This amendment did not proceed to authorisation.
- Amendment C26, which aimed to amend the MSS in relation to environmental and landscape values. There is little detail available on this amendment.

Council has indicated an intention to abandon these amendments. It intends to re-commence a new amendment to fix mapping errors in the Planning Scheme.

Council has recently commenced a planning scheme amendment to implement the findings of flood studies for Carisbrook and Dunolly (Amendment C031gol).

5.6 Discussion

The Review has found that there have been a significant number of amendments to the Victoria Planning Provisions over the past seven years. These have been motivated by various factors, including:

- changing policy directions of the State Government;
- the need to clarify and improve the operations of planning schemes; and
- the need to respond to natural disasters, changing economic conditions and climate change and changing energy policies.

The 2013-2019 period, which is the main focus of this review, was a period of particularly limited amendment and policy development activity by Council. This is largely a reflection of the limited amount of new strategic planning work that was undertaken by Council during this period. It also reflects the fact that there were few privately sponsored planning scheme amendments during this time. The lack of activity, together with the large amount of state-led review work, suggest that the Planning Scheme has fallen well behind in responding to emerging policy changes, re-enforcing the importance of the new strategic planning work that has been identified later in this document.

As a small rural shire with few planning staff, it is likely that Council has been unable to maintain a close watch on all changes to the Planning & Environment Act and Victoria Planning Provisions and respond to these changes at the local level. Council now has more planning staff than prior to 2019, and now is likely to be in a better position to understand, and engage with, state and regional level review and reform processes. Potential ways that Council and Council staff could better respond to state level planning initiatives include:

- regular attendance by at Regional Planners' Days arranged by DELWP;
- time and budget allocations for PLANET training programs;
- regular reporting to Council on changes to the VPPs and other state level initiatives;
- preparation of submissions to the state on discussion papers and advisory committees.

Over time, and subject to appropriate strategic planning work, these initiatives should assist in maintaining the integrity and relevance of the Planning Scheme.

At present, Council has four planning scheme amendments that are active or unresolved. From the information available to this review, it is reasonable to conclude that:

- Amendment C11 (Tullaroop Road) is best resolved through a broader analysis of industrial land in the Shire and should be abandoned;
- Amendment C13/C19, should be abandoned and addressed through a new amendment, potentially an errors amendment, or as guided by DELWP;
- Amendment C22 should be abandoned and a new errors amendment commenced. It is noted that a strategic assessment of bushfire risk may be required to address the requirements of Clause 13.02 of the PPF if land is proposed to be rezoned to a residential zone, or where bushfire risk may be increased;

- Amendment C26 should be abandoned.

5.7 Key findings

- The Planning Scheme is, for the most part, unchanged since its introduction in 2000 and has been amended on relatively few occasions since this time.
- The State Government has carried out a number of review and reform processes in planning and has made many changes to the VPPs to respond to changing needs and issues.
- The Planning Scheme and Council's strategic planning work has not evolved to reflect policy changes at the state level.
- Opportunities exist to improve Council's engagement with state level reform processes.
- The four unresolved local planning scheme amendments are now irrelevant, lack strategic support or are no longer in an appropriate form.

5.8 Recommendations

- PO.1) Identify the best ways for Council to engage with future State-led reform and create opportunities for Council staff or representatives to be involved.
- PO.2) Abandon amendments C11, C13/C19, C22 and C26.
- PO.3) Re-commence a new 'errors' amendment.

6 Permit activity and processing

Planning and building approvals provide a useful guide about development and investment activity in the Shire. The number of applications, their type, and the way in which they are processed has a direct effect on workloads and staffing requirements. These matters also influence applicant and community satisfaction in the planning process. This section of the report explores these matters and provides recommendations on improvements for the future.

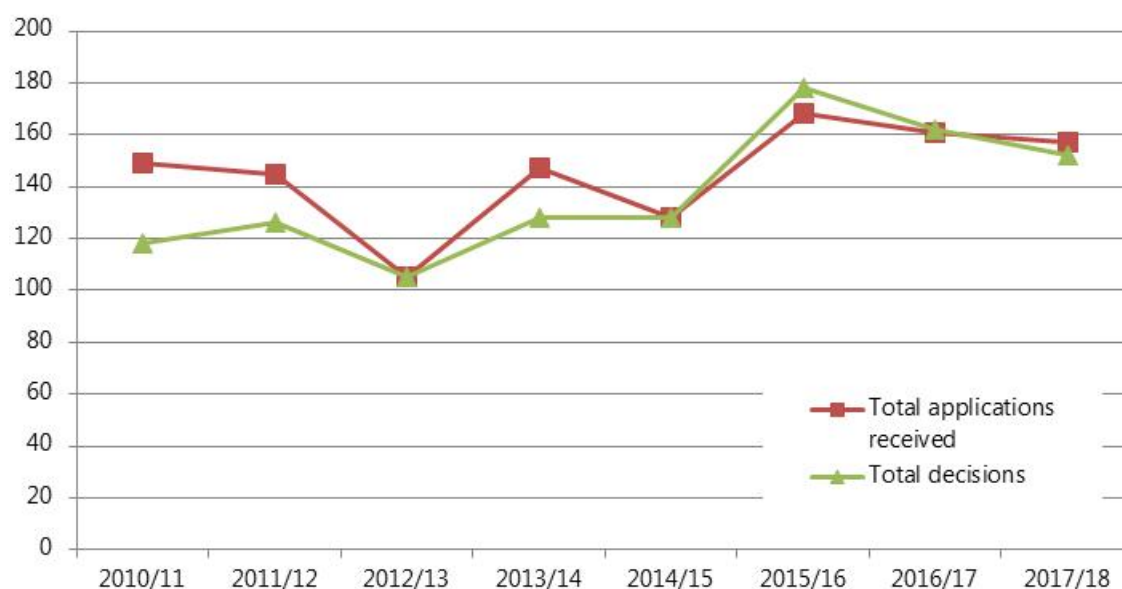
6.1 Planning permit activity

Application numbers and decisions

Figure 1 shows the number of planning permit applications and decisions made by Central Goldfields Shire Council from 2011 to 2018, which is the latest data that was available at the commencement of the project. Data for VicSmart applications was not able to be separately extracted or analysed for the purposes of the Review. Key findings are:

- Central Goldfields Shire received, on average, 145 permit applications per year, with a high of 168 (2015/16) to a low of 105 (2012/13).
- Between 2010/11 and 2015/16, there was an upward trend in the number of applications received, however, this has levelled and appears to be falling.

Figure 1 Planning permit applications received and total decisions 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18

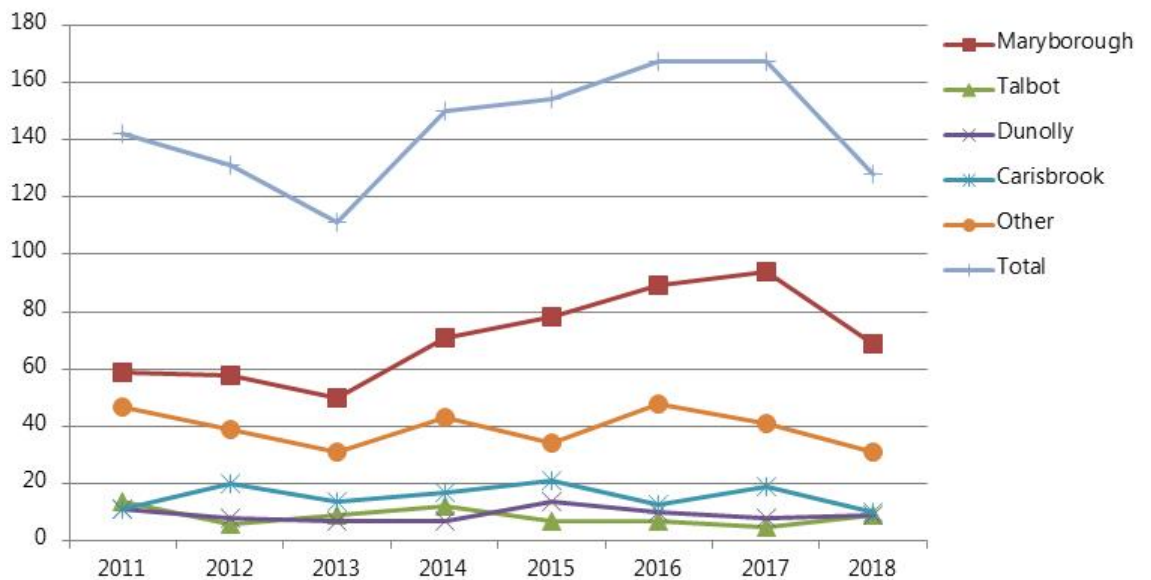
Applications by location

Figure 3 shows that the number of planning permit applications decided upon between 2011 and 2018, by location of the application site. It shows that there was a fall in applications across most of the key areas during the period, consistent with the overall fall in application numbers.

Maryborough increased its proportion of applications over the period from 42% in 2011 to 54% in 2018. This was partly at the expense of Talbot, Dunolly and Carisbrook, which fell from 25% of all applications to 22% over the period, and the rural areas of the Shire, which fell more significantly from 33% to 24% of applications.

The planning permit activity data indicates that development activity in Maryborough is generating increasing numbers of planning permit applications. The reasons for this are unclear as Council’s planning permit application data is generally not collected in a way that records planning permit trigger or zone details.

Figure 2 Number of planning permit applications decided upon by area 2011-18



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18

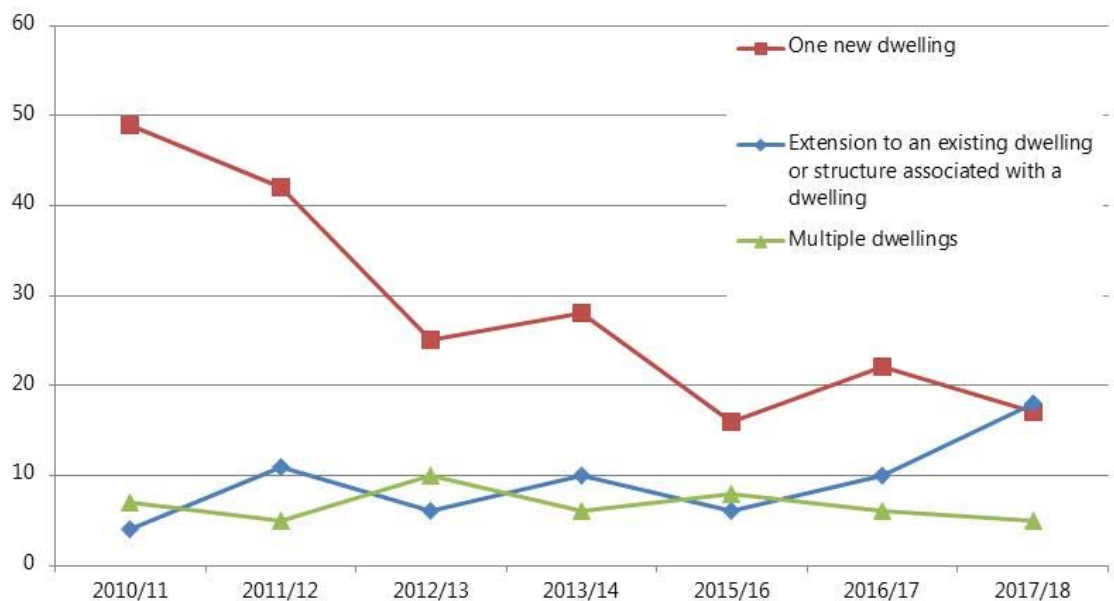
Dwelling applications

Figure 3 shows key data from the register of permit applications lodged with Council from 2010/11 to 2017/18, by category of consent for dwelling-related applications. Figure 5 shows dwelling related consents. Key findings are as follows:

- Single dwellings applications have fallen in real terms over the period, and as a proportion of all consents (30% in 2010/11 to 18% in 2017/18).
- Dwelling extensions have increased in real terms over the period and as a proportion of all consents (2% in 2010/11 to 11% in 2017/18).
- Multiple dwelling applications typically represent approximately 3% of all applications per annum.

The reasons for the fall in single dwelling applications may relate to the introduction of the Farming Zone in 2006, although more investigation is required to understand the reasons for this shift.

Figure 3 Planning permits issued 2010/11 to 2017/18 by consent for major application categories (dwelling related)



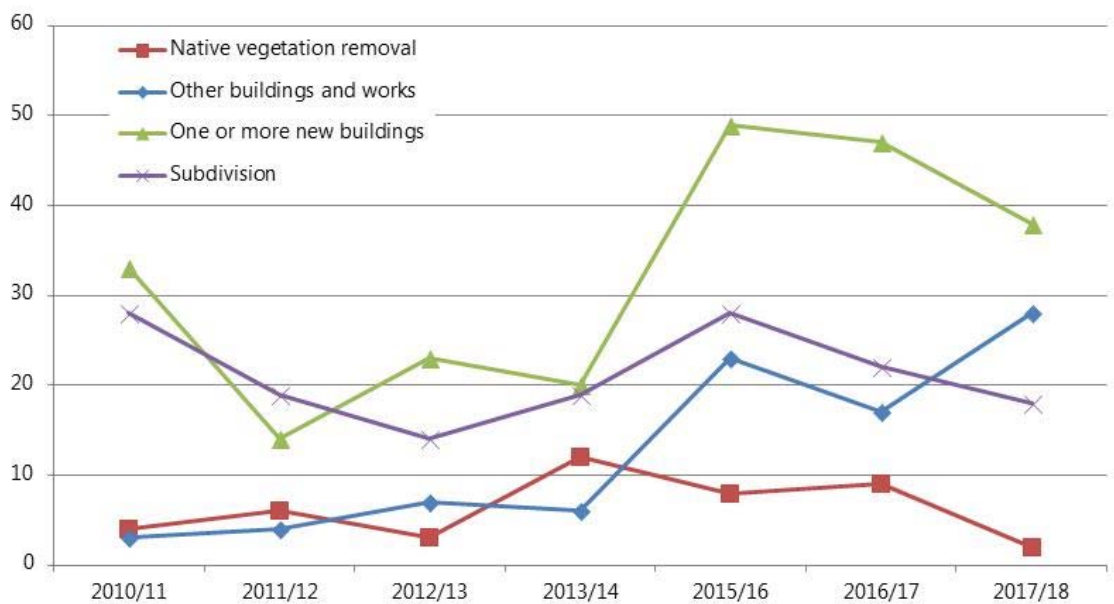
Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18. Includes amendments to permits, excludes data for 2014/15 financial year as data is not available in a consistent format.

Non-residential applications and subdivisions

Figure 4 shows the number of planning permits issued for other key categories of consent, including native vegetation removal, buildings and works not associated with dwellings and subdivisions. Key findings are as follows:

- There has been strong growth in the number of applications for ‘one or more new buildings’ since 2015/16, indicating possible growth in the agricultural, commercial and industrial building applications.
- Applications for native vegetation removal have generally risen across the period, although were low in the most recent 2017/18 period.
- Applications for subdivision fluctuated across the 15-30 range over the period, with strong activity in 2015/16.

Figure 4 Planning permits issued 2010/11 to 2017/18 by consent for major application categories (non-residential and subdivision)



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18. Includes amendments to permits, excludes data for 2014/15 financial year as data is not available in a consistent format.

6.2 Planning permit activity performance

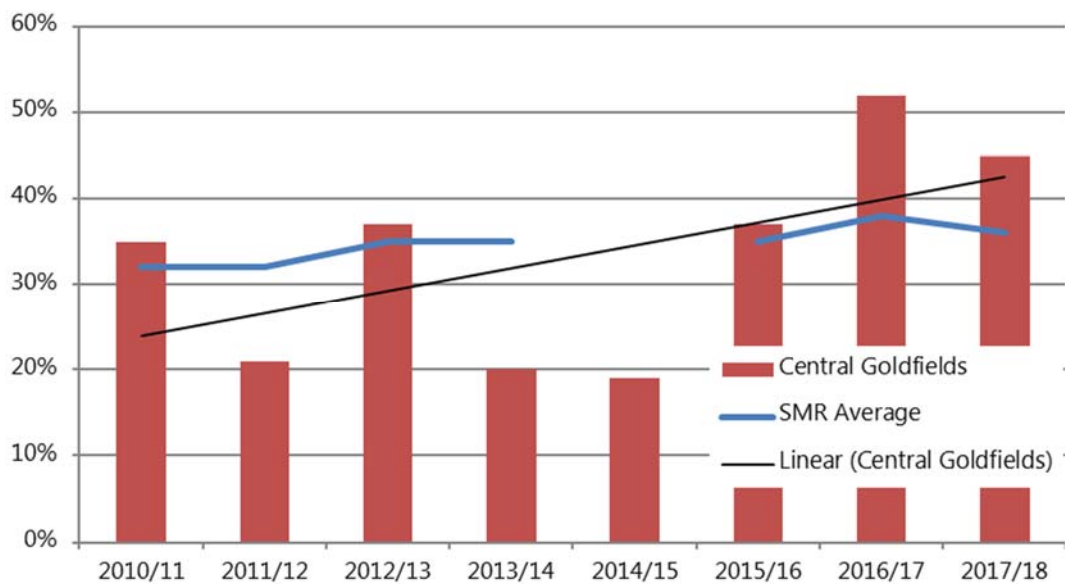
This section presents data on the key indicators of Council’s performance in processing applications. The graphs include trend lines to show change over time. The trend lines are labelled ‘linear’ in the graphs.

For Central Goldfields Shire, the data has been compared with data for comparable small and medium sized councils in Victoria (SMR). These councils comprise 31 municipalities where agriculture and tourism are the main drivers of the economy. They do not include rural councils that are regional cities and ‘peri-urban’ areas such as Mitchell and Macedon Ranges Shires (DPCD, 2011, 198). Due to a different way of recording the data for 2014/15, data for individual planning schemes is not available.

Application quality

Figure 5 shows the proportion of applications for which Council made a formal further information requests from applicants. This is often a reflection of the quality or extent of the information provided to Council. It shows that further information requests have increased since 2015/16, and that the proportion of applications that require further information is now greater than the average for similar small and medium sized councils in Victoria.

Figure 5 Proportion of applications with further information requests 2011-2018



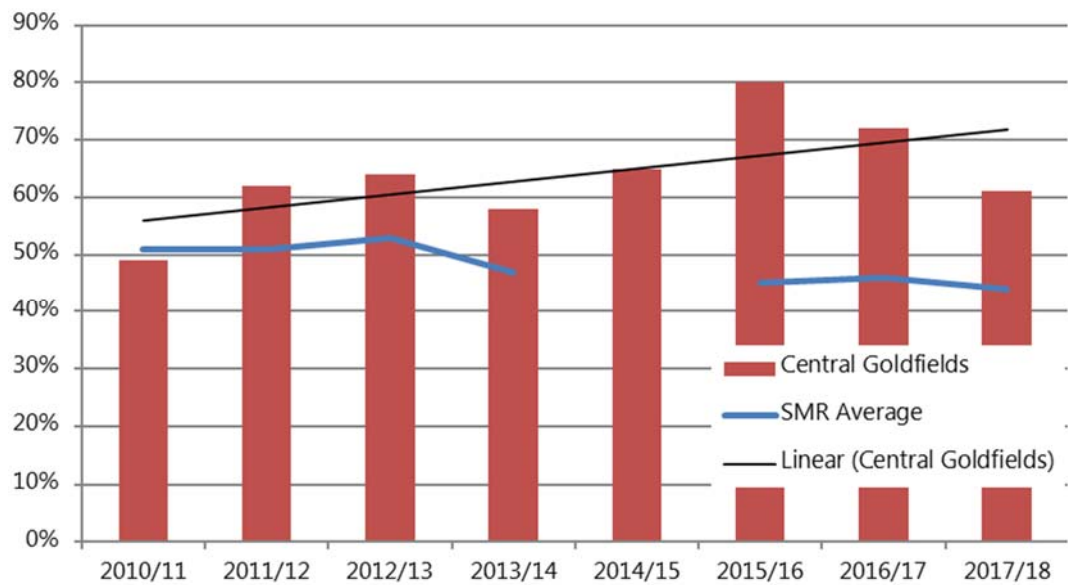
Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18

Referrals to external authorities

Figure 6 shows the proportion of applications that were referred to external authorities over the period. It shows that these have risen, over time. The reasons for this are not clear, and could include:

- additional diligence by the planners;
- an increase numbers of applications in overlays that trigger statutory referrals; or
- an increased need for the planners to rely on the advice provided by external authorities under Section 52 of the Act.

Figure 6 Proportion of applications with referrals 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18, prepared by Centrum Town Planning, 2020

Public involvement

Figure 6 shows the proportion of applications that were subject to a public notice process during the permit application process. This requires the planners to consider the need to notify neighbours under a test of ‘material detriment’ in Section 52 of the Act.

The figure shows a decrease in the proportion of applications for which public notice was given, which is now below the SMR average.

Figure 7 shows the proportion of applications for which objections or submission were received over the period. It reveals a declining level of objections (1%) in recent years, which is a lower level that comparable councils.

Without a detailed analysis of the data on a file-by-file basis, it is difficult to understand the reasons for these trends. The fairly significant variation in the data for both of these indicators, over time, does, however, indicate that some approaches to giving notice may have changed. Council may wish to investigate this further and consider developing some guidelines that may improve the consistency in the way in which notice to neighbours is given for different types of applications.

Figure 7 Proportion of applications with public notice 2011-2018

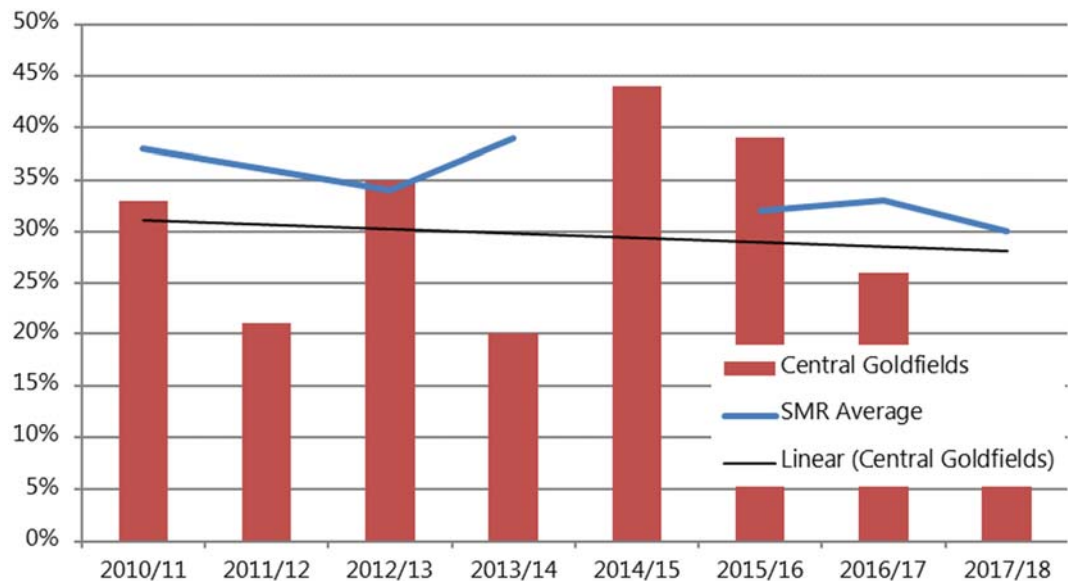
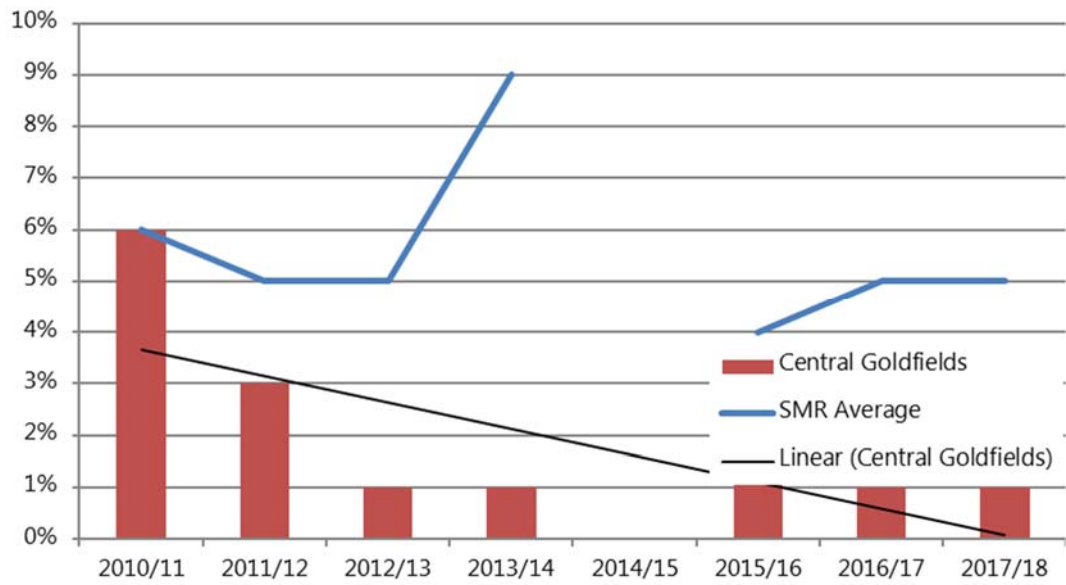


Figure 8 Proportion of applications that received objections/submissions 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18, prepared by Centrum Town Planning, 2020

Application timeframes

Figure 9 shows the median number of days it took to Central Goldfields Shire Council to process planning permit applications between 2011 and 2018. It shows that Council has consistently taken more processing days to decide upon applications than comparable SMR councils, although the median number of days has remained fairly steady.

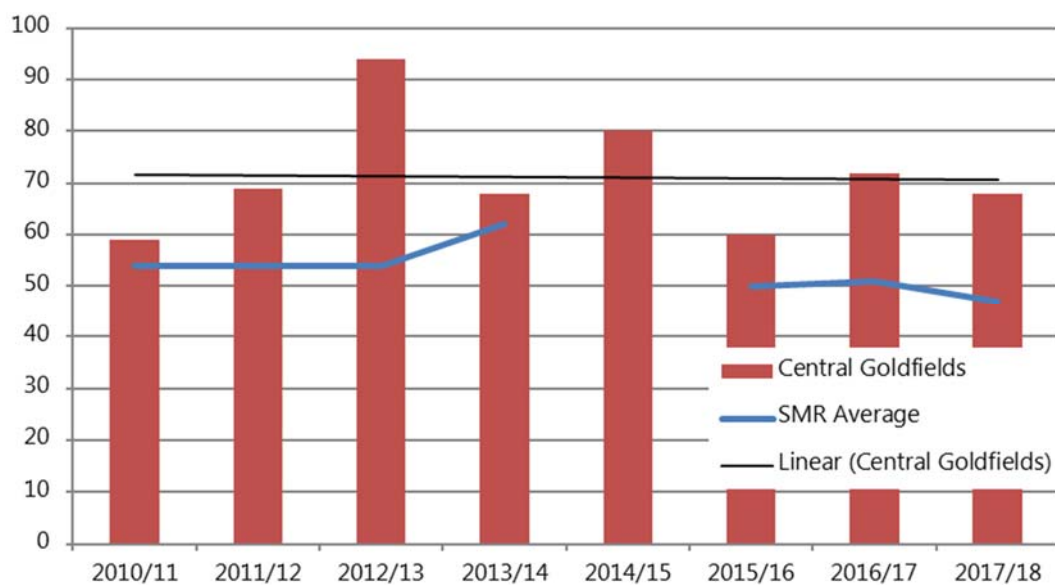
Figure 10 shows the proportion of applications that were decided upon within the statutory time period, which is 60 days for ‘standard’, non VicSmart applications. The figure shows that, in recent years, Council has had a progressive decrease in the number of applications it has decided upon within the statutory timeframe.

The reasons for these trends are not immediately clear and require further investigation. Possible reasons are:

- staffing levels;
- the efficiencies of the systems and processes within the planning department;
- the quality of applications
- the number of referrals; and
- staffing levels within the organisations responsible for these referrals.

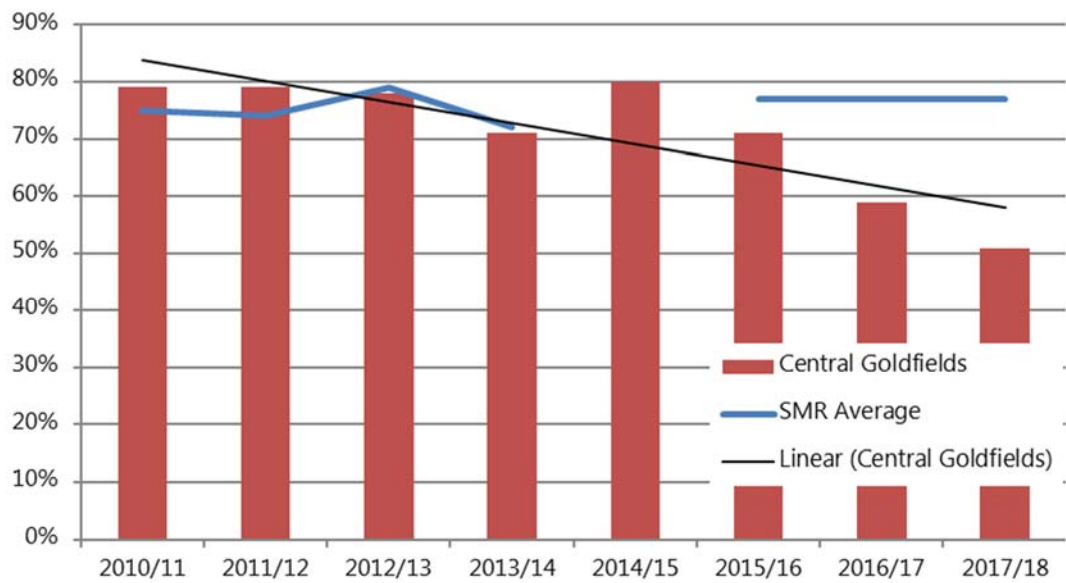
It is highly likely that there are a number of factors at play and not all factors may be within the control of council. Some factors, such as referrals triggered by overlays have been discussed in more detail later in this report.

Figure 9 Median processing days for planning permit applications 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18, prepared by Centrum Town Planning, 2020

Figure 10 Proportion of applications decided within statutory timeframe 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18, prepared by Centrum Town Planning, 2020

Notes on data:

- Median processing days to Responsible Authority determination is the median number of days (inclusive of weekends and public holidays) between the receipt of the application and the Responsible Authority making a determination.
- The state level data does not reveal whether the data considers the 10 day statutory timeframes for VicSmart applications separately from standard applications, nor does the format of council's data allow this to be confirmed.

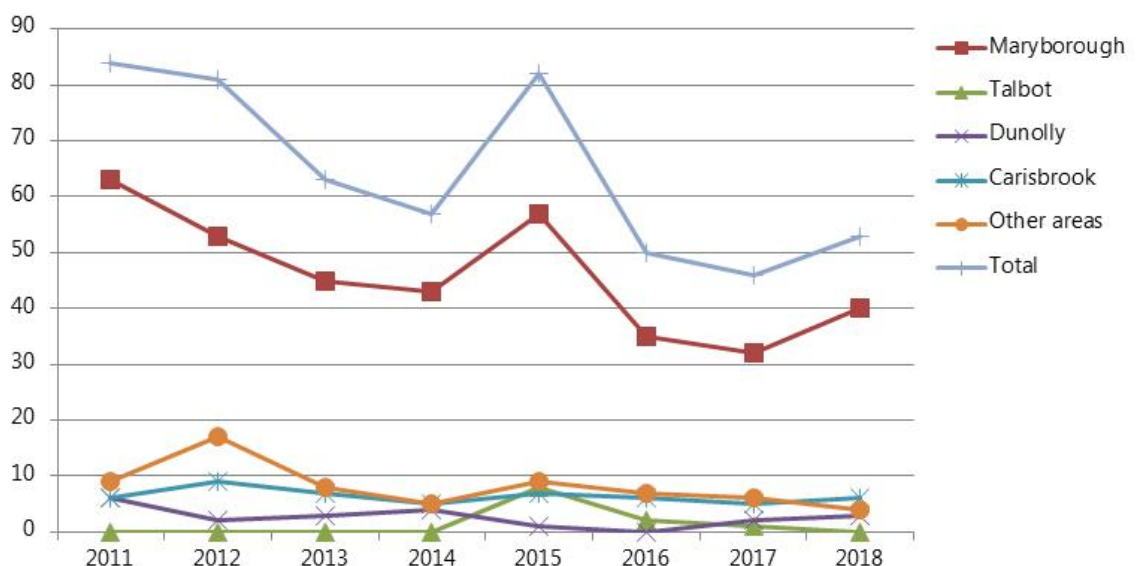
6.4 Building permit activity

When compared with planning permits, an analysis of building permits for new dwellings presents a somewhat more complex picture of development activity in the Shire. This is because building permits capture all proposed investment that requires building approval, including extensions that often do not require planning approval. They also reflect a greater commitment to proceeding with a construction.

Figure 11 shows the value of building permits issued for new dwellings by location. It shows that the number of building permits issued for new dwellings has fallen steadily across the Shire since 2011, however, the largest falls have been in Maryborough, which fell from 63 approvals in 2011 to 40 approvals in 2018. The fact that this is a consistent, medium term trend, could suggest that Maryborough is becoming less important as the location of dwelling investment in the Shire. The reasons behind this trend may warrant more analysis. This has implications for settlement planning, as dwellings outside Maryborough are less likely to be close to a full range of urban services. This issue will be addressed in more detail in Council’s Population, Housing and Residential Settlement Strategy.

Building approvals for Dunolly and the rural areas of the Shire have also fallen, however, Carisbrook has remained fairly steady at 6-9 dwellings per annum. No building permits were issued for new dwellings in Talbot from 2011 to 2014, however, there was a spike of eight dwelling permits issued for new dwellings in 2015, with only three permits issued from 2016-2018. The reasons for the spike in 2015 are unclear, however, wastewater issues are an ongoing constraint to all forms of development in Talbot.

Figure 11 Building permits issued for new dwellings by location 2011-2018



Source: Central Goldfields Shire Council Building Register, 2019, Compiled by Centrum Town Planning, 2019. Does not include extensions/alterations

6.6 Staff resources and delegations

Currently, the Statutory Planning Department comprises:

- One full time coordinator of statutory planning (1.0 EFT)
- One full time statutory planning officer (1.0 EFT)
- One part time planning administrator (0.6 EFT)

In the past, Council has also made use of contractors to cover during staff leave and absences. Council also has a full-time planning compliance officer. Council obtains heritage advice on an as -needs basis and there is no contract in place for ongoing heritage services.

It is understood that the coordinator and statutory planning officer are responsible for assessing a broad mix of planning permit applications, which is similar to the arrangements at most smaller shires. The administrator is involved in administrative tasks relating to the preparation of files, advertising and enquiries.

Both planning officers have full delegated authority to approve and refuse planning permit applications, including applications for which objections have been received. The Manager of Planning and General Manager Infrastructure Assets and Planning also have these delegations. In practice, however, all applications that receive objections, or which are recommended for refusal, are decided upon by Council.

The scope of this review did not allow analysis of the instruments of delegation and their operation, although it is likely that Council would benefit of more detailed investigations into whether these are operating effectively and efficiently.

It is also understood that Council is encouraging greater levels of mediation between applicants and objectors. This initiative is supported, as it can be successful in resolving issues and has the potential to reduce costs and complexities for all users of the planning system.

6.7 Systems and processes

The systems and processes that are employed within Council to process planning permit applications has the potential to influence:

- the quality of assessment;
- assessment timeframes;
- satisfaction in the process for council staff, external authorities and permit applicants.

Council has provided Centrum Town Planning with a broad overview of the way in which planning permit applications are received and processed by the statutory planning team. They key issues with current systems and processes appear to be as follows:

- some applications are received without payment, which is convenient for applicants but delays formal commencement of the statutory process, results in staff time being spent chasing payment and affects application timeframes;

- there is no web-based system that allows applicants to lodge applications electronically in a consistent way;
- information relating to each file is often a mix of paper based and electronic information;
- there is no electronic application management system that records key dates and generates reminders and work-flows for the planners and administrative staff;
- the effectiveness of Council's records management system relies upon the accurate registering of documents by all users;
- the methods of registering new electronic documents against the planning file are cumbersome and inconsistent and can make files hard to find.

These factors are likely to:

- reduce staff effectiveness and morale;
- increase the risk of errors and inconsistencies in process applications;
- increase application timeframes and affect applicant satisfaction.

One of the key opportunities for Council to address these issues is by considering the introduction of software that is specifically designed to manage planning processes. Many councils that receive similar numbers of applications to Central Goldfields Shire Council have such a system in place. For example, Mount Alexander has used the Greenlight system for a long period of time. These councils may provide useful models to consider. Central Goldfields Shire Council could learn from their experiences in using different systems. Consideration may also need to be given the more general arrangements for document management within Council to ensure that these systems are compatible with one-another. DELWP may be able to provide some advice or funding for this initiative.

According to Council, subdivision applications are assessed in the usual way until planning permits are issued. From this point, the certification and compliance process is managed through the SPEAR online system. No specific issues have been raised by planning staff in relation to this system.

6.8 Planning certificates

A planning certificate is an official statement of the planning controls that apply to a property. They are mainly used to satisfy the Sale of Land Act 1962 and are included in Vendors Statements when land is sold.

Unlike in most councils in Victoria, Central Goldfields Shire Council continues to be the responsible authority for issuing planning certificates under Clause 3.0 of the Schedule to Clause 72.01. Currently, DELWP is responsible for the issuing of certificates for 58 of the 81 planning schemes in Victoria.

Council issues approximately three planning certificates per week and charges \$20 per certificate. The entire process takes approximately three hours per certificate. It is therefore clear that the time that is required to issue the certificates is not covered by the fees that are payable.

On this basis, Council should re-consider its role in performing this function and commence a process to transfer this responsibility to the Minister for Planning through the necessary administrative and statutory processes. This will ultimately require an amendment to the Schedule to Clause 72.01 of the Planning Scheme.

6.9 Strategic planning

The strategic planning functions of Council are currently carried out by the Manager of Strategic Planning and Economic Development and a (0.8) time strategic planner. Council uses the State Government's ATS (Amendment Tracking System) to prepare and manage planning scheme amendments.

Prior to 2019, strategic planning was carried out by officers responsible for statutory planning when required or in response to proponent led amendments or enquiries. There was no strategic planning work program and no regular budget for strategic planning work. This situation was discussed in Section 12.3.1 of the 2013 Review Report.

Council has recently committed to a budget of \$233,000 for strategic planning and has developed a future strategic program (Central Goldfields Shire Council Budget 2019/2020). This is discussed in more detail in the implementation section of this report.

Strategic planning also has a need for appropriate systems and processes to manage projects, carry out consultation and referrals and record documents. Often, these systems are customised to suit the nature of the project. The main work-flows relating to amendment documentation are managed through DELWP's online Amendment Tracking System.

Due to the fact that council has only had designated strategic planning staff for a relatively short period of time, there are likely to be a range of opportunities to develop in-house systems and approaches to projects, including contracts, contract management, project management and reporting. These opportunities could be addressed through a broader review of statutory systems and processes.

6.10 Discussion

Permit application numbers have a direct influence on the need for staff resources, both in terms of planning resources and administrative support and file management. The number of planning permit applications received by Council in the period since the last review is consistent with the longer-term average from 2003/4 to 2010/11, which was between 120 and 160 applications per year. Nevertheless, the number of files is just one of many factors that influences planning permit application processes and outcomes, both for Council and the applicants. Other factors include:

- the quality of applications;
- the number of objections and their nature;
- involvement of other authorities; and
- the efficiency of the systems and processes that are used within the planning department.

Ultimately, Council should aspire to a program of continual review and improvement in all aspects of the planning permit and planning scheme amendment process.

The analysis undertaken for this review indicates that there are several areas that require further investigation. These relate to:

- an increase in the proportion of applications subject to further information requests;
- changes in the number of referrals;
- a decrease in the level of notice to neighbours;
- a decrease in the proportion of applications decided upon within statutory timeframes.

The greatest opportunity to improve systems and processes in the Central Goldfields Planning Department is likely to be in introducing permit application management software that will allow applicants to lodge and monitor applications remotely, and better manage documents and workflows within Council.

The need for this software is supported by permit activity data suggests that Central Goldfields Shire is generating more referrals and public notices processes and is taking longer to process applications than other comparable councils in Victoria, many of which have such systems in place. These matters were beyond the scope of this study and should be the subject of separate detailed investigations by Council.

Council also need to explore ways of working with applicants and the community to improve the quality of applications. Strategies to achieve this could include information checklists and more formal processes for pre-application meetings.

In relation to staff resources, the data suggests that Council needs to, at minimum, maintain its current staffing levels. An additional change that would free up staff resources would be to transfer the responsibility for the issuing of planning certificates to the Minister for Planning.

This review has only identified the main issues and opportunities to improve systems and processes in the Planning Department. The most appropriate approach to addressing these issues is likely to be a fuller review of systems and processes within the planning department, although this could take a number of different forms depending on Council's priorities and resources.

The recent *Planning and Building Approvals Process Review Discussion Paper (Better Regulation Victoria, 2019)* contains a comprehensive discussion about many of the issues relating to improving the planning system and how they can be addressed. This document could be used as a general guide and resource for these investigations.

There are some interesting shifts emerging in the location of planning permit activity, with increases in planning permit activity in Maryborough, yet fewer dwelling approvals in the town. Whilst it is not clear whether these shifts represent anything important for land use planning, it does suggest that recording information about permit triggers would allow a greater degree of analysis and has the potential to lead to efficiencies in the future as part of future review processes.

6.11 Key findings

- Between 2011 and 2018, Council received between 120 and 160 applications per year, consistent with long-term trends.
- Maryborough is generating increasing numbers of planning permit applications, although dwelling construction in Maryborough is falling.
- Planning applications by category present a complex picture of development activity, and more investigation is required to properly understand whether trends exist and the drivers and implications for the Planning Scheme.
- Central Goldfields Shire Council took longer than most other comparable councils to assess planning permit applications between 2011 and 2018.
- There is a need to improve the quality of planning permit applications, which will improve permit application timeframes.
- There are opportunities to improve systems and processes within the Planning Department, mainly in relation to software systems, but possibly also in relation to staffing and delegations.
- Council's role in issuing Planning Certificates is unlikely to be an efficient use of Council's planning resources and should be reviewed.

6.12 Recommendations

- PP.1) Undertake a benchmarking exercise with similar councils to explore:
- staff workloads and resources;
 - file allocation processes;
 - instruments of delegation.
- PP.2) Explore new software system(s) that will:
- enable online lodgement, monitoring and public notice of applications;
 - improve internal file management and work-flows;
 - facilitate referral authority responses;
 - be compatible with Council's existing document management systems;
 - be compatible with the State Government PPARS reporting system.
- PP.3) Record permit triggers for all new planning permit applications to enable later analysis.
- PP.4) Commence the necessary statutory and administrative steps to transfer the responsibility for issuing Planning Certificates to DELWP.

7 Review of Scheme performance

The Planning Scheme is Council's main tool for guiding strategic decision making as the planning authority. It is also the main tool for guiding statutory decision making as the responsible authority for planning permit applications in the Shire. It is therefore important that the Planning Scheme provides sufficient guidance to assist Council, planners, applicants and the community with information about Council's strategic directions for the Shire and policy guidance for the assessment of planning permit applications.

The Planning Scheme often comes under the greatest scrutiny at planning panels and at the Victorian and Administrative Tribunal. This section provides an overview of the findings of panels and VCAT that have been called to consider planning issues in the Shire. It also considers applications that were refused by Council, as applications that are refused often reveal where Council may benefit from greater guidance in the Planning Scheme.

7.1 Panel hearings

In the previous review period, between 2000 and 2013, there were four planning panels called to hear unresolved submissions to planning scheme amendments in the Shire (C5&6, C12, C16 & C18). When panels have needed to refer to the MSS they have generally been satisfied with the level of strategic support for the amendments, although two panel hearings in this period made recommendations that are also relevant to this review, as outlined below.

Since 2013, there have been no planning panels for proposed amendments to the Planning Scheme.

Amendment C12 (Maryborough Knitting Mills)

The Amendment C12 Panel Report for the Maryborough Knitting Mills identified the need to strengthen the MSS in relation to the Central Business Area by ensuring that:

- *Council's objectives and strategies for the Maryborough CBA are adequately reflected in the LPPF;*
- *the zoning and overlay framework adequately implements the LPPF;*
- *suitable provision is made for future bulky goods retailing in Maryborough; and that*
- *appropriate elements of the Maryborough Urban Design Framework are included in the Planning Scheme.*

Source: C12 Panel Report, 43

Amendment C16 (Maryborough Golf Course)

The Amendment C16 Panel Report for the Maryborough Golf Course found a lack of guidance in the Maryborough UDF in relation to infill residential development in the outer areas of the township (C16 Panel Report, 13).

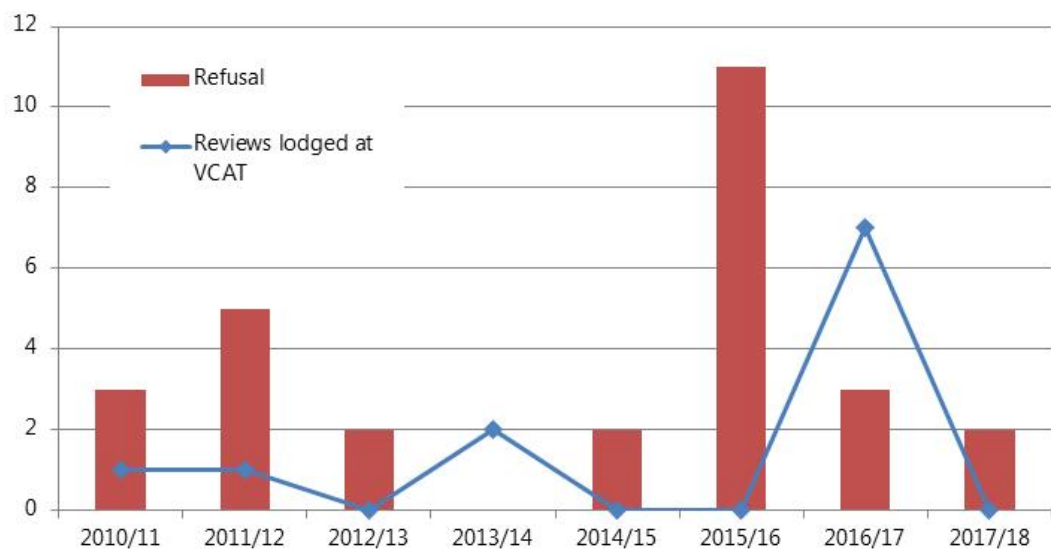
7.2 VCAT appeals

Figure 12, below, shows the number of applications for review that were lodged with VCAT between 2011 and 2018. The data shows that, on average, only 1.4 applications for review per year were lodged with VCAT over most of the period. This represents around 1% of the applications received by Council. The exception was the 2015/2016 period, when there were several applications for poultry farms lodged for review with VCAT. Of the nine applications for review since 2013, five were merits hearings. Of these, three of Council's decisions were overturned.

This level of VCAT activity is relatively consistent with the number received by Central Goldfields Shire Council in the earlier 2003/04 – 2010/11 period. It is also worth noting that the number of VCAT appeals received by Council is lower than the Victorian average, which is around 5% of all applications.

These statistics suggest that both applicants and the community are usually able to resolve planning issues through Council processes at the local level rather than at appeal.

Figure 12 Planning permit applications refused and VCAT appeals 2011-2018



Source: State of Victoria, Planning Permit Activity in Victoria, Planning Permit Activity in Victoria Online, 2010/11-2017/18, prepared by Centrum Town Planning, 2020

7.4 Permit application refusals

Council refused approximately three applications per annum, on average, over the 2010/11 to 2017/18 period. This represents around 3% of the decisions made by Council over the period. The remainder were approved, withdrawn or lapsed. Some common land use themes are evident in the applications that were refused across the period:

- dwellings – location/zone unknown (8 refusals), a land use category which represented approximately 29% of all refusals;
- intensive animal industries / poultry farms (5 refusals);
- signage related (3 refusals);
- liquor related (2 refusals).

There was a spike in the number of refusals in 2015/16 that can be explained by a resolution by Council on 25/8/2015 to refuse 10 applications that had been awaiting further information for a long period of time (Ordinary Council Meeting Minutes 25/8/2015). This batch represented approximately 40% of all of the applications refused over the period.

As part of this review, the authors have reviewed a sample of six planning files for applications that were refused between 2011 and 2015. The objective of this exercise was to attempt to identify common issues or themes that could inform the Review. The grounds of refusal associated with these applications relate to the following issues:

- legal access to lots and bushfire risk for a lot in the Rural Conservation Zone and subject to the Wildfire Management Overlay; an objection was received from the CFA and Council was bound to refuse the application;
- loss and fragmentation of agricultural land in the Farming Zone from a new dwelling in Amherst, and inconsistency with overlay provisions including the LSIO;
- Unresolved requests from Council for further information relating to:
 - land Capability Assessments in unsewered areas;
 - bushfire Management Statements in the Bushfire Management Overlay;
 - responses to the provisions of the Farming Zone;
 - requests from DELWP for information relating to native vegetation removal.

These applications and their grounds of refusal are considered to provide a representative picture of the common grounds of refusal for planning permit applications in the Shire.

7.6 Discussion

The analysis undertaken for the 2013 Review confirmed that the Planning Scheme has generally provided planning panels with sufficient direction to guide decision making. The 2013 Review noted, however, two planning panels recommended improvements to the Scheme's strategic directions for infill commercial and residential development in Maryborough. As no planning panels have been held since 2013, the recent performance of the Planning Scheme in relation to planning scheme amendments has not been tested.

The other key process where the Planning Scheme is tested is in VCAT. When Council's overall level of VCAT appeals is benchmarked against other comparable councils, Central Goldfields Shire Council's results are comparable to regional Victorian councils of a similar size. There are two nearby councils that, like Central Goldfields Shire Council, have a single major town with 50-60% of the resident population: Northern Grampians Shire Council (population 11,500) and Southern Grampians Shire Council (population 16,140). These councils received 98 and 127 applications respectively in 2017/18. In this period, these Shires had 0-3 refusals and 0-2 VCAT appeals respectively.

On the few occasions that permit applications have been heard at VCAT, the Central Goldfields Planning Scheme has performed adequately. There have been several complex and difficult appeals relating to poultry farms applications that have raised a broad range of planning issues. It is unlikely that the content or performance of the Planning Scheme would have avoided VCAT cases for these applications, although there are opportunities to improve the strategic and policy framework for intensive animal industries, as discussed later in Section 10 of this report.

Council continues to struggle with planning permit applications for some types of development that are poorly prepared or have insufficient information. The most common type of application where these issues arise is for the use and development of dwellings in rural areas. Often applicants struggle to address separate but inter-connected planning issues. These often include bushfire, native vegetation, land capability and agricultural issues. The further analysis of refusals and recording of planning permit triggers, as recommended in the previous section of this report, would assist in confirming these findings to understand where best to allocate resources or respond to issues relating to dwellings.

There are a number of other initiatives that could assist Council in improving the quality of dwelling applications, as follows:

- workshops with designers and regular applicants, specifically aimed at rural areas;
- publicity or information sheets about land use and building in a rural area;
- information on Council's website about land use and building in a rural area;
- providing a list of local consultants who can assist with rural planning issues such as agricultural, land capability, vegetation and bushfire consultants.

Council currently does not collect data on planning permit triggers. It has therefore not been possible to fully identify opportunities to reduce planning permit triggers through the use of local schedules or use VicSmart for minor applications through the Schedule to Clause 59.15. As recommended in Section 5, data should be collected to enable this analysis to occur.

7.7 Key findings

- The Central Goldfields Planning Scheme has generally performed well in strategic decision making, although it has rarely been tested or used rigorously for this purpose.
- The number of applications for review of Council's decision at VCAT is relatively low.
- VCAT activity is at a level that is consistent with comparable councils.
- There are no strong patterns in the type of VCAT appeals that have taken place since 2013, although multiple appeals have been heard for poultry farms.
- Poor quality applications represent approximately 40% of the applications that were refused over the period, suggesting that this is a key issue facing Council.
- Applications for dwellings constitute a large proportion of applications that are refused by Council, many of which are likely to have been in rural areas of the Shire.
- The collection of data on planning permit triggers would assist in identifying opportunities to reduce planning permit triggers and use VicSmart more extensively for minor applications.

7.8 Recommendations

- SP.1) Undertake more detailed investigations into the location of applications that are refused as part of a future Planning Scheme Review.
- SP.2) Investigate initiatives that seek to improve the quality of applications in rural areas.
- SP.3) As part of the next Planning Scheme Review, identify opportunities to reduce planning permit triggers including the use of the Schedule to Clause 59.15 (local VicSmart applications).

8 Review of strategic studies and plans

The State Planning Policy Framework requires planning authorities to plan strategically for rural, residential, industrial and business development. This means that local provisions of the Planning Scheme should have a strategic basis that is usually derived from a strategic study or plan.

This review has assessed the status of existing or planned strategic studies and plans that have been prepared by Council's planning department to ensure that they are relevant and continue to align with Council's strategic objectives as expressed through the PPF. In short, this section provides a 'snapshot' of Council's recent and current strategic planning work. The Review's recommendations for other strategic work to address emerging issues or gaps have been made in Section 10 of the Report.

For the purposes of this review, the term 'strategic study or plan' includes a broad range of planning documents, that may include strategic framework plans, land use studies, structure plans, urban design frameworks, heritage studies and reviews of planning policy.

For the purposes of the Review, strategic studies have been divided into four categories:

- strategic studies that were completed between 2000 and 2013;
- strategic studies that are under preparation but have not yet been implemented in the Planning Scheme;
- strategic studies that have been identified but not yet commenced;
- future planning scheme amendments.

There were no strategic studies or plans prepared between 2013 and 2019.

8.1 Strategic studies completed (2000-2013)

The 2013 Review provided a summary of strategic planning work that was undertaken during the 2000-2013 period. This work included:

- Dunolly Urban Design Framework (2002)
- Carisbrook Urban Design Framework (2003)
- Maryborough Urban Design Framework (2005)
- Heritage Review Stage 1 (2004)
- Talbot Urban Design Framework (2009)
- Industrial Land Audit and Strategy for Council owned land (2011)
- Rural Capability Project (2011)

The 2013 made detailed recommendations for the implementation of a number of these projects. Some of these recommendations are still relevant. This review discusses a number of these studies in relation to specific emerging issues and strategic gaps in Section 10.

8.2 Strategic studies underway (2019-)

Council is in the process of preparing a number of strategic studies or associated research work to inform studies. The main purpose and key findings and recommendations of these studies, if in draft form, have been summarised below.

Residential Land Supply and Demand Assessment (January, 2020)

This work was carried out to inform the Population, Housing and Residential Strategy, which is discussed below. Key findings of the assessment were:

- Average of 59 residential building approvals per annum from 2006/7 to 2018/19, 68% of which were in Maryborough.
- Residential lot construction through subdivisions of 48 per annum from 2009 to 2019, with 92% of all lot construction in Maryborough (92%) and Carisbrook.
- Low land price growth compared with adjoining municipalities.
- Residential lot capacity of 668 lots across Central Goldfields Shire in broadacre zoned land, nearly 50% of which is in Maryborough.
- 361 vacant urban lots, most of which are in Maryborough (188 lots).
- 1,604 rural residential lots in the Rural Living or Low Density Residential Zone, 625 (39%) of which were vacant.
- The important role of rural residential development to new housing stock (13% of new housing developments).

The assessment outlines three potential growth scenarios, one which is based on State Government forecasts (0.7% growth), one which anticipates growth at recent levels (0.9% growth) and one that assumes stronger growth with movement away from Melbourne (1.3% growth).

The report concludes that there is sufficient zoned broadacre residential land to meet short/medium term requirements in Maryborough, although an increase in in this form of land supply would be appropriate (Spatial Economics, 2020, 9). It found that there is sufficient land in Carisbrook, Dunolly and Talbot to satisfy long term demand. The report calculates the amount of new land that would be required to establish a 'greenfield land supply stock' of between 22 and 78 hectares in the Shire, depending on the growth scenario (Spatial Economics, 2020, 9).

Population, Housing and Residential Strategy (March, 2020 – Final)

Council has recently commenced the preparation of this Strategy to provide clear direction for residential development in the Shire between 2020 and 2035. The work recognises that, since the development of the 2012 Residential Strategy, bushfire risk, flooding, housing affordability and sustainability have become more important influences on planning for new residential development. The Strategy was informed by the preparation of a residential land supply and demand assessment and demographic assessments identified previously.

The Strategy re-affirms the scenario based approach suggested in the Residential Land Supply and Demand Assessment. That is, the Shire needs to accommodate population growth of between 815 and 1,925 people between 2020 and 2036, which equates to between 713 and 1,304 new dwellings (Spatial Economics, 2020, 5).

The Strategy recommends that Council focus its planning efforts on the Maryborough/Carisbrook area, as this is where most of the Shire's growth has historically occurred. It recommends that some zoned residential land in Maryborough is 'back-zoned' as it is constrained by bushfire risk or native vegetation, but does not identify particular sites. The Strategy recommends that Council should focus future investigations on area on the north-west side of Dunolly-Maryborough Road, and do more work with agencies and landowners to establish its suitability (Spatial Economics, 2020, 43).

The Strategy recommends that Council pursue a greater diversity of housing stock as the population ages and more urban consolidation in Maryborough. The suggested strategies for achieving this objective including:

- policy development;
- reviewing the accuracy of heritage overlays;
- developing guidelines for infill development in heritage areas;
- incentives such as fast-tracking of applications and 'density bonuses';
- active development facilitation through forums and staff facilitation roles.

The Strategy recommends that Carisbrook should play a greater role in broadacre development as it has a lower bushfire risk than areas around Maryborough yet good access to the services and infrastructure in Maryborough. The Strategy recommends that a Precinct Structure Plan (PSP) be prepared for Carisbrook and the corridor to Maryborough including Flagstaff.

The Strategy does not anticipate the need to plan for urban expansion in Talbot, Dunolly or any other townships. Likewise, the Strategy does not recommend the rezoning of any more land to accommodate rural living land, but recognises the likely need for smaller serviced low density lots of 3,000 to 5,000m² in size, and the need to review the planning provisions that apply to some rural living land in sensitive landscapes (Spatial Economics, 2020, 7).

8.3 Strategic studies not yet commenced

The Schedule to Clause 72.04, which identifies ‘further strategic work’ in the Planning Scheme has not yet been finalised through the PPF translation process. Nevertheless, Council has developed an internal strategic work program to the end of the 2020/21 financial year. The program is subject to ongoing revision and changes in resources that are available.

The program includes the following strategic projects that have not been commenced to date:

- Industrial Strategy (possible addition to Residential Strategy project)
- Carisbrook/Flagstaff Framework Plan
- Review of heritage controls in Maryborough

8.4 Future planning scheme amendments

As part of its strategic work program, Council is planning to commence planning scheme amendments to implement the following strategic projects:

- C031gol Flood Study implementation
- Planning Scheme Review
- Review of heritage controls in Maryborough
- Errors and anomalies planning scheme amendment
- Maryborough flood study amendment.

Council has advised that these amendments may be combined for efficiency, depending on resources, timeframes and priorities.

8.5 Discussion

After a long period of relatively little strategic planning work from 2013 to 2019, Council is commencing a suite of key strategic planning initiatives that will put it in a strong position to shape the local section of the PPF over the coming years.

The most important Strategy is the Population, Housing and Residential Strategy. Whilst it has not yet been adopted, this Strategy provides clear direction for where Council should direct its future strategic planning efforts for residential development, and a strong evidence base for its recommendations. In particular, it resolves a number of long-term issues at the regional and local levels, including short and longer term directions for greenfield growth, the future role of Talbot and the small towns in the Shire from a settlement perspective. It also provides important direction for rural living and low density residential land.

These directions will need to be tested and firmed up during a planning scheme amendment process, however, Council should use them as the foundation for its short-term planning efforts. For example, the Strategy brings heritage in central Maryborough to the fore as a settlement issue in relation to the application of the Heritage Overlay and raises the need for guidelines to facilitate urban consolidation in central Maryborough. The Population, Housing and Residential Strategy should be implemented in the Planning Scheme through a planning scheme amendment as soon as possible to maintain its relevance and integrity.

Council has prepared an appropriate list of priority strategic projects for the next 18 months that appropriately reflect the findings of the Population, Housing and Residential Strategy, and which address immediate planning issues and priorities. There are a number of projects that should also be considered by Council as medium and longer term priorities to address emerging issues and strategic gaps. These projects are identified in Section 10 of this report.

According to guidance from DELWP, the schedule to Clause 72.04 should have a 4-8 year outlook or to the next planning scheme review cycle. The medium and longer term projects that should be considered by Council are discussed in Section 10.

8.6 Key findings

- Council prepared a number of urban design frameworks and plans for industrial land between 2000 and 2013, components of which are still relevant.
- There were no strategic studies or plans prepared between 2013 and 2019.
- Council's draft Population, Housing and Residential Strategy provides a sound basis for future settlement planning in the Shire and its recommendations should be supported.
- Council has prepared an appropriate short-term list of priority projects for the coming 18 months but needs to consider a strategic work program that looks out at least four years.

8.7 Recommendations

- SS.1) Continue to implement the current strategic work program.
- SS.2) Prepare planning scheme amendments to implement the findings of all strategic planning work in the most efficient and logical manner.
- SS.3) Develop a medium and longer term strategic work program for the next 4-8 years, having regard to the findings and recommendations of Section 10.

9 Strategic influences

The Planning Scheme is influenced by a range of strategic influences, including demographic and development trends and emerging policies at the state, regional and local levels. This section explores the key influences that may affect land use planning in the coming years and should be considered in future land use planning. It starts to explore the question ‘where to from here and why’ in relation to the Planning Scheme.

The section identifies a number of strategies that are not directly related to planning but which provide a picture of emerging trends in areas relating to planning and government initiatives that could have implications for land use and development over the longer term. Land use planning strategies that have been prepared by Council are discussed in Section 8 of this report.

9.1 Demographic and housing trends

Demographic trends influence settlement patterns, social needs and housing needs. The MPS currently recognises that slow population growth and an ageing population are key issues that will influence the Shire’s future land use and development.

As part of the preparation of the Council’s Population, Housing and Residential Settlement Strategy, Council prepared an analysis of socio-demographic indicators and trends in the Shire (Spatial Economics, 2019). The data was based on the Estimated Resident Population data prepared by the ABS and the ABS Census of Population and Housing. This work provides a sound basis to inform the Review and provide a fuller picture of influences relating to settlement planning. Key demographic and housing indicators for the Shire are:

- Slow but steady population growth of 0.5% for the Shire as a whole, down from 0.8% growth from 2011 to 2016, but above the years of decline during the 1990s and 2000s.
- The Shire is losing population through natural attrition and growth is coming solely from in-migration, mainly from nearby areas.
- Maryborough attracted the majority of growth between 2011 and 2016 and grew at a slightly higher rate than the rest of the Shire.
- The age of the population is well above average compared with Victoria and Australia and is getting older mainly through in-migration from older age groups.
- The total number of households in the Shire increased by over 300 between 2006 and 2016, due substantially to an increase in lone person households, with other increases in group households and one parent families.
- The Shire’s population has lower incomes and lower rent and mortgage repayments than the Victorian average.
- Relatively high levels of unoccupied dwellings (13.5%), with no clear explanation as to the reasons why this is the case.

- Projected future growth of 0.4% per annum to 2036 based on Victoria in Future projections (DELWP, 2019, in Spatial Economics, 2019, 11).
- Projected future household growth of 839 to 2036 to 2036 (0.7% per annum).
- Projected future dwelling demand of an additional 920 dwellings to 2036 (0.7% per annum)

Source: Spatial Economics, 2019, 11

The analysis draws together the various influences that demographic trends have on housing demand. In summary, it concludes that:

- Modest 0.5-1.0% population growth is the most likely scenario for the future.
- Future population growth will be reliant on in-migration mainly from surrounding regions.
- It is prudent to plan for a higher growth scenario in case this occurs and plan for this growth to be ready in case it happens.
- Housing is likely to grow at a slightly higher rate than population growth, in the order of 0.6% to 1.2% per annum, although the high rate of unoccupied dwellings may influence this demand.
- It is likely that demand for new housing in the Shire will be highest in Maryborough and Carisbrook, with very modest demand in Talbot and Dunolly.

These issues are currently being explored through the Council's Population, Housing and Residential Settlement Strategy, as discussed later in this report.

9.2 State Government plans and policies

Local government must have regard to a range of policy influences from state and federal governments and from government agencies and servicing authorities. These relationships are often not identified in the Planning Policy Framework but have the potential to shape future strategic planning initiatives in Central Goldfields Shire. The focus of this section is on influences that have emerged since the last review in 2013.

Plan Melbourne: Metropolitan Planning Strategy 2017-2050 (2017)

'Plan Melbourne: Metropolitan Planning Strategy' outlines the State Government's long-term plan to accommodate Melbourne's future growth in population and employment. The Plan is a background document in all planning schemes, a policy document in Clause 11.01-15.

The Plan was updated in 2019 with revised population and other projections. It predicts that Melbourne will grow by another 1.6 million people to be a city of 6.3 million people by 2031 and a city of 8.4 million by 2051 (State of Victoria, 2019, 7).

Whilst the focus of the Plan is on Metropolitan Melbourne, one of the key principles driving the Strategy is an acknowledgement that Melbourne should be a “city of centres linked to regional Victoria”, noting that regional centres that are well connected and within viable commuting distance of capital cities offer attractive housing and employment opportunities. As such, they have the capacity to relieve pressures on capital cities by absorbing some of their growing population. The Strategy contains a series of outcomes, objectives and directions for achieving the Strategy.

The Plan recognises Maryborough as a ‘regional centre’ that is linked to the regional city of Ballarat. The Plan is relevant to Maryborough and Central Goldfields Shire in that it acknowledges the important role that Ballarat, which connects the Shire with Melbourne, will play in housing population growth in regional Victoria, and the need to invest in housing and employment in regional Victoria (State of Victoria, 2017, 128).

Protecting Victoria’s Biodiversity 2037 (2017)

This biodiversity plan was made under the Flora and Fauna Guarantee Act 1988. It sets out the importance of biodiversity, and the risks and challenges facing it, as well as principles and a long-term vision for biodiversity. The plan sets out targets for peoples’ engagement with nature and actions for government. Revegetation, pest control and habitat protection for vulnerable and endangered species are important goals.

Land use planning is not directly addressed through the plan but is indirectly influenced in many ways by the broader objectives of the Plan. The Plan recognises the importance of the land use planning system, particularly in relation to Regional Growth planning and Precinct Structure Plans (DELWP, 2017, 51).

9.3 Regional plans and initiatives

There are a number of recent strategic plans that provide a picture of emerging issues in Central Victoria and key elements that may need to be reflected in the Planning Scheme, or could inform future strategic planning work. A brief overview of these documents is provided below.

Loddon Mallee South Regional Growth Plan (2014)

This plan was developed to provide broad long-term direction for land use and development across regional Victoria as. The Loddon Mallee South region comprises the following local government areas: Greater Bendigo, Central Goldfields, Loddon, Mt Alexander and Macedon Ranges (DPCD, 2014, 1).

The Plan identifies Maryborough as a ‘regional centre’ that is nominated for medium/major growth in population and employment (DPCD 2014, 46). The Plan identifies a range of strategic opportunities for Maryborough and a number of challenges for growth in Maryborough. These include its historically low growth rates and the limits to expansion of the town due to bushfire risk and bushfire planning provisions, flooding hazards and urban salinity risks (DPCD, 2014, 46). The Plan includes actions or objectives to:

- prepare structure plans and other programs to promote the growth of Maryborough;

- the potential for “flexible zoning provisions” to enable the economies of small towns to diversify;
- investigate the sewerage of Talbot;
- improve rail connections between Geelong, Ballarat and Bendigo via Maryborough;
- preserve railway stations and lines between Ballarat and Bendigo;
- improve water quality in Dunolly and Bealiba.

Central Highlands Regional Growth Plan (2014)

Central Goldfields Shire Council was a stakeholder in the development of the Central Highlands Regional Growth Plan due to its relationship with Ballarat to the south. This Plan recognises the strategic relationship between Central Goldfields Shire and parts of this region. The Plan recognises the future growth and development potential of towns on the Ballarat to Maryborough corridor such as Creswick (DPCD, 2014, 55).

Regional Catchment Management Strategy (2013-2019)

The North Central Catchment Management Authority has prepared a ‘Regional Catchment Strategy 2013-2019’. It sets direction for investment and the coordination of effort by landholders, partner organisations and the wider community for land, water and biodiversity management under the Catchment and Land Protection Act (1994). The Regional Catchment Strategy provides general information about environmental values and issues relevant to the north central catchments. It also provides a general description of the issues associated with the major flooding events in 2011.

Central Goldfields Shire is located in the south western part of the Loddon River catchment. Elements of the Plan that are relevant to this catchment are:

- goals to improve the condition of the Upper Loddon River (page 27);
- goals and actions for a ‘priority biodiversity area’ in Bealiba/ Dalyenong (page 35);
- the need to undertake further assessment work for the Upper Loddon into the feasibility and cost-effectiveness of achieving specific and agreed environmental outcomes; (page 35)
- general actions for dryland and irrigated agriculture;
- identification of the Moolort Plains Wetlands as a priority wetland asset, and a list of goals and actions for improving their condition (page 51);
- a recognition that a number of threatened flora and fauna species exist in the Bealiba/ Dalyenong and Upper Loddon (listed on pages 58-59 of document).

Central Highlands Regional Transport Strategy (2014)

This strategy was prepared by eight municipalities that comprise the eight ‘Central Highlands councils’, which includes Central Goldfields Shire Council. The document provides a regional level transport strategic plan that implements the transport frameworks implemented by the Central Highlands Regional Strategic Plan and Growth Plan. Key directions include:

- improve timetabling for rail services to enable daily travel to Maryborough by passenger rail from Melbourne (page 26);
- a heavy vehicle bypass of Maryborough by designating Tullaroop Road as a bypass of the Maryborough Town Centre (page 28).

Loddon Campaspe Integrated Transport Strategy (2015)

This strategy was prepared by the Department of Economic Development, Jobs, Transport and Resources and the seven councils that make up this region, including Central Goldfields Shire Council. It sets out a plan to meet the needs and challenges identified in the Regional Strategic Plan and Regional Growth Plan. It recognises the following ‘top ten’ projects that relate to Maryborough and Central Goldfields Shire more generally:

- re-opening of the Maryborough to Ararat rail line for freight to access ports as part of the Murray Basin Rail Project (page 23);
- the need to improve passenger rail services between Maryborough and Melbourne;
- potential for a freight hub in Maryborough as part of the Freight Hub study for Loddon Campaspe region;

The Strategy recognises the general need to improve public transport connections in the region and between Maryborough and Bendigo (InfraPlan, et al, 2015 23).

Murray Basin Freight Rail Project

This project aims to standardise and upgrade the rail lines in the Murray Basin. The construction of the project is currently underway. It will re-open the unused rail line between Maryborough and Ararat. The project will improve connections for primary producers to the ports of Geelong, Melbourne and Portland and encourage investment in grain and rail infrastructure (www.investment.infrastructure.gov.au). The land use and planning implications of the project have been explored through the Loddon Campaspe Freight Hub Study, which is explained below.

Loddon Campaspe Freight Hub Study (2018)

This study examines freight transport needs in the region and the feasibility of developing different types of freight hubs including freight terminals (multiple modes), road freight hubs and the clustering of freight operators. It recognises that the Murray Basin Rail Project will improve the efficiency, reliability and competitiveness of rail freight passing through Dunolly and Maryborough on their way to the ports (AECOM, 2018, 14).

The study assessed a number of towns for their potential as freight hubs against a series of criteria that will affect the viability of the hub, including passing freight volumes, local freight volumes, road network, population, the availability of zoned land and infrastructure. For a road freight hub, Dunolly rated well on a number of metrics including passing freight task and arterial road connections, but rated poorly on infrastructure, zoned land and services and infrastructure. Maryborough also rated relatively well for a road freight hub based on these metrics, zoned land and opportunities for co-location (AECOM, 2018, 63). Neither town rated well for an intermodal terminal. Echuca and Bendigo were found to have the greatest potential as locations for new hubs.

Goldfields Heritage Development and Opportunity Project

The Cities of Ballarat and Bendigo are leading the bid on behalf of the 13 local government authorities which are the members of the Loddon-Campaspe and Central Highlands Regional Partnerships. All councils are committed to working together to advance the World Heritage Listing nomination bid and to grow jobs and the regional economy. The coalition represents close to half a million people spread over nearly 40,000 square kilometres, 17% of the state.

Information prepared by the bid suggests that the properties selected would be the 10-20 'best' examples of publicly owned properties and archaeological mining sites.

Loddon Campaspe Economic Growth Strategy (2019)

This economic development strategy was developed by the Loddon Campaspe Regional Partnership and Regional Development Australia Loddon Mallee Committee. The Strategy will help to inform State Government policies, programs and planning (Regional Development Australia Loddon Mallee and Loddon Campaspe Regional Partnership, 2019, 4). Central Goldfields Shire Council is a stakeholder council in the region.

Content that relates to land use planning in Central Goldfields Shire includes opportunities relating to an \$100 million upgrade of the Maryborough District Hospital (Regional Development Australia Loddon Mallee and Loddon Campaspe Regional Partnership, 2019, 8). The Strategy also identifies increases to rail services between Maryborough and Ballarat and an extension of passenger rail to Dunolly as opportunities to improve connectivity infrastructure and assist in creating jobs and skills and urban development opportunities associated with upgraded railway stations (Regional Development Australia Loddon Mallee and Loddon Campaspe Regional Partnership, 2019, 9).

9.5 Council and other local plans

Council Plan 2017-2021 (2018 Refresh)

All councils must prepare a Council Plan under the requirements of the *Local Government Act 1989*. The Central Goldfields Shire Council's vision, as expressed in the Council Plan, is "to be a vibrant, thriving, inclusive community".

The following elements of the new Council Plan have a land use and development component that will have implications for the Planning Scheme or future strategic work.

- implement priorities from the Walking and Cycling Strategy (Initiative 1.6 and 1.8);
- review Council's Population Growth Strategy (Initiative 2.3);
- advocate for the development of the Maryborough Ballarat (Rail) Growth Corridor (Initiative 2.3);
- advocate for a wastewater scheme for Talbot township (Initiative 2.3);
- update and renew the Food Cluster Strategy (Initiative 2.5);
- advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing (Initiative 2.7);
- renew and update urban design frameworks in the Shire (Initiative 3.2);
- develop a Strategic Planning program (Initiative 3.3);
- implement recommendations from Cultural Heritage Plans for heritage listed buildings (Initiative 3.5).

Source: Central Goldfields Shire Council, 2017-2021 (2018 Refresh)

Central Goldfields Shire Sustainability Action Plan 2012-2020

This plan provides a framework for sustainability planning, decision making and action, to improve environmental outcomes in the Shire. It was prepared as a document that would support the community's actions, with support from Council (Central Goldfields Shire Council, 2012, 5). The plan contains the following actions that have a connection to land use planning:

- an action for 'human water use' to implement 'Central Goldfields Shire Council town planning urban design standards' for all forms of new development (Central Goldfields Shire, 2012, 25). It is unclear whether these standards form part of the Planning Scheme or another document;
- an action for food quality and food security to "develop guidelines for land-use planning that include food security issues" (Central Goldfields Shire Council, 2012, 31);
- an action to increase the amount of land in the Shire with High Conservation Value (Central Goldfields Shire Council, 2012, 39);

- action to adopt the Green Building Council of Australia tool as the preferred assessment methodology for greenfield development, at a minimum of four stars (Central Goldfields Shire Council, 2012, 41);
- use of the Sustainable Training and Environmental Performance Scorecard in statutory planning processes (Central Goldfields Shire Council, 2012, 41);
- implement mechanisms to fast-track the planning process for green buildings (Central Goldfields Shire Council, 2012, 41).

The Plan has been adopted by Council.

Carisbrook Flood and Drainage Management Plan (2013)

The North Central Catchment Management Strategy prepared this Plan for Carisbrook in response to major flooding in 2010 and 2011. The Plan assessed a range of flood mitigation options and recommends a package of works that will protect most of the township from flooding up to and including the 1% AEP. These works include a series of levees, valves and other works. The recommended changes to the Planning Scheme arising from this work have recently been included in Amendment C031gol as discussed in Section 4.3 of this report. The Plan has been adopted by Council.

Dunolly Flood Investigation (2014)

The North Central Catchment Management Authority prepared this flood investigation in response to the flood events of 2010 and 2011. The document was adopted by Council. It involved flood modelling and the investigation of various flood mitigation options. The investigation recommends new flooding controls in the Planning Scheme, and mitigation and emergency management options. The recommended changes to the Planning Scheme arising from this work have recently been included in Amendment C031gol as discussed in Section 4.3 of this report. The investigation has been adopted by Council.

Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017)

This Plan provides a strategic framework for the future development and improvement of walking and cycling opportunities in the Shire. It aims to encourage active transport options and participation rates. The Strategy suggests that the Planning Scheme needs to be 'strengthened' to make Council's expectations clearer for developers and enforceable by Council (CommunityVibe, 2017, 50).

It suggests that the preparation of a development contributions plan and amendments to Clause 52.01 of the Planning Scheme (now Clause 53.01) is the best way to address this issue. It also recommends that Council develop an 'infrastructure design guide' to provide advice about the appropriate design requirements for footpaths, share paths and on road cycle lanes. The plan identifies these initiatives as 'high priority' actions for Council (CommunityVibe, 2017, 55). The Strategy has been adopted by Council.

Maryborough Integrated Water Management Plan (2018)

Central Highlands Water and Council have prepared the Maryborough Integrated Water Management Plan (2018). Council endorsed the Strategic Directions for this Plan in November, 2018, however the Plan has not yet formally adopted the Plan itself. The Plan anticipates that new water supplies may be needed as soon as 2023 to maintain a good supply of water for Maryborough. It recommends six major integrated water management initiatives for Maryborough. Those with a land use and development component that have relevance to the Planning Scheme include the need for passively irrigated trees in new development areas, the CBA and town entrances, and new wetland and stormwater harvesting area to the north of Maryborough (Central Highlands Water, 2018, 67-68).

Central Goldfields Municipal Public Health and Wellbeing Plan 2017-2021 (2019 Refresh)

This Plan sets the priorities and actions for Council for health and wellbeing. It is informed by the Council Plan. According to Plan, Central Goldfields Shire Council was rated as the most disadvantaged municipality in Victoria (Central Goldfields Shire Council, 2019). This is consistent with the Shire's status at the time of the 2013 Review. More detail is provided in the Central Goldfields Municipal Public Health and Wellbeing Plan 2017-2021.

The Plan identifies the role that strategic land use planning plays in environmentally sustainable development, liveable and walkable communities and the separation of land uses to achieve health environments (Central Goldfields Shire Council, 2019, 7). The Plan has been adopted by Council.

Central Goldfields Shire Council Economic Development Strategy (2020-2025, Draft)

Council has commenced the preparation of this draft Strategy which aims to provide a clear economic development vision and action plan for Central Goldfields Shire that builds on existing strengths, responds to local conditions, needs and aspirations, and provides a platform for securing strategic investment and partnerships. Actions that are closely linked with land use planning or the Planning Scheme include strategies to:

- establish a regionally significant food cluster in Maryborough;
- support a diversity of housing stock;
- productive and efficient planning approvals;
- growing the intensive agriculture and horticulture industry;
- investigating the most appropriate wastewater treatment solution for Talbot

(Central Goldfields Shire Council, 2020, 6-8)

Central Goldfields Shire Council Tourism & Events Strategy (2020, Draft)

This Strategy provides a vision and action plan for growth in the tourism and events industries in the Shire. The Strategy relates to facilities, promotion, initiatives and events. It makes general references to 'improving' and 'streamlining' planning and approval processes that facilitate the tourism and events industries (Central Goldfields Shire Council, 2020, 18&55). The Strategy supports the World Heritage Listing Bid as a significant opportunity for the region.

Maryborough Flood Study

The study will examine the capacity of the existing urban stormwater system, review emergency response times and will update the flooding provisions in Maryborough. The flood study is a partnership project between Council, North Central Catchment Management Authority and the Victorian State Emergency Service. The project is in its early stages.

Township Community Plans

Council is assisting the community to develop township plans for Maryborough, Bealiba, Carisbrook, Dunolly, Talbot, Majorca, Bet Bet and Timor. The plans will assist these communities in identifying what is important for their communities and making decisions for the future, including priority actions. The plans will be considered by Council in April, 2020.

Central Goldfields Shire Council Integrated Transport Strategy (2020)

This Strategy is being prepared by Council's planning department in conjunction with other departments of Council. It aims to promote land use and transport choices that are sustainable, reduce journey times and distance by concentrating development in activity and neighbourhood centres close to public/active transport routes.

It also aims to encourage a regional centre where most peoples' travel needs are within a 20-minute walk, cycle or local public transport trip of their home; and visitors can utilise this resource when they travel in from the district.

The project also aims to improve better public transport by advocating to the State government for improved public transport that is reliable, more often, safe, and connecting people and goods to where they want to go.

9.7 Discussion

Central Goldfields Shire is subject to a broad range of strategic influences at the state, regional and local levels. At the state level, there is growing awareness of the need to connect regional areas with Melbourne through the directions of Plan Melbourne, and the importance of land-use planning in protecting the state's biodiversity.

As a relatively small rural shire, Central Goldfields Shire is heavily connected with, and influenced by, activities and changes in the region, particularly in relation to tourism, transport and commercial activities. The regional themes that are emerging strongly that have an influence on strategic land use planning include:

- major investment in rail freight infrastructure in the region, which is currently underway;
- the need to improve public transport options, particularly rail services between Maryborough and Ballarat, which are currently limited;
- the need to preserve railway stations and rail reservations for future potential rail upgrades, and for the development of walking and cycling trails;
- the importance of, and promotion of, the region's strong goldfields heritage and tourism potential;
- importance of areas of environmental significance at the regional level such as Moolort Plains wetlands and areas in Bealiba and the need to manage these areas.

Whilst some of these influences are likely to be 'aspirational' and do not justify immediate planning responses in themselves, it is important that they are reflected in Council's future strategic initiatives, and ideally are recognised in the Planning Scheme in some way. For example, at the regional level, the need to accommodate grain handling infrastructure and freight transport hubs may need to be examined more closely through an analysis of industrial land. This opportunity could be reflected in the regional section of the PPF. Likewise, the important need for improved public transport at the regional level and improved rail services between Ballarat and Maryborough could be recognised in Clause 18.02-2 (Public Transport).

The way in which Council will promote tourism uses, including policies that will facilitate the adaptation and promotion of heritage assets, also requires attention. It may be appropriate to address both of these themes in the regional section of the PPF.

At present, the regional section of the Planning Scheme that relates to tourism in Loddon Mallee South (Clause 17.04-1R), aims to support the designation of the Castlemaine Diggings National Heritage Park as a World Heritage place. This could be broadened to include Central Goldfields Shire and the other council areas that make up this region.

The implications of the World Heritage listing, bid for the Planning Scheme are likely to be more strongly connected to tourism potential and managing than land use and development, however, if successful, it could ultimately have implications for the management of heritage places through the Planning Scheme.

At the local level, the flood studies that have been completed for Carisbrook and Dunolly are important strategies and are discussed in more detail later in this report. Centrum Town Planning has reviewed many of the other local level strategies for health and wellbeing, walking and cycling and sustainability. These provide useful high-level information that can inform the Planning Scheme and many make high level suggestions about how the planning system can assist in achieving particular objectives, however, these need to be further developed if they are to be effective. For example, the role of development contributions in assisting with walking and cycling infrastructure needs to be taken up in precinct structure plans.

There is a desire to improve sustainability outcomes at the local level, as expressed through the Sustainability Action Plan, that have yet to be reflected in the local section of the Planning Scheme in any meaningful way. This issue is discussed in more detail in Section 10 of this report.

Council's Economic Development Strategy points to a number of areas where Council would benefit from additional strategic direction. These include:

- intensive animal industries;
- horticulture;
- food manufacturing and food clusters.

At present, the Municipal Planning Strategy does not address these land uses in a meaningful way or provide any spatial direction for where they should be encouraged to locate. These themes should be taken up in appropriate strategic work for Council's industrial and commercial areas. Again, these issues are also discussed in more detail in Section 10 of this report.

9.8 Key findings

- Demographic trends in the Shire predict modest 0.5-1.0% population growth as the most likely scenario for the future, with demand for new housing estimated to be highest in Maryborough and Carisbrook, with very modest demand in Talbot and Dunolly.
- At the state and regional levels, there is strong recognition of the potential for higher levels of population growth in Maryborough to be driven by better transport connections with Ballarat and Melbourne.
- Emerging regional initiatives have a strong focus on tourism, railway infrastructure, transport and recreation opportunities; most of these initiatives do not yet have clear implications for land use planning or policy but could be considered as regional influences in the PPF.
- Council's Economic Development Strategy is attempting to encourage a number of land use that have particular implications for land use planning at the local level, including intensive animal industries, food manufacturing and horticulture, however, the MPS does not contain any useful direction for these uses.

9.9 Recommendations

- SI.1) Consider how to best respond to the needs of the following land uses through the Planning Scheme:
- grain handling;
 - intensive animal;
 - horticulture;
 - food manufacturing sectors;
 - tourism.
- SI.2) Explore how to best address the following issues and themes through the planning system:
- provision of walking and cycling infrastructure;
 - development contributions;
 - sustainable urban design and building design.
- SI.3) Engage with DELWP to determine how the regional section of the PPF can better recognise:
- opportunities in grain handling and rail freight;
 - the need to improve public transport options;
 - preservation of railway stations and rail reservations;
 - regional level walking and cycling trails;
 - Central Goldfields Shire Council’s role in the World Heritage Listing Bid;
 - Moolort Plains wetlands and areas in Bealiba.
- SI.4) Closely track demographic trends in the Shire through reviews of Census data, building approvals.

Recommendations SI.1 and SI.2 are discussed in more detail in Section 10 of this report.

10 Strategic gaps and emerging issues

This section of the Review examines the key strategic gaps and emerging planning issues facing the Shire. It also evaluates how these should be addressed in a revised Municipal Planning Strategy and other relevant sections of the Planning Scheme. In short, this section explores the remainder of the question ‘where to from here and why’, which was first raised in Section 8 of the report.

The section has been divided into nine theme headings to reflect the structure of the PPF and Strategic Directions in the draft Municipal Planning Strategy.

The discussion under each theme incorporates the feedback provided by agencies, authorities and Council’s planners during the Review process. This section also identifies the Planning Scheme’s level of consistency with state planning policy, as expressed through the PPF and identifies areas for improvement.

10.1 Settlement

As discussed in Section 7.7 of this report, Council’s draft Population, Housing and Residential Strategy provides a sound basis for future settlement planning in the Shire in relation to land supply and structure planning. The Strategy therefore addresses the key themes in Clause 11.02: supply of urban land, structure planning and sequencing of development, and Clause 11.03-2S (Growth areas) at the local level.

It is considered that the Strategy’s recommendations will address the most immediate settlement issues in the Shire. Its recommendations should be supported and incorporated into the PPF in an appropriate way.

This review has identified a number of specific settlement related issues and strategic gaps that have not been addressed directly in the draft Population, Housing and Residential Strategy. These are discussed under a series of sub-headings, below.

Maryborough Structure Plan

As part of the recent PPF translation process, the ‘Maryborough Structure Plan’ in Clause 2.04 was prepared in a new clearer, format. The content and directions were not, however, altered from the previous plan, which is at least 20 years old. There is potential for this plan to better identify the above issues and capture other key settlement opportunities that do not appear on the plan, including:

- areas that are identified for future structure planning such as the Maryborough-Dunolly Road area;
- key development and redevelopment sites;
- sites appropriate for diverse housing opportunities such as aged care and retirement accommodation;

- activity centres/nodes outside the Maryborough CBA;
- the direction of urban expansion in the Carisbrook area;
- key areas of bushfire risk;
- indicative buffers to uses with adverse amenity potential or infrastructure that requires separation distances such as the Coliban Wastewater Treatment Plant and Maryborough Aerodrome;
- areas that require further investigation for alternative zones (as suggested in the Population, Housing and Residential Strategy);
- future of the Maryborough heavy vehicle bypass.

These changes may need to occur progressively, as the appropriate planning strategies and frameworks are developed.

Urban growth boundary

One tool that requires further consideration by Council is the use of an 'urban growth boundary'. This tool is used by other regional centres such as Bendigo as a way of clearly describing the outer limit of residential growth, prior to the rezoning of land. This may or may not be appropriate for Maryborough and should be resolved through the implementation of the Population, Housing and Residential Strategy.

Carisbrook-Flagstaff

The draft Population, Housing and Residential Strategy recommends that Council prepare a 'precinct structure plan' that sets out how development of land between Carisbrook and Flagstaff should develop over the medium to long term. The key driver for this Plan over the short and medium term is not considered to relate to residential settlement planning. Instead, there are broader and more complicated settlement planning issues that relate to the future of industrial land uses in the area, and the presence of existing dwellings in or near industrial zones. These issues are discussed in more detail in Section 10.7 – Industry.

Urban consolidation

There are a number of forms of development that need some further direction in the MPS and that are not considered directly in the draft Population, Housing and Residential Strategy or the current MPS and PPF, including shop top living and mixed use developments that include residential, commercial, retail and related uses. Whilst there is a low level of demand for these types of developments in Maryborough, the Planning Scheme would benefit from firmer direction about where these developments should be supported in Maryborough if they emerge in the future. Discussion with Council's planners has revealed that this guidance would be useful.

The MPS currently encourages 'medium density housing to located in the vicinity of the 'Maryborough Central Business Area'. The MPS identifies an item of further strategic work to identify locations for this form of development. These directions are supported by a series of arrows in the Maryborough Structure Plan that show that growth is to be directed towards the CBA. There is a supporting policy in Clause 11.01-1L aims to provide this form of housing 'close' to the Central Business Area'.

The MPS and Clause 11.01-1L would benefit from:

- additional clarification of what constitutes 'medium density housing' in the context of Maryborough;
- clarifying that housing can be located within the Central Business Area itself, not just 'in the vicinity of' or 'close to' the CBA;
- clarifying that medium density housing can occur outside the Central Business Area, subject to relevant considerations including heritage and neighbourhood character.

Ultimately, these issues would be best explored through a housing strategy or urban design framework for Maryborough, however, Council should seek to provide some clarity to these questions in the Planning Scheme as a priority.

Maryborough CBA

The Maryborough CBA is continuing to play a role as a key sub-regional centre in central Victoria. In the Victorian context, Clause 11.01-1S of the State Planning Policy Framework identifies Maryborough as a 'regional centre'. Issues for the Maryborough CBA that are emerging, or have not been fully resolved from the 2013 Review, include:

- the need to plan in more detail for the future location or expansion of the Maryborough District Hospital and Ambulance Station (as identified in the Maryborough UDF and Loddon Campaspe Economic Growth Strategy);
- the potential to re-route the Pyrenees Highway;
- the potential to enhance Nolan Street as a link between High Street and the Station Precinct.

These issues should be identified in the MPS in an appropriate way, preferably through the Maryborough Central Business Area Structure Plan.

Maryborough Central Business Area Structure Plan

As part of the recent PPF translation process, the 'Maryborough Central Business Area Structure Plan' in Clause 2.04 was prepared in a new clearer, format, although the content and directions were not altered from the previous plan, which is at least 20 years old. The plan currently identifies a series of precincts such as civic and administrative, railway and industrial, supermarket, and 'commercial redevelopment'. There is potential for this plan or the associated text in the MPS to better identify the emerging issues explained above and capture other key opportunities that do not appear on the plan, including:

- key planning issues (e.g. heritage, interfaces, relationships between uses);
- key development and redevelopment sites;
- key movement issues and opportunities (e.g. barriers to movement, linkages that should be facilitated),
- the types of uses that are to be encouraged in each precinct.

These matters are likely to require a review of the 2002 Maryborough Urban Design Framework, and a new piece of work that considers what has changed since the Framework was prepared. Alternatively, this work could also be done as part of a Commercial Land Use Strategy.

Townships

For the small townships, the MPS contains structure plans for Talbot, Carisbrook, Dunolly, Bealiba, Timor-Bowenvale and Majorca. None of these maps clearly delineates the boundaries of the town centres. This makes it more difficult to develop meaningful objectives and strategies for land use and development within these townships. This issue should be addressed through an appropriate strategic exercise.

It is noted that the use of the Commercial 1 and Township Zones makes the notional extent of the town centre clear in Timor-Bowenvale, Carisbrook and Dunolly. This work could be done as part of a review of the urban design frameworks for Talbot, Carisbrook, or Dunolly, or in another piece of work.

Recommendations for the MPS and PPF

- MP.1) Update the Municipal Planning Strategy to provide clearer direction about shop top living and mixed use developments that include residential, commercial, retail and related uses.
- MP.2) Amend the Maryborough Structure Plan to identify the planning issues identified in this section and capture other key settlement opportunities.
- MP.3) Consider the need for an urban growth boundary as part of the implementation of the Population, Housing and Residential Strategy.
- MP.4) Clarify the definition and preferred location of medium density housing in Maryborough.

Recommendations for further strategic work

- FW.1) Prepare a structure plan for the Maryborough-Dunolly Road Precinct, or as recommended by the Population, Housing and Residential Strategy.
- FW.2) Consider the preferred work that is required to support changes to the Maryborough Central Business Area Structure Plan and amend the plan accordingly.
- FW.3) Undertake further investigations into the extent of the town centres Talbot, Carisbrook, Dunolly, Bealiba, Timor-Bowenvale and Majorca to clearly identify the extent of the town centre and amend the township structure plans accordingly.

10.2 Environmental and landscape values

Clause 12 of the PPF addresses the following themes that are relevant to Central Goldfields Shire: biodiversity, water bodies and wetlands and significant environments and landscapes. There are currently no local strategies for these themes in the draft local content of the PPF.

The draft MPS identifies a range of environmental values that are important to the Shire including the Box-Ironbark ecosystem, the major creeks in the Shire and the natural landscapes associated with Paddy's Ranges and the Mount Bealiba Range. The strategies in the MPS relate to protecting and enhancing vegetation and protecting water quality in the major waterways in the Shire.

This review has identified a number of strategic gaps and emerging issues relating to environmental and landscape values, as discussed under a series of sub-headings, below.

Biodiversity

In their formal response to this review, DELWP has provided the following advice for local government in considering biodiversity values:

- Clause 12.01-1, which requires that important areas of biodiversity be identified and that planning take steps to protect and conserve these areas.
- Clause 21, which states that the MSS (now MPS) should describe biodiversity policies and protection objectives and strategies to inform zone and overlay controls;
- Tools that include reserves, zones, overlays and native vegetation precinct plans;
- There are various tools to assist in identifying areas with high biodiversity values including NatureKit, spatial layers.
- Referrals for native vegetation removal under Clause 52.17, timber production, stone extraction and under the Salinity Management Overlay (DELWP letter to Central Goldfields Shire Council 19/11/2019).

This advice means that there is an onus on Council to identify important areas of biodiversity using the tools that have been formulated by DELWP for this purpose. Most of these areas have been broadly identified in the Central Goldfields Shire Strategic Framework Plan and the MPS, but gaps exist. As mentioned in Section 8.3, the 'priority biodiversity area' identified by the NCCMA in Bealiba/ Dalyenong, is not identified in the MPS in any way. Other areas are likely to exist that have not yet been identified as part of this Review.

Moolort Plains Wetlands

The 2013 Review identified the importance of the Moolort Plains Wetlands, which have been identified as a national biodiversity hotspot in the Australian Natural Resource Atlas (ANRA, 2002), and have been identified as a 'priority wetland' by the NCCMA in its Regional Catchment Management Strategy (2013-2019). The Strategy aims to increase native vegetation around swamps on private land and improve the condition of the wetlands, as well as management actions.

DELWP's response to this Planning Scheme Review confirms that these wetlands are significant and represent important habitat for threatened species. The advice recommends that appropriate tools are used to reflect and protect the values of the wetlands (DELWP letter to Central Goldfields Shire Council 19/11/2019).

The significance of the Moolort Plains wetlands came under scrutiny in a VCAT case for a poultry farm. In *Lewis v Central Goldfields SC* [2015] VCAT 410, the Tribunal noted that the Moolort Plains have not been identified in the Planning Scheme as a significant landscape. It acknowledged, however, that Moolort was identified in the Central Goldfields Shire Heritage Review Stage 1 as an important cultural landscape.

The wetlands are now identified in the Central Goldfields Shire Strategic Framework Plan in the MPS, although they are not supported by any strategic directions in the MPS or local strategies or policies in the PPF. The development of objectives, strategies and policies for the wetlands are likely to require close consultation with the NCCMA and may require a strategic landscape assessment or plan. This work should identify the preferred policies and provisions to use to identify, protect and manage the wetlands.

Landscape values

The 2013 identified the need for greater connectivity between environmental features that are currently identified by overlays but that are not clearly mentioned in the objectives or strategies of the MSS, namely:

- landscapes associated with Cairn Curran Reservoir (SLO1);
- Talbot district volcanic rises (SLO2).

The Central Goldfields Shire Strategic Framework Plan in the MPS now identifies these areas, so they have high level spatial recognition in the MPS, which is an important change. Nevertheless, this Review re-affirms the findings of the 2013 Review that Council should prepare strategic directions and strategies for the MPS and local section of the PPF in relation to these landscape values.

Development at the urban-forest interface

The 2013 Review highlighted the need for clearer policies to guide development at the urban-forest interface. In its submission to this Review, Parks Victoria supported the need a policy to address this issue. It noted that passive surveillance at these interfaces is important and recommended the need to referencing the *Safer Design Guidelines for Victoria* (Parks Victoria letter to Central Goldfields Shire Council, 17/9/2019). These guidelines have been replaced by the *Urban Design Guidelines for Victoria*, which are referenced in Clause 15 of the PPF.

Since 2013, clearer guidance has emerged at the state level on how development should take place to manage bushfire risk at these interfaces, including guidelines for urban design and structure planning. Therefore, the need for local policies is now not as significant as it was in 2013, however some recognition of the need to address these issues at the local level as part of future structure planning is considered to still be important for the MPS and local section of the PPF.

Application of zones, overlays and provisions

At present, the MPS identifies the following implementation tools for significant landscapes in the Shire:

- *Rural Conservation Zone covering watercourses and environs and water catchment areas;*
- *Environmental Significance Overlays to ensure that low density residential and rural living development occurs on land that is not subject to development and environmental constraints;*

Whilst the intent of these directions is broadly clear, the wording is confusing and unlikely to assist Council without additional explanation. For example, water catchment areas cover much of the Shire, although applying the Rural Conservation Zone to all water catchment areas may not be appropriate. In relation to the ESO, this direction would need to be supported by various other statements of policy in order to operate properly. These directions should be revised in a way that is clearer, achievable and logical.

Decision making under overlays

There are no clear local strategies in the PPF for the application of the Significant Landscape Overlay and no policies to guide decision making under the Erosion Management Overlay or Salinity Management Overlay. It is noted that the current overlays in the Planning Scheme that relate to environment, landscapes and natural resources are effectively unchanged since the Planning Scheme was introduced in 2000, and require general review (refer also to Section of Report 'Review of Implementation Tools').

Recommendations for the MPS and PPF

- MP.5) In conjunction with relevant authorities and agencies, revise the strategic directions and strategies to support the following overlays and landscapes:
- Landscapes associated with Cairn Curran Reservoir (SLO1)
 - Talbot district volcanic rises (SLO2)
 - Moolort Plains Wetlands, drawing on information in the Moolort Plains Wetlands Investigation (NCCMA, 2011) and advice from DELWP;
 - Bealiba/ Dalyenong area, once these areas have been properly defined.
- MP.6) Identify the need to address urban-forest interfaces at the local level during the preparation of new structure plans.

Recommendations for further strategic work

- FW.4) Undertake an assessment of the Moolort Plains Wetlands in conjunction with NCCMA and DELWP to guide the development of appropriate planning tools for the Wetlands.
- FW.5) Engage with DELWP to develop an action plan to identify other vegetation assets in the Shire that have high biodiversity value so that these can be identified in the MPS and apply overlays, as appropriate.

10.3 Environmental risks and amenity

Clause 13 of the PPF addresses a range of environmental risks and amenity impacts, including climate change impacts, bushfire, floodplains, soil degradation, noise, air quality and amenity and safety. Each theme has various sub-themes that cover specific risks.

In the MPS, the directions identified are land degradation (salinity and erosion), flooding, bushfire and amenity risks to residential uses presented by industry. The MPS identifies the Erosion Management Overlay and Salinity Management Overlay as provisions to give effect to the MPS. There are no strategies in the PPF that give effect to the strategic directions of the MPS at the local level.

This Review has identified a range of strategic gaps and emerging issues relating to environmental risks and amenity values, as discussed under a series of sub-headings, below.

Climate change

State planning policies for climate change in the PPF emphasise the need for risk mitigation and adaptation strategies and the need to direct population growth to low risk locations.

Climate variability is recognised as a challenge in the Council Plan 2017-2021, however, there are no specific strategies or directions in the Plan that address the challenge that can be incorporated into the Planning Scheme.

Climate change is not identified in any way in the MPS and only Coliban Water has provided feedback on this issue as part of the Review. Coliban Water has highlighted the importance of water catchments and land management in the context of climate change (Coliban Water letter to Central Goldfields Shire Council, 12/9/2019).

Central Goldfields Shire may wish to look to the approaches taken by other councils in addressing this significant and complex issue. For example, there are a number of councils across Victoria that have attempted to address climate change through the local sections of planning schemes. At one end of the spectrum is the City of Port Phillip, which has placed climate change at the forefront of their vision for their municipality. The Port Phillip Planning Scheme has a specific vision to create a city that “produces low greenhouse emissions and is responsive to climate change issues” (Port Phillip Planning Scheme, Clause 21.01-3). It contains specific targets for reductions in greenhouse gas emissions, potable water use and waste by 2020. This is supported by objectives and strategies in the MSS, and a local policies to achieve 20% improvements in energy efficiency standards for new development and 7 Star NatHers Ratings (Port Phillip Planning Scheme, Clause 22.15-4.5).

Other regional councils such as Macedon Ranges Shire have recognised the effects of climate change in their MSS/MPS, including general recognition of how it is likely to affect agriculture.

Whilst climate change affects almost every aspect of land use and development in some way, Council may wish to consider the issue in a more strategic way in the future. Council may wish to address this specifically through the planning system, or in a broader way that also looks at Council’s functions and activities. The Central Goldfields Shire Sustainability Action Plan 2012-2020 could provide a starting point for these recommendations, however, this document is likely to require updating given that it was prepared in 2012.

Bushfire

Maryborough and Dunolly are effectively surrounded by areas of high bushfire hazard, as identified through the Bushfire Management Overlay. Other townships and rural areas are also subject to high bushfire hazard.

As part of this Review, the CFA has not offered any formal strategic advice about Council's settlement planning, or strategic directions in the MPS. They have, however, provided a list of key steps that Council can follow to reduce exposure to bushfire risks. These steps are considered to already be covered by the key provisions of the Planning Scheme that relate to bushfire risk in Clauses 13.02 and 53.02, and no further changes to the local sections of the Planning Scheme are necessary.

CFA has also advised that they are preparing a new 'traffic light' mapping process across Victoria that will identify low risk areas (green light), cautionary areas (orange light) and areas where development will be strongly discouraged (red light). This will assist councils in making decisions on planning scheme amendments. The CFA will consult with councils on this process in 2020. Central Goldfields Shire Council should actively engage with this process.

The CFA's comments on the application and operation of the Bushfire Management Overlay are discussed later in this report.

The Population, Housing and Residential Strategy contains some important directions for settlement that reflect the high bushfire risks in Maryborough, and the lower risks in the Carisbrook area. These directions should be included as high level strategic directions for bushfire in the MPS.

Council should also consider identifying general areas of bushfire hazard in some way in the Central Goldfields Strategic Framework Plan and the Maryborough Structure Plan. The preferred techniques for displaying this information should be formulated in consultation with the CFA, possibly through the implementation of the Population, Housing and Residential Strategy.

Flooding

Council has recently prepared a planning scheme amendment to give effect to the findings of the Carisbrook Flood and Drainage Management Plan (2013) and Dunolly Flood Investigation (2014). Council has prepared Amendment C031gol, which seeks to revise the application of the flooding overlays to these townships. The Maryborough Flood Study is also about to commence.

NCCMA is pursuing the preparation of 'rapid' flood studies, which are quicker and much cheaper to prepare than full floodplain studies as they do not involve the expensive calibrations associated with a full floodplain study and are based on certain assumptions. The NCCMA is commencing this work for Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale.

The NCCMA has advised that Pyrenees Shire Council to the west of Central Goldfields Shire has funding for an Avoca River Flood Study, which will cover the shared municipal boundary to Archdale Junction. The study will be done in the next 12 months. It has identified the potential for a joint GC planning scheme amendment to ensure that the flooding provisions in both municipalities are consistent. The NCCMA is also seeking funding to complete flood mapping for the Avoca River to Coonoor Bridge, which would complete flood studies along the Avoca River.

Once these projects are completed and incorporated into the Planning Scheme, Central Goldfields Shire Council will have a reasonable accurate level of flood provisions in all of the townships that are at the greatest risk of flooding. There are various issues relating to the current application of the flooding overlays in the Planning Scheme. These issues are discussed in Section 12 of this report.

Soil degradation

The 2013 Review report found that Council has identified a number of sites that are potentially contaminated through past planning scheme amendment processes, but has little, if any, information about other sites or areas in the Shire that are potentially contaminated.

Potentially contaminated land is defined in Ministerial Direction No. 1 – Potentially Contaminated Land, as land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of land).

As part of this review, the EPA has advised that they have released the Victoria Unearthed mapping tool, which provides records of business listings, Environmental Audit Overlays and EPA data including sites on the priority sites register, environmental audits, EPA licensed sites, landfills and locations of groundwater quality restricted use zones (EPA letter to Central Goldfields Shire Council 18/9/2019).

This mapping tool has been checked as part of this review, and it appears that this tool will substantially increase the ability of planners to properly identify former and active industrial sites. This will, in turn, also assist Council in addressing the requirements of Clause 13.04-1S for planning permit applications and Ministerial Direction No 1 – Potentially Contaminated Land for planning scheme amendments that could be affected by potential contamination.

Given the extensive industrial and mining history of the Shire, this tool should be checked when all planning permit application files are prepared, alerting the planner to potential risks for sensitive uses. In its submission, the EPA has identified a checklist of other information that should be considered in identifying potentially contaminated land.

Erosion and landslip are issues that have not been the subject of any strategic planning work by Council or other authorities in any detail for a long period of time. In the short term, the priority areas of investigation relating to erosion and landslip appear to be in the areas identified for future greenfield development in Population, Housing and Residential Strategy, namely:

- the Maryborough-Dunolly Road area;
- Carisbrook area.

These issues can be addressed as part of structure plans or similar plans for these areas. It is noted that both of these areas are currently affected by the Salinity Management and Erosion Management Overlays.

Noise and air quality

Noise and air quality are issues that are not currently mentioned in the MPS or local section of the PPF. No specific issues have been raised as part of this review, although they have been key issues in number of VCAT cases relating to the poultry industry. Noise and air quality issues are usually linked closely with issues relating to land use conflict and interfaces. These issues are discussed in the section of this report relating to 'natural resource management' and 'industry'.

Amenity and safety

Amenity and safety are considered under two themes in the PPF: land use compatibility and major hazard facilities. Land use compatibility is discussed later in this report in relation to the Carisbrook/Flagstaff area.

There are no major hazard facilities in Central Goldfields Shire, and this review has not been made aware of any proposals for such facilities. Therefore, there is no need to address major hazard facilities at this time.

Recommendations for the MPS and PPF

- MP.7) Identify bushfire risks as a key driver for the Maryborough, and the lower risks in the Carisbrook area as strategic directions in the MPS.
- MP.8) Identify general areas of bushfire hazard in some way in the Central Goldfields Strategic Framework Plan and the Maryborough Structure Plan.
- MP.9) Recognise salinity and erosion associated with future greenfield development in Maryborough and Carisbrook as 'further strategic work'.
- MP.10) Include the implementation of flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale as 'further strategic work' in the MPS.

Recommendations for further strategic work

- FW.6) Consider how best to address climate change through the planning system, potentially as part of a broader investigation that also looks at Council's other functions and activities.
- FW.7) Once prepared, review the findings of the CFA's 'traffic light' bushfire mapping process and consider the implications for the Planning Scheme.

Recommendations for statutory planning

- PP.5) Introduce an appropriate mechanism to ensure that the Victoria Unearthed mapping tool is checked for potentially contaminated land when new planning permit application files are prepared.

10.4 Natural resource management

Clause 14 of the PPF is divided into three main themes: agriculture; water and earth and energy resources. Each theme is further divided into sub-themes that address specific issues.

The MPS contains a number of strategic directions that aim to protect the viability of natural resources, with an emphasis on agriculture and horticulture. These directions are supported by three strategies in the local section of the PPF that encourage the development of poultry abattoirs and finished poultry processing and minimising the effects of effluent on adjacent land and waterways.

This Review has identified various strategic gaps and emerging issues relating to the main natural resource management themes, as discussed under a series of sub-headings, below.

Protection of agricultural land

Clause 14.01-1 of the PPF provides strong and clear policy direction for Council to consider planning applications for dwellings in rural areas. The MPS also contains appropriate strategic directions to broadly identify and protect agricultural land. At present, the Central Goldfields Strategic Framework Plan identifies three areas of irrigated agriculture, high quality cropping land and coping land for stockfeed.

The key planning issues for Council are considered to be:

- determining what land is 'productive' at the local, regional and state levels, noting that the productivity of land varies between these contexts;
- deciding upon what information should be provided by applicants to support applications;
- determining how to balance competing planning objectives at the local level and whether different outcomes are sought for different areas.

As part of this review, data for dwelling construction and other applications was not able to be analysed by zone, however, there is not considered to be significant pressure for dwellings in the Farming Zone. Nevertheless, Council continues to receive applications for dwellings and Council's planners have advised they would benefit from additional guidance on the above matters. These issues are likely to be most appropriately addressed through a rural land study.

As identified in the 2013 Review, the areas identified in the 'Central Goldfields Strategic Framework Plan' as being high quality cropping land are located substantially within parts of the Moolort Wetlands. How agricultural uses can co-exist with the environmental values of the wetlands is an unresolved issue, as previously discussed in this report. This area should be the subject of further assessment and discussions with NCCMA and DELWP, as identified previously in this report.

Sustainable agricultural land use

Intensive animal industries are an important sector of the Shire's economy. Nevertheless, Council has found that resolving a number of applications for new poultry farms particularly challenging and many applications for these uses have proceeded to VCAT since 2013. These include:

- Ophir Poultry Pty Ltd v Central Goldfields SC [2013] VCAT 428, which highlighted some strategic issues relating to land use conflict in the Carisbrook area.
- Towers v Central Goldfields SC [2017] VCAT 376, in which VCAT overturned Council's decision to refuse an application under the provisions of the Farming Zone and Council's local planning policy for agriculture at Clause 22.04.
- Lewis v Central Goldfields SC [2015] VCAT 410, in which Council supported an application for a 380,000 bird broiler farm near existing broiler farms on the Moolort Plains in Strathlea, however, the Tribunal found that Council's decision should be set aside based mainly on compliance with the Code for Broiler Farms.
- Grandview Poultry Pty Ltd v Central Goldfields SC (Corrected) [2017] VCAT 2090, where Council refused a scaled back application on the above appeal site, but the Tribunal overturned Council's decision, finding significant state and local policy support for agriculture.

This is an area that requires further strategic work by Council for the following reasons:

- they represent a relatively high proportion of the Shire's VCAT cases;
- the cases are complex and consume a high level of Council resources;
- the cases have often had to consider strategic location, siting and separation distance issues;
- the sector is important for the local economy and a higher level of guidance would assist applicants and the general community in understanding where they should be located.

Whilst the MPS and PPF currently contain broad support for these industries, they should be strengthened in relation to the preferred locations of intensive animal industries, rural industry and other rural uses. It is acknowledged that planning strategically for these uses will be challenging, however, the most appropriate way is for them to be explored and identified through the preparation of a rural land study.

This approach would also acknowledge the fact that clearer and more rigorous permit requirements are now in place for some animal industries that formerly may not have required planning approval introduced as part of VC150 (September, 2018). The need to give consideration to separation distances for animal industries is also identified by the EPA in their submission to this review (EPA letter to Central Goldfields Shire Council 18/9/2019).

As part of this review, Council has also reported conflict between dwellings and intensive animal keeping. It has also noted demand for greyhound keeping and training in rural areas. These issues are not addressed in any way in the local sections of the MPS and PPF. There is an opportunity for a rural land study to also provide strategic guidance on these uses.

Water

Goulburn Murray Water, which manages water supplies for irrigation and other purposes across northern Victoria, has raised the following issues:

- unsewered development and building construction in close proximity to waterways;
- unsewered industrial development in Carisbrook;
- poor quality land capability assessments;
- coverage issues and permit exemptions under Environmental Significance Overlay (ESO1), as discussed later in this report under 'implementation tools'.

Coliban Water, which provides water and sewerage to the northern part of the Shire, has raised the following issues in relation to water (Coliban Water letter to Central Goldfields Shire Council 12/9/2019):

- unsewered development in areas around Dunolly and historical small lot subdivisions around Bealiba;
- general catchment health for the Loddon and Laanecoorie water supply catchments, including the need for environmental and landscape enhancement;
- effects of unplanned and incremental changes in rural land use on catchment health.
- construction of dams for non-agricultural land uses;
- compliance and monitoring for septic tanks and the need to resource the Domestic Wastewater Management Plan;
- application of Township Zone is often unsuitable for unsewered small lots in townships.

Central Highlands Water, which provides water and sewerage to Maryborough and water supplies to the southern and central parts of the Shire, has provided the following advice in relation to water (Central Highlands Water letter to Central Goldfields Shire Council 2/10/2019):

- decision guidelines of ESO1 do not recognise or involve Central Highlands Water;
- request for the Maryborough Integrated Water Management Plan, which was developed in partnership with Council, to be included as a Reference Document in the Planning Scheme;
- request for Central Highlands Water to be included in strategies in relation to Tullaroop Reservoir.

Most of these issues are considered to be sufficiently address through the current strategic directions in the MPS and the strategy in Clause 13.02-2L with the exceptions of dams and land use change in rural areas, which should be addressed through a rural land study.

It is likely that the most effective ways to address effluent disposal issues is through the proper application of overlays and effective functioning of referrals and advice from the water authorities. The application of appropriate zone and overlay controls to small townships and old and inappropriate subdivisions is also important. These matters are discussed in the 'implementation tools' section of this report.

A number of these issues, such as compliance and monitoring for septic tanks, need to be addressed by other department of Council through Domestic Wastewater Management Plan.

Recommendations for the MPS and PPF

MP.11) Identify issues relating to the following land use issues in the MPS:

- greyhound keeping and training;
- dams and unplanned and incremental change in rural areas.

Recommendations for further strategic work

FW.8) Prepare a rural land study that:

- reviews the existing agricultural sector, emerging trends and influences, including climate change;
- spatially identifies areas of agricultural land that is productive at the local and regional level;
- identifies existing clusters of agricultural land uses and activities;
- identifies preferred areas for intensive animal industries, rural industry and animal training;
- makes recommendations for the application of rural zones and zone schedules;
- makes recommendations for Council policies relating to dwellings, subdivisions, excisions and other uses in rural areas;
- identifies information that should be required from applicants in order to make proper decisions;
- identifies old and inappropriate subdivisions where the Restructure Overlay (RO) should be applied.

10.5 Built environment and heritage

Clause 15 of the PPF contains objectives and strategies that relate to urban design, building and subdivision design, neighbourhood character, sustainable development and heritage.

The MPS contains strategic directions that relate mainly to its goldfields heritage and the appearance of industrial areas and the CBA. There are no local strategies in the PPF that relate to the built environment and heritage.

This Review has identified a range of strategic gaps and emerging issues relating to the built environment and heritage, as discussed under a series of sub-headings, below.

Urban design

Council has prepared Urban Design Frameworks for Dunolly (2002), Carisbrook (2003), Maryborough (2005) and Talbot (2009), although their findings are yet to be implemented in the Planning Scheme. The Council Plan contains an initiative to update the Urban Design Frameworks. These plans are also 10-20 years old, which means that they may be too old to accurately reflect contemporary needs or enjoy community ownership or relevance.

The 2013 Review provided a summary of strategic recommendations arising from the Urban Design Frameworks (Centrum Town Planning, 2013). These recommendations provide a starting point for determining how they should be reviewed. Once the reviews have been completed, the township structure plans in the MPS are likely to provide the ideal place to communicate the findings of the frameworks, together with strategic support in the MPS and PPF, as appropriate. The draft provisions that were prepared following the 2013 Review adapted some of the content from the Urban Design Frameworks into local provisions.

As it relates to the major town in the Shire, a review of the Maryborough Urban Design Framework is the document that should be treated as the highest priority for Council. If resources are limited, the review could focus on the Central Business Area, or be expanded to address building and subdivision design matters (refer to section below).

Highway entrances

As part of the consultation for this Review, Council's planners identified the appearance of unattractive industrial uses at the gateways to towns as an urban design issue that requires investigation. The 'Maryborough Structure Plan' currently identifies the township entrance on Maryborough-Dunolly Road and Pyrenees Highway from Castlemaine as city entrances whose appearance is important, however, other township entrances are not identified on this plan in any way.

This review has not revealed any development activity in these areas. Responding to these issues through the Planning Scheme is considered to be an 'ideal' rather than 'necessary' project and there are various ways that this work could be done, depending on priorities and resources. For example, the issues could be explored as part of a review of the Maryborough Urban Design Framework, or through a separate landscape or urban design assessment of highway entrances.

To ensure the best outcomes, the scope of this work should include private and public land, including road reserves. The planning and design elements of this project could also be associated with other planning work that is undertaken by Council's infrastructure and parks departments and VicRoads.

There may also be benefit from Council working directly with landowners to improve the appearance of some individual sites.

Neighbourhood character

The Planning Scheme currently lacks local strategies and policies that provide local expression for the state planning policies in relation to existing or preferred neighbourhood character. As part of the Review process, Council officers have raised the need for some additional guidance to assess multi-unit dwelling applications. This guidance could take a variety of different forms, including the use of zones, overlays, local policy or guidelines that sit outside the planning scheme.

This Review has given consideration to these issues and has concluded that there is unlikely to be sufficient infill building activity that would justify the development of such guidelines, even though they would be a useful tool. The substantial coverage of the Heritage Overlay in central Maryborough, where the Planning Scheme aims to encourage medium density housing, means that design guidelines for heritage areas (as recommended below) will significantly assist Council and applicants in resolving design issues in these areas.

Council should therefore monitor infill development activity and re-consider this issue if the level of applications rises in the future or following the refinement of the Heritage Overlay (refer to the discussion below under 'heritage').

Signage

There have been a number of appeals to VCAT over signage and various other signage applications have raised challenges for Council in recent years. According to Council planning officers, Council and the community would benefit from additional policy guidance in relation to signage, particularly in the Maryborough CBA and near town entrances. In 2013, Council developed and considered a draft policy for 'promotion signs', however, the policy was not formally adopted.

This review has found that Council is likely to benefit from more detailed signage policies in the Planning Scheme. In order to have statutory weight, these should be included in the Planning Scheme, either as policy guidelines, a policy document or incorporated document. Various councils have incorporated such policies in their planning schemes, particularly councils with extensive heritage areas.

Energy and resource efficiency

This theme of the PPF is closely linked with the earlier discussion on ‘climate change’, though has a particular focus on building and subdivision design. This Review does not recommend a particular approach to addressing this issue. Instead, the preferred approach should be determined by Council’s objectives and priorities, as expressed through the Council Plan.

If Council chooses to implement changes in the Planning Scheme to address this policy at the local level, there are various options that could be considered. For example, Greater Bendigo has attempted to address climate change through the development of a local planning policy for environmentally sustainable development (Greater Bendigo Planning Scheme, Clause 22.10). This policy applies to most accommodation and non-residential development and aims to improve building designs at an early stage to improve energy efficiency, water quality, and amenity.

Heritage

Heritage is a strong part of the Shire’s identity, and this is strongly reflected in the MPS. Heritage does, however, require significant resources and effort to manage well through the planning system. Council has completed heritage studies for most of the areas in the Shire and has undertaken a consolidated review of these studies (Rowe, 2005), but the further implementation of the studies in the Planning Scheme is yet to occur.

In the short term, the priority for Council should be in ensuring proper identification of heritage assets through the heritage overlay, as resources allow. It should proceed with the recommendations of the Heritage Review Stage 1 (2005), which found that the Heritage Overlay in Maryborough should be revised, and eight new heritage precincts created subject to further investigations. The Review also identified 49 identified heritage places not covered by the overlays. As part of this review, Council has indicated that a review of the Heritage Overlay in Maryborough is its priority. It is agreed that this where Council’s priorities should be focused.

Since the Heritage Review was prepared, many councils across Victoria have sought to provide a finer level of control in heritage precincts. The aim of these initiatives has generally been to reduce permit requirements for developments that will have minimal impact on heritage areas. Council should strongly consider this approach if it has sufficient resources to prepare the necessary mapping and incorporated documents.

The Heritage Review also recommended that ‘objectives and policies’ be prepared for all heritage precincts. Councils are also providing greater policy guidance for new development and change in heritage areas in the form of heritage guidelines or local policies in the Planning Scheme. Again, Council should strongly consider the development of these policies or guidelines if resources allow.

There are a number of examples of heritage policies in other planning schemes that could be used as a guide. For example, Mount Alexander’s Local Planning Policy at Clause 22.01 provides useful policy guidance for most forms of development and change. An example of a policy that is more extensive and visual are the *City of Greater Bendigo Heritage Design Guidelines (2015)*.

Recommendations for further strategic work

- FW.9) Develop signage guidelines and implement them in the Planning Scheme as policy guidelines, a policy document or incorporated document.
- FW.10) Implement the findings of the Heritage Review Stage 1 (2005), with a focus on reviewing the Heritage Overlay in Maryborough.
- FW.11) Develop heritage guidelines and include them in the Planning Scheme as policy guidelines, a policy document or incorporated document.
- FW.12) Consider how best to develop urban design and landscape guidance for the City's highway entrances, in consultation with other Council departments.
- FW.13) Consider how to best develop policies for energy and resource efficiency in new buildings in the context of broader climate change initiatives by Council.
- FW.14) Monitor infill development activity and consider the need for neighbourhood character guidelines as part of future planning scheme reviews, or following a review of the Heritage Overlay.
- FW.15) Consider the development of policies or guidelines that provide exemptions for certain low-impact works or development of non-contributory building in heritage precincts.

10.6 Housing

Clause 16 of the PPF aims to provide for housing diversity and housing affordability in close proximity to infrastructure. The objectives and strategies are divided into a series of sub-themes.

The strategic directions of the MPS identify affordable housing as a strength of the Shire, and the need to provide 'innovative' housing.

This Review has identified a range of strategic gaps and issues in relation to housing that are discussed under a series of sub-headings, below.

Residential development

As discussed in the 'settlement / urban consolidation' section of this report, there is a need to better identify potential development and re-development sites in the Maryborough urban area. These should be shown on the Maryborough Structure Plan.

Council's planners have advised that aged care accommodation is a sector where Council is likely to require additional strategic direction in the future. This is confirmed by recent major investments in aged care and retirement facilities in Maryborough. Again, these opportunities could be shown on the Maryborough Structure Plan, and may be best identified as part of a housing strategy or similar piece of work.

Rural Living

The Population, Housing & Residential Strategy (2020) found that the Shire has a 'substantial' supply of rural living land (625 vacant lots – 39% of the supply) and that this is a relatively large supply when compared with other local government areas. It found that from 2010 to 2019, eight dwellings per annum were constructed on Rural Living and Low Density Residential zoned land, and that 65% of construction was relatively close to Maryborough (Spatial Economics, 2020, 29). It is noted that this equates to approximately 78 years of land supply.

In its recommendations, the Strategy found that many areas zoned Rural Living that are remote from Maryborough are unlikely to be popular and found that these areas may not be appropriate for housing due to bushfire risks, servicing and environmental costs. It recommended that Council consider changes to the zoning of these areas, including the potential application of the Rural Conservation Zone (Spatial Economics, 2020, 47). The Strategy found that there are limited options available for people seeking large but manageable lots near Maryborough and Carisbrook. It recommended that this form of living be investigated as part of a Housing Strategy for Maryborough / Carisbrook.

The PPF recognises rural living is a viable form of residential development, however, the locations need to be well justified in terms of protection of agricultural land, services, environmental impacts and proximity to towns.

The Review has not investigated rural living zoned land in detail, however, the Population, Housing & Residential Strategy (2020) provides a good starting point for Council to further investigate the rural living and low density residential zones. It is highly likely that the Rural Conservation Zone should be applied to some Rural Living zoned land to reflect its environmental and landscape values. These areas should be identified and investigated as a component of a Rural Land Study, so that the agricultural values of the land can also be properly assessed.

This review agrees that it is highly likely that the Low Density Residential Zone could be applied more extensively near Maryborough and Carisbrook. In consider the use of this zone, Council must consider the matters set out in the Planning Practice Note for Rural Residential Development (Planning Practice Note 39).

One of the important strategic planning considerations for Council is whether this form of development will impede proper long-term growth at normal urban densities. If therefore should be investigated as part of any structure planning for these towns. As part of this process, Council could have difficulty in demonstrating the strategic justification for the use of the Low Density Residential Zone unless it has identified sites to remove from the Rural Living Zone, as land supply is calculated on a municipal rather than area basis (refer to Clause 11.02-1S).

Recommendations for the MPS and PPF

MP.12) Identify the need to provide a more diverse mix of rural living opportunities that are located closer to key towns such as Maryborough and Carisbrook.

MP.13) Identify the need to review existing rural living zoned land with a view to applying more appropriate zone provisions.

Recommendations for further strategic work

FW.16) Identify key infill residential development and re-development sites in Maryborough that are suitable for housing.

FW.17) Identify Rural Living zoned land that should be rezoned to the Rural Conservation or other zones as part of a Rural Land Study.

10.7 Economic development

Clause 17 of the PPF aims to provide a strong and innovative economy. The objectives and strategies are divided into four key sub-themes: employment, commercial, industry and tourism.

The strategic directions of the MPS focus on Maryborough's retail sector, industrial development and tourism. The local strategies in the PPF relate to business, out-of-centre development and industrial land supply and siting.

This Review has identified a range of strategic gaps and issues in relation to economic development, as discussed under a series of sub-headings, below.

Employment

Clause 17.01 of the PPF aims to strengthen and diversify the economy. It contains a regional section for Loddon Mallee South that aims to support tourism, renewable energy, resource recovery, green industries, earth resources and manufacturing and food processing. All of these uses are part of Central Goldfields Shire's economy and all have the potential to grow. These uses are addressed in more detail in other parts of the Planning Scheme, and there is little need for any local expression in the PPF at this point in time.

Commercial

To date, Council has not prepared any form of retail or commercial strategy for the municipality. The 2013 Review noted that, in the 2000-2013 period, there were a number of substantial public and private investments in the Maryborough CBD. It also highlighted the findings of the C12 Panel Report, which identified a number of weaknesses in the Planning Scheme. The 2013 Review recommended that Council prepare a commercial land strategy for Maryborough to understand land supply and demand issues and develop appropriate strategies and actions.

The PPF currently contains appropriate strategies to discourage out-of-centre retail development and limit commercial zones outside the Maryborough CBA. Nevertheless, this Review has found the following strategic issues in relation to commercial land in the Planning Scheme:

- the need for Council to better understand likely future commercial floorspace demand;
- whether the extent of the Commercial and Mixed Use Zones in the Maryborough CBA are accurate and appropriate, noting that some anomalies appear to exist;
- how 'out-of-centre' development should be defined in the context of Maryborough, noting that this is crucial to the proper operation of the strategies in Clause 17.021L;
- where large format retailing should be encouraged in Maryborough;
- where trade supplies outlets should be encouraged;
- whether, and on what basis, small scale shopping opportunities should be allowed outside the Maryborough CBA;
- whether there are any issues associated with commercial uses in the Dunolly, Carisbrook, and whether the current extent of the Commercial 1 Zone is appropriate;

- whether there are any issues with commercial uses under the Township Zone in small towns such as Talbot and Bealiba.

Since 2013, there have been few major commercial developments or land use pressures in the Maryborough CBA or other town centres in Central Goldfields Shire that suggest that resolving these matters should be a high priority for Council. Nevertheless, Maryborough is a sub-regional commercial centre that plays a significant role for the community and businesses in the Shire. The development of a strategy for commercial land should therefore be identified as ‘further strategic work’ that should be undertaken over the medium to longer term. Council should monitor development activity closely and elevate the importance of this work if major development proposals emerge or requests are received to rezone land.

Maryborough Central Business Area Structure Plan

This plan plays a key role in explaining Council’s vision for change in the Maryborough CBA, and to support the strategic directions in the MPS. This Review has identified the following issues with the Plan:

- the content of the Plan, and its vision for the CBA, is at least 20 years old;
- there is a need to better define preferred roles of precincts in the Plan, particularly the large ‘commercial redevelopment’ precinct;
- there is lack of a clear relationship between the precincts in the Plan and the application of the Commercial 1, Commercial 2 and Mixed Use Zones.

These matters could be addressed as part of a commercial land strategy, or revisions to the Maryborough or CBA Urban Design Framework.

Industry

Industrial land continues to present a range of complex planning problems for Council. Long-standing issues associated with industrial land in the Shire are focused on Maryborough, Flagstaff and Carisbrook. Issues include:

- close proximity of industrial zones to residential zoned land in a range of locations;
- small, isolated pockets of industrial land in Maryborough;
- inability for long-standing industrial uses to meet EPA guidelines for separation distances from sensitive uses;
- presence of dwellings in industrial zones;
- potentially contaminated land;
- poor visual appearance of some industrial areas.

Furthermore, there are a number of strategic issues that require further research by Council:

- significant amounts of broadacre, industrial zoned, land in Flagstaff and Carisbrook;
- lack of important utility services for broadacre land, particularly reticulated sewerage;

- lack of a proper understanding of demand for smaller, serviced industrial lots;
- lack of direction about what lot sizes should be encouraged in various locations;
- the future re-use of several major vacant or under-utilised industrial sites;
- Council ownership of large parcels of land.

Some, but not all of these issues, are currently identified in the MPS. The MPS would benefit from a fuller and more accurate picture of the issues relating to industrial land.

Together, it is considered that a comprehensive industrial land strategy is the most appropriate way to properly understand these issues and resolve them in a meaningful way. This will help Council in understanding how to resolve key questions relating to land supply and demand, interfaces, separation distances, and policies for new industrial land use and development. This work would inform changes to the MPS and PPF at the local level. This project is considered to be a high priority for Council.

In their submission to this Review, the EPA has raised the following points in relation to industrial land:

- the importance of separation distances;
- the fact that separation distances apply to off-site odour and dust emissions but not noise, vibration and other air pollutants;
- the need to consider the ‘agent of change’ principle when separation distances are varied;

These issues are considered to be well covered in the state section of the PPF and should be the subject of local strategies and policies following the completion of an industrial land strategy.

The EPA has also advised that policy reform that is underway at the state level that involves:

- strengthening the mechanisms that establish and maintain buffers to separate conflicting land uses;
- avoiding encroachment problems;
- helping to manage health, safety and amenity impacts; and
- ensuring integration with EPA regulatory requirements.

It is recommended that Council monitor these reform processes closely and prepare submissions that will assist Council in its consideration of industrial land issues.

Carisbrook-Flagstaff area

The land that lies between the eastern edge of the Maryborough urban area and Carisbrook has emerged as an area of major land use conflict in the Shire. The area has large areas of land zoned Farming, Rural Living and Industrial 1, and is divided by the Pyrenees Highway. It is broadly bounded by Rural Conservation Zoned land to the west, the Carisbrook urban area to the east, Bucknall Street to the north and Williams Road to the south.

The area exhibits many of the problematic issues identified in the previous section of this report on ‘industry’. In addition, it has the following specific attributes:

- pockets of Low Density Residential Zone land surrounded by Industrial 1 Zone;
- various under-utilised former industrial sites;
- recent subdivision activity in the Industrial 1 Zone;
- emerging highway-focused commercial uses on the Pyrenees Highway;
- an active transfer station, former landfill and other resource recovery uses in the Farming Zone in the southern part of the area.
- presence of vegetated crown land and the Bushfire Management Overlay at the eastern edge of Maryborough;
- large areas of land affected by the Salinity Management Overlay and Erosion Management Overlay;
- large areas of land affected by the Environmental Significance Overlay (ESO2) to protect the former Penney and Lang Abattoirs abattoir.

At present, there is little recognition of these issues in the MPS. Clause 17.03-2L of the PPF contains a strategy to facilitate 'compatible' industries within buffer areas at the former Penney and Lang Abattoirs.

Since the last review, Council has considered a number of difficult planning permit applications on or near industrial land in this area. These have included:

- an application for a hay processing facility in the Industrial 1 Zone in Flagstaff, which received objections from the owners of nearby dwellings and was refused by Council;
- an application for a 10 lot subdivision in the Rural Living Zone in Carisbrook, which was refused by Council for a range of reasons including lack of separation distances to the nearby Industrial 1 Zone; and
- an application to expand a poultry farm in the Farming Zone (subject to two VCAT applications identified previously in this report).

Council should consider preparing a 'land use framework plan' for this area in an attempt to provide clear direction for:

- the extent of existing uses that require separation distances;
- the types of uses that should be encouraged in particular areas, and which should be discouraged;
- areas that should be preserved for land uses with large buffer requirements;
- the general form of new development on the Pyrenees Highway;
- the future of existing parcels of Low Density Residential Zone land;
- how interface issues should be addressed in different scenarios (e.g. landscaping, physical separation, site management conditions);

- changes to zones and overlays in the Planning Scheme, including the relevance and content of the Environmental Significance Overlay (ESO2).

This Plan should be commenced following, or as part of, the Industrial Land Study, so that there is clear direction about whether it is appropriate for industrial land to be rezoned from a land supply and demand perspective.

Tourism

The MPS currently identifies tourism as an important and growing industry for the Shire and mentions a number of key places and activities. These strategic directions are broadly appropriate, however, they may need to be updated to reflect the findings of Council's recent Economic Development and Tourism Strategy (2020), once this is finalised. For example, Council may wish to note the importance of events to the Shire, and the importance of the accommodation sector, as these matters are currently not mentioned in the MPS.

As discussed in the 'strategic influences' section of this report, the Goldfields Heritage Development and Opportunity Project involves a bid for World Heritage Listing for the Shire. If successful, the implications of the bid for the Planning Scheme may require further investigation.

The 'Golden Way touring route' on the Central Goldfields Strategic Framework Plan is not supported by any content in the MPS. Some recognition of the route should be made in the MPS or the route should be removed from the Plan.

Recommendations for the MPS and PPF

- MP.14) Update the MPS with a fuller and more accurate set of industrial land use issues.
- MP.15) Incorporate relevant elements of the Economic Development and Tourism Strategy in the MPS, as appropriate.
- MP.16) Recognise the 'Golden Way touring route' in the MPS or remove it from the Central Goldfields Shire Strategic Framework Plan.

Recommendations for further strategic work

- FW.18) Prepare a commercial land strategy for Maryborough and update the Maryborough CBA Structure Plan, as appropriate.
- FW.19) Prepare an industrial land strategy for Maryborough and other parts of the Shire;
- FW.20) Prepare a land use framework plan for the Carisbrook-Flagstaff area following, or as part of, an industrial land strategy.

10.8 Transport

Clause 18 of the PPF aims to provide an integrated and sustainable transport system. The objectives and strategies are divided into the following sub-themes relevant to Central Goldfields Shire: integrated transport, movement networks, airports and freight.

The strategic directions of the MPS focus on Maryborough's highway and public transport infrastructure, and the Maryborough Aerodrome.

This Review has identified a range of issues and strategic gaps in relation to transport, as discussed under a series of sub-headings, below.

Integrated transport

The urban areas of the Shire's towns are well established and land use largely reflects the historical settlement patterns of each town. Council has not prepared or adopted any structure plans, framework plans or similar studies over the past 20 years that attempt to co-ordinate land use and transport. Recently, however, it has commenced the 2020 Integrated Transport Strategy which aims to promote land-use and transport choices that are sustainable and reduce journey times and distance by concentrating development in activity and neighbourhood centres close to public/active transport routes.

This Strategy is in its early stages and its findings are not yet known, although it is understood that they will have a land use planning component. This Strategy should be implemented in the Planning Scheme in some way to provide important local direction for achieving the integrated transport strategies of the PPF. It is noted that other councils in Victoria have successfully incorporated similar plans into their MSS / MPS.

Movement networks

The Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017) identifies various on-road and off-road walking and cycling routes in Bealiba, Carisbrook, Dunolly and Maryborough. It ranks the paths into 'high, medium and low' priorities. There are 'high' priority paths in each town. Approximately 15 out of the 30 projects are located in Maryborough.

This Strategy is of sufficient importance for Council planning and new development to be recognised in the Planning Scheme as a 'Background Document', with the potential for it to also be identified in policy in the local section of the PPF. This will help to ensure that Council planners can plan for, and safeguard opportunities for, these projects when new development applications are received. The planners will need to obtain specific advice through referrals to, and liaison, with Council's infrastructure and recreation departments. In order for the planners to identify the projects at an early stage in the planning process, Council would benefit from a map showing the location of the different projects in each town.

There is a significant opportunity identified in various regional strategies to improve train services between Maryborough and Ballarat (refer to Section 8). This issue is of sufficient importance to be identified in a more explicit way in the MPS.

Future Maryborough Bypass

The reservation for a future bypass road to the south of Maryborough for a heavy vehicle bypass is substantially in place, although land still needs to be acquired at the eastern end of the route. This land is affected by the Public Acquisition Overlay (PAO). The timing of possible construction of this bypass is unknown. VicRoads did not provide formal comment on the Planning Scheme review.

It is understood that Council has received enquiries about the development of some land that has not yet been formally acquired for buildings and it is understood that the land would usually be acquired at the subdivision stage. This is a complex issue that will require direct discussion between landowners, VicRoads and Council. Any resolution of the issue is likely to depend on the nature of the proposal and conditions or agreements that can be struck with the landowners as part of the permit application process.

None of the strategic plans for transport in the region, including the Central Highlands Regional Transport Strategy (2014), identify this bypass route in any way. Further discussion is required with VicRoads about the future of the bypass, so this can be reflected in the Planning Scheme. Ideally, the Planning Scheme would give some indication about when the construction of the Maryborough Heavy Vehicle Bypass will need to be seriously considered, based on current rates of development, together with major land use planning issues that will need to be resolved for this initiative. These could include land acquisition, vegetation removal, rail crossings and major intersections. The preparation of a revised Maryborough Structure Plan would be an ideal time to explore these issues.

Airports

Maryborough Aerodrome is located to the west of Maryborough. There is a Design and Development Overlay in the Planning Scheme that attempts to manage both buildings and works and the impacts of aircraft noise. The Aerodrome is located on crown land that is managed by Council.

Council faces some difficult non-planning related issues relating to the management, leasing and finances associated with the Aerodrome. In August, 2019, Council formally resolved to 'revoke' the Maryborough Aerodrome Masterplan (Central Goldfields Shire Council, 2012), which included some recommendations about the planning provisions that apply to the land. Council's resolution also included downgrading its role from a 'Registered Aerodrome' to an 'Aircraft Landing Area' (Minutes of Ordinary Council Meeting, 27/8/2019).

From a state planning perspective, Clause 18.04-1S aims to protect airports and airfields. The PPF anticipates that airports and airfields are well planned from a land use and development perspective including the use of the Airport Environs Overlay (AEO) to manage noise impacts. It is unclear whether the PPF is intended to include 'Aircraft Landing Areas', noting that there are reduced civil aviation requirements associated with an 'Aircraft Landing Area'. It is unclear as to how this status may influence the need for planning provisions, although, irrespective of its management status, the Aerodrome will continue to be an important local transport infrastructure.

Council has not yet prepared a revised vision and plan for the Airport, and it is evident that other issues need to be resolved before this occurs. The draft MPS currently identifies ‘recreational’ and ‘commercial’ opportunities at the Aerodrome. These statements should include references to ‘protection’, to give strategic support to the existing Design and Development Overlay (DDO2).

The MPS should be updated following the outcomes of any future strategic assessment of the Maryborough Aerodrome. As recommended in 2013 review, the Design and Development Overlay (DDO2) that applies to land around Maryborough Aerodrome should be reviewed at this time. These matters are also discussed in the ‘implementation tools’ section of this report.

Recommendations for MPS and PPF

- MP.17) Recognise the findings of the Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017) as policy in the local section of Clause 18.02-1S and as a Background Document in the Schedule to Clause 72.08.
- MP.18) Include a strategic direction in the MPS and PPF to ‘protect’ the Maryborough Aerodrome.
- MP.19) Implement the findings of the Integrated Transport Strategy (2020) in the MPS and PPF, as appropriate.

Recommendations for further strategic work

- FW.22) Prepare a map showing the recommendations of the Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017) for use in the planning department and for internal referrals.
- FW.23) Engage with VicRoads to provide basic information about planning issues associated with the Maryborough Heavy Vehicle Bypass in the Planning Scheme, including timing, vegetation removal, rail crossings and major intersections, potentially as part of a review of the Maryborough Urban Design Framework.
- FW.24) As part of any future strategic assessment of Maryborough Aerodrome:
 - review the strategic directions in the MPS and policies in the PPF;
 - review the Design and Development Overlay (Schedule 2);
 - investigate the potential to apply the Airport Environs Overlay (AEO).

10.9 Infrastructure

Clause 19 of the PPF aims to plan for physical, social and development infrastructure . The objectives and strategies are divided into three sub-themes: energy, community infrastructure, development infrastructure.

The strategic directions of the MPS are general and focus on the lack of sewerage in townships.

This Review has identified a range of issues and strategic gaps in relation infrastructure, as discussed below under series of sub-headings that match with the sub-clauses in Clause 19 of the PPF.

Energy

Renewable energy is specifically encouraged for the Loddon Mallee South region in Clause 17.01-1R of the PPF.

According to Council, the opportunities for major solar farms are likely to be limited in the Shire as it is located away from major electricity transmission lines, however, there may be opportunities for smaller scale facilities in the Shire’s rural areas. At least one planning permit for a solar farm has recently been approved by Council in Carisbrook (Application 065/18).

The MPS and local section of the PPF do not currently identify any areas where renewable energy facilities are to be encouraged, or policies that may assist in decision making. Council may wish to consider such responses in its broader consideration of ‘sustainability’ matters. Until this time, it is unlikely that appropriate strategic directions or policies can be developed for inclusion in the Planning Scheme.

Community infrastructure

The MPS and local section of the PPF currently contain no strategies or policies relating to:

- health facilities;
- education facilities, including childcare, kindergarten, primary and secondary schools;
- cultural facilities;
- social and cultural infrastructure, including sporting facilities;
- emergency services.

At present, most of the key community infrastructure facilities in Maryborough are shown on the Maryborough Structure Plan. Whilst it is often difficult for Council to plan strategically for these uses, as they are often done by state government and on crown land, there is an opportunity for the Planning Scheme to better recognise key emerging projects, particularly, the \$100 million upgrade of the Maryborough District Hospital (refer to ‘Emerging influences).

There may also be an opportunity to cluster complementary or associated uses in these areas. For example, medical uses near the Hospital and childcare centres near existing schools. These issues could be explored through a review of the Maryborough Urban Design Framework. Based on the feedback received as part of this review, and information available to the Review, these matters are unlikely to be high priorities for Council.

Open space

Up until now, new residential development has generally relied upon the existing network of open spaces in the Shire to provide open space for new communities. Maryborough and other towns in the Shire are well endowed with formal and informal open spaces. The state forests that surround Maryborough and Dunolly also provide significant amenity and recreational value. Clause 19.02-6S of the PPF contains comprehensive strategies to protect and manage these spaces that are likely to be sufficient given the level of new development and change that is occurring in the Shire.

Council has not yet developed consistent policies for levying open space contributions, including the amounts that should be levied, or policies about how the contributions should be used to create or enhance open space in the municipality. The preferred mechanism for councils to implement their expectations at the local level is through the use of Schedule 52.01. In order to use this clause, a comprehensive strategic assessment of open space needs would be required. The level of development activity in the Shire is unlikely to justify this level of assessment at present. It is likely to be appropriate to resolve open space needs at the precinct level as part of the preparation of new framework plans and structure plans.

Developer contributions

Development contributions plans require developers to make contributions to physical and community infrastructure as part of the development process. They have not been used by Central Goldfields Shire Council to date, however, they are generally most useful when strong residential development activity is anticipated.

The State Government has recently introduced a standardised approach to levying land and monetary infrastructure contributions through an 'Infrastructure Contributions Plan'. These plans need to be incorporated in the Planning Scheme through a planning scheme amendment. At present, they can only be used in Metropolitan Greenfield Growth Areas. Further advice from DELWP is sought on whether regional areas will be able to use these Plans.

This review has not investigated the potential new growth areas in Maryborough and Carisbrook to determine whether major items of infrastructure are required to service development and whether development contributions plans may be appropriate. The need for these plans should be considered as part of the preparation of structure plans or similar plans. In the meantime, it would be appropriate for the MPS to identify the need to consider development contributions for new growth areas in Maryborough and Carisbrook.

Integrated water management

The capacity to viably service new development areas in the Shire with reticulated sewerage is a major challenge for Council. Coliban Water has advised that it has no plans to provide reticulated sewerage to townships such as Bealiba from 2018-2023, and it is unlikely that this would occur in the future. Central Highlands Water did not provide any specific comment on the extension of sewerage in the Shire.

The lack of sewerage in Talbot has been a long-standing issue for the Shire. The Population, Housing and Residential Strategy found that, in the absence of a substantial public subsidy, it is very unlikely that the local community would support the cost of provision of a reticulated sewerage system, but that options should continue to be explored (Spatial Economics, 2020, 52). The MPS currently identifies this as 'further strategic work', so no further changes are considered to be necessary.

As identified in Section 8 of this report, the Maryborough Integrated Water Management Plan (2018) recommends six major integrated water management initiatives for Maryborough, including the need for passively irrigated trees in new development areas, the CBA and town entrances, and new wetland and stormwater harvesting area to the north of Maryborough (Central Highlands Water, 2018, 67-68). The need to passively irrigate street trees elevates the need for landscape plans to form part of planning permit conditions for new development. This expectation should be included as a local policy in the PPF.

Central Highlands Water has requested that this document be included as a Background Document in the Planning Scheme. This Review agrees that it would be appropriate to reference the document in this way. The 'infrastructure' section of the MPS should also be updated with key issues and strategic directions contained within the document.

Waste and resource recovery

There are no operating landfills in the Shire, although there are a number of former landfills in the Shire. Waste and resource recovery infrastructure is not currently identified in the MPS or local section of the PPF in any way.

The Grampians Central West Waste and Resource Recovery Group prepared a submission to the Review that emphasises the importance of identifying and protecting waste and resource recovery facilities from encroachment (GCWWRRG letter to Central Goldfields Shire Council, 9/9/2019). It draws Council's attention to the 'Grampians Central West Waste and Resource Recovery Implementation Plan – Land Use Planning Project (Centrum Town Planning, 2018). This Plan was developed with input from Council and makes a series of recommendations including better recognition of WRR infrastructure in the MSS and a local policy for development within buffers (Centrum Town Planning, 2018, 53). At the regional level, the Plan found that Central Goldfields Shire was considered to be a low priority for further action, in terms of encroachment risk and development activity (Centrum Town Planning, 2018, 29).

The Project makes a number of strategic recommendations about the four active waste and resource recovery facilities in the Shire, including a number of rezonings to PUZ6 and the potential application of the EAO to closed landfills. All of these facilities are on crown land and further discussions with DELWP are required to determine the most appropriate approach to making these changes in the Planning Scheme.

There are a number of closed landfills in the Shire that have no formal identification in the Planning Scheme. Several of these landfills are identified on the Victoria Unearthed website at <https://mapshare.vic.gov.au/VictoriaUnearthed/>. Council must take significant care in assessing planning permit applications that are located within the buffers of closed or active landfills. The EPA has developed guidelines for the Assessing Planning Proposals within the buffer of a landfill (EPA 1642)

As a priority, Council should seek to identify former landfills and active transfer stations and their recommended buffer distances as a layer in Council's GIS. This would provide planners with an early warning about whether an application site is affected by a facility or buffer. In the short term, Council should use the Victoria Unearthed website to check the location of planning applications near former landfills (refer also to recommendation under 'soil degradation').

Recommendations for MPS and PPF

- MP.20) Identify the potential need for development contributions plans and infrastructure contributions for new growth areas in Maryborough and Carisbrook in the MPS.
- MP.21) Include a policy in the local section of the PPF to passively irrigated trees in new development areas, the CBA and town entrances by requiring landscape plans.
- MP.22) Consider including the Maryborough Integrated Water Management Plan (2018) as a Background Document in the Schedule to Clause 72.08.
- MP.23) Recognise the location and role of local waste and resource recovery infrastructure including transfer stations in the MPS.
- MP.24) Recognise the land use risks posed by closed landfills in the MPS.

Recommendations for further strategic work

- FW.25) Investigate the implications of the upgrade of the Maryborough District Hospital and opportunities for clustering of uses through a review of the Maryborough Urban Design Framework.
- FW.26) Discuss the potential to rezone the Bealiba, Carisbrook Dunolly and Talbot Transfer Stations to the Public Use Zone (PUZ6) with DELWP.
- FW.27) Discuss the potential to apply the Environmental Audit Overlay (AEO) to closed landfills in the Shire with DELWP.

Recommendations for statutory planning

- PP.6) Introduce an appropriate mechanism to ensure that the Victoria Unearthed mapping tool is checked for closed landfills when planning permit application files are prepared.

10.11 Summary of key findings

The key findings and recommendations of the Review in relation to strategic gaps and emerging issues are as follows:

Key issues

Most of the key issues facing Central Goldfields Shire well captured in the MPS. There are, however, a number of long-standing and emerging planning issues that are not currently identified in the MPS, or that need to be better identified or explained. These include issues associated with the following land use and development:

- bushfire;
- flooding;
- soil degradation;
- productive agricultural land;
- animal keeping and training;
- dams;
- rural living zoned land;
- industrial land, including separation distances;
- the need to improve rail services between Ballarat and Maryborough;
- status of the future bypass road to the south of Maryborough;
- potential for development contributions for new growth areas;
- location of waste transfer stations;
- risks posed by closed landfills.

There are also a number of issues that have arisen as a result of a more broad-ranging new PPF structure, which encompasses new or more detailed policy themes, including:

- climate change;
- sustainability in terms of building and subdivision design.

Strategic directions

The Review has found that the MPS currently lacks strategic direction for the following key areas:

- direction of future urban growth in Maryborough and Carisbrook;
- the Carisbrook-Flagstaff area, where major land use conflict exists;
- urban consolidation, particularly medium density housing;

- land management overlays (Erosion Management Overlay and Salinity Management Overlay);
- various important landscapes;
- the preferred location of intensive animal industries;
- neighbourhood character;
- large format retailing, trade supplies and out-of-centre commercial development;
- the preferred form and location of new industrial development;
- future bypass road to the south of Maryborough;
- integrated water management, with reference to the Maryborough Integrated Water Management Plan (2018).

Policies

The Review has found that the local section of the PPF should be updated with policies that address:

- signage;
- heritage;
- walking and cycling trails with reference to the Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017).

Plans

The Review has found that the existing 'Maryborough Structure Plan' provides a good overview of key locations, land uses and planning themes, however, in order to provide meaningful direction for Council and the community it should be reviewed and updated to show:

- the direction for urban expansion and future structure planning;
- key development and redevelopment sites;
- buffers to major infrastructure;
- major bushfire risks;
- areas and issues that require further investigation.

The content of the existing 'Maryborough Central Business Area Structure Plan' is also old and outdated. It should be updated to better define the preferred roles of each precinct, recognise infrastructure and movement issues and directions.

Both the Maryborough Structure Plan and Maryborough CBA Structure Plan could be reviewed independently or as part of a review of the Maryborough Urban Design Framework or commercial land strategy, as appropriate.

Further strategic work

The recently prepared Population, Housing and Residential Strategy provides Council with the key direction that is currently lacking for settlement. It should be implemented in the Planning Scheme as an immediate priority.

Having regard to development activity and issues arising during planning permit applications, the Review has identified the following areas of further strategic work that are considered to be a high priority for Council:

- industrial land strategy;
- land use framework plan for the Carisbrook-Flagstaff area following, or as part of, the industrial land strategy;
- rural land study;
- structure plan for the Maryborough-Dunolly Road Precinct;
- implementation of flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale.

The suggested priorities for these and other items of 'further strategic work' are outlined in more detail in Section 15 of this report.

11 Review of zones

11.1 Introduction

The main function of zones is to guide the use of land. They must be used to implement the policy objectives of the PPF and local circumstances.

The Review has investigated whether the zones are achieving their strategic objectives and desired outcomes as set out under the MPS and PPF. It has also attempted to identify issues with the general application, function and drafting of the zones and their schedules.

The Review is general in nature; it has not involved an audit of planning applications, nor was data available about the number of permits that have been considered under each zone. It should also be noted that the Review does not consider detailed zoning issues relating to particular sites, although it does identify a number of areas where issues have been identified by Council or agencies and authorities. Detailed investigations into the zoning of land should be addressed through an appropriate strategic study.

11.2 Key findings

Residential Zones

The General Residential Zone (GRZ) generally applies to serviced residential areas in the townships of Maryborough, Dunolly and Carisbrook. The Review has not raised any major issues with the current application of this zone.

The Residential Growth Zone (RGZ) and Neighbourhood Residential Zone (NRZ) have not been applied in Central Goldfields Shire. It is noted that the old Residential 2 Zone, which aimed to encourage medium and higher density residential development, formerly applied to extensive parts of inner Maryborough. The 2013 Review found that there were fewer multi-dwelling applications in the Residential 2 Zone (18%) than the Residential 1 Zone (41%) over the period.

DELWP has recently released revised advice on the application of the residential zones in Planning Practice Note 91 (Using the residential zones, DELWP, 2019). This advice emphasises that the application of zones must implement the relevant strategic framework plan in the MPS, and the capacity of the land. The Population, Housing and Residential Strategy (2020) did not provide any specific recommendations about the use of the residential zones in the Shire.

The GRZ can be used in areas of 'substantial' change if it is tailored property to achieve the strategic outcomes that are sought. Given the relatively low levels of medium density development in Maryborough and other towns, it is unlikely that there will be a need to further refine the operation of the zone or use other residential zones in the Shire in the foreseeable future. Nevertheless, this finding should be re-tested when there is a review of the Maryborough Urban Design Framework, as it may be appropriate to apply a modified GRZ, or even other zones, to strategic development or redevelopment sites.

Township Zone

The main purpose of the Township Zone is to provide for residential development and a range of commercial, industrial and other uses in small towns. The zone applies to the central parts of the smaller townships in the Shire, including Talbot, Majorca, Timor, Bealiba and Moliagul.

The Review has not revealed any particular issues relating to how this zone is currently being applied in the Planning Scheme as a result of consultation with Council, the community or authorities. At this point in time, there no need to make changes to the local schedules in these towns.

Low Density Residential Zone

The Low Density Residential Zone has not been widely used in the Shire. It applies to land at the edges of Dunolly and some small areas at the edges of Maryborough and Carisbrook.

This Review has noted that the zone applies to land surrounded by the Industrial 1 Zone in Carisbrook (refer to Section 10 - Economic Development - Industry), which should be investigated as part of an industrial land strategy and a framework plan for Carisbrook-Flagstaff.

The Population, Housing and Residential Strategy (2020) identifies the potential to use this zone more widely to diversify rural living options in the Shire (refer to Section 10 - Housing - Rural Living).

There is an opportunity to reduce permit requirements in this zone by raising the trigger point for extensions to construct an outbuilding in the Schedule to the Zone. This could, for example, be set to 50 square metres. Further assessment of permit activity data is required to determine how many permits would not be required as a result of this change and whether it would therefore be worth pursuing as part of a planning scheme amendment.

Mixed Use Zone

This zone aims to provide for a range of residential, commercial, industrial and other uses that complement mixed-use areas. The zone applies to land in Burns Street and Christian Street in Maryborough.

Much of the land in the Mixed Use Zone appears to be developed for established detached single dwellings, with some limited commercial development. It is therefore possible that this zone may not be achieving its strategic objectives and it may be preferable to apply the residential or business zones to this land, depending on the preferred land use vision for the area. This should be addressed through a strategic study of commercial land in Maryborough (refer to Section 10.7- Commercial).

Industrial Zones

The industrial zones aim to encourage industrial development, with consideration of the safety and amenity of local communities and the type of industrial development. The Industrial 1 and Industrial 2 Zones apply to land in Maryborough, Dunolly and Carisbrook. The Review has identified a range of issues relating to industrial land that may influence the application of zones (refer to Section 10.7 – Industry). The Review has identified the need for an industrial land strategy to address strategic decisions on industrial land and a framework plan to be developed for Carisbrook-Flagstaff, where major land use conflicts exist (refer to Section 10.7 – Industry).

Commercial zones

The Planning Scheme utilises both of the commercial zones in the Victoria Planning Provisions. These are applied in the following areas:

- Commercial 1 Zone in the Maryborough, Carisbrook and Dunolly town centres;
- Commercial 2 Zone land in Tuaggra Street in the Maryborough CBA and other various locations in Maryborough.

The Review has identified a range of strategic issues and gaps relating to the Maryborough CBA and commercial areas elsewhere in Maryborough. As stated in Section 10.7 – Commercial, it is recommended that Council undertake a commercial land study to provide strategic direction about the application of these zones.

Farming Zone

The main purpose of the Farming Zone is to provide for the use of land for agriculture. The Farming Zone applies to most of the land in the Shire, including parts of Moolort and Eddington that are identified as land with high agricultural or irrigation potential in the ‘Strategic Framework Plan’ in the MPS. This review recommends that a rural land study should be undertaken to review the suitability of zones in rural areas (refer to Section 10.4 – Natural resource management).

This review has not identified the need to vary any of the default requirements in the schedule to the zone. The default trigger for extensions to existing dwellings and the construction of outbuildings in the zone is 100 square metres. This is an appropriate figure and strikes a reasonable balance between consideration of planning issues and minimising unnecessary permit requirements.

Rural Conservation Zone

This zone aims to protect particular environmental values and ensure that the development of land is in accordance with these values, and sensitive landscapes. There is one schedule to the Zone in the Planning Scheme. It aims to protect water quality in the Loddon Catchment, remnant vegetation and promote sustainable land management, including the prevention of salinity and erosion. The zone applies to parcels of land adjacent to the state forests that surround Maryborough and Dunolly, as well as land associated with volcanic rises in the southern and central parts of the Shire.

The Review has found that the Zone is likely to be operating appropriately, although its operation, relevance and content should be reviewed through a rural land study (refer to Section 10.4 – Natural resource management).

Rural Living Zone

The Rural Living Zone (RLZ) provides for residential living in a rural environment and is a form of living that has been a long established feature of the Shire. The Shire has extensive areas of land in this Zone. The largest areas are located around Maryborough and in the southern parts of the Shire, including Daisy Hill, Talbot and Red Lion. Land zoned Rural Living also exists in Dunolly and Bealiba.

The Population, Housing and Residential Strategy (2020) recommends that Council further explore rural living options close to Maryborough/Carisbrook, and reviews some areas of more remote rural living land. Section 10.6 – Rural Living recommends that this issue is explored as part of a rural land study.

The state standard minimum lot size for land in the Rural Living Zone is eight hectares. The Schedule to the Rural Living Zone in the Central Goldfields Planning Scheme specifies minimum lot sizes of two or four hectares for the majority of land in the Zone, with two hectares allowed if reticulated water is available. A large number of lots in these areas are more than eight hectares in size and are therefore likely to have potential for further subdivision.

This review has not identified the need to vary any of the default requirements in the schedule to the zone. The default trigger for extensions to existing dwellings and the construction of outbuildings in the zone is 100 square metres. This is an appropriate figure and strikes a reasonable balance between consideration of planning issues and minimising unnecessary permit requirements.

Public land zones

The public land zones have been applied to various parcels of land owned by Central Goldfields Shire Council or state government agencies, including:

- Maryborough Wastewater Treatment Plan, Maryborough-Bendigo Road (PUZ1)
- Maryborough Education Centre, Balaclava Road, Maryborough (PUZ2);
- Maryborough District Health Services, Clarendon Street, Maryborough (PUZ3)
- ‘Station Domain’ precinct, Maryborough (PUZ4);
- Shire depot in Burns Street, Maryborough (PUZ6);
- Large areas of crown land on the south and east sides of Dunolly (PUZ7);
- Maryborough Trotting Club, Chaplins Road, Carisbrook (PUZ7);
- Maryborough Airport (PUZ7).

The Review has not revealed any particular issues relating to the application of the Zone, apart from the potential need to apply PUZ6 to waste and resource recovery sites, as identified in Section 10. A number of errors in the application of this zone were included as part of Amendment C22 that should be re-considered in a new planning scheme amendment (refer to the recommendations of Section 4.7).

Special Use Zone

This zone allows for the use and development of land for a specific purpose. It has not been extensively used in the Shire. It applies to:

- Goldfields Reservoir, Ballarat Road, Maryborough (SUZ1);
- Ron Sinclair Reserve in Clarke Street, Maryborough (SUZ1);
- Maryborough Golf Club in Park Road, Maryborough (SUZ2).

Schedule 1 has been a part of the Planning Scheme since the new format planning scheme came into effect in 2000. The Schedule aims to provide for tourism and recreational development adjacent to the Maryborough Reserve. The Review has identified the following issues with this schedule:

- ‘food and drink premises’ is nested as a retail premises, but is not exempted as a Section 3 Use;
- the provisions relating to the use and development of land are very brief and therefore do not aid greatly in decision making;

This schedule should be reviewed to provide an improved framework for decision making, particularly in the sections relating to use of land and buildings and works. In addition, consideration should be given to applying the Public Park and Recreation Zone or Public Use Zone to the Goldfields Reservoir and Ron Sinclair Reserve, as these may be more appropriate zones.

Schedule 2 was applied to the Maryborough Golf Course as part of Amendment C16 to the Planning Scheme in 2009. The suitability of the Zone and its objectives was fully explored through this process and no further review of this schedule is considered to be necessary.

11.4 Summary of key findings

The Review has found that the Central Goldfields Planning Scheme generally makes appropriate use of the zones in the Victoria Planning Provisions. They generally give effect to the policies set out in the MPS and PPF, although further review work on the following zones is required to ensure that they are fully achieving their strategic objectives.

- Mixed Use Zone;
- Commercial 1&2 zones;
- Industrial zones;
- Farming Zone;
- Rural Conservation Zone;
- Rural Living Zone.

11.5 Recommendations

- ZO.1) Pursue the strategic work for the commercial, industrial and rural zones identified in Sections 9.6 and 9.7 as the strategic basis for changes to the zones in the Central Goldfields Planning Scheme.
- ZO.2) Review the content of Schedule 1 to the Special Use Zone and improve provisions relating to use of land and buildings and works.
- ZO.3) Investigate the potential for the Goldfields Reservoir and Ron Sinclair Reserve to be rezoned to Public Park and Recreation Zone (PPRZ) or Public Use Zone (PUZ).

12 Review of overlays

12.1 Introduction

Like zones, overlays cannot be varied at the local level, although most overlays allow for local provisions to be included in the Planning Scheme in the form of schedules to the overlays.

The Central Goldfields Planning Scheme contains a large number of overlays and overlay schedules that deal with a wide variety of planning issues (refer to Section 3 for a summary of the overlays).

This section provides an assessment of the overlays in the Planning Scheme, together with recommendations on how the issues should be addressed.

The Review investigates whether the overlays are achieving their strategic objectives and desired outcomes and link with the MPS and PPF. It also investigates any issues with the general application, function and drafting of the overlays and their schedules.

The Review is general in nature; it has not involved an audit of planning applications that have been considered under the overlay, nor was information available about the number of permits that are considered under each overlay. Any overlay schedules that have not been examined in this section are considered to be generally appropriate in their current form.

12.2 Land management overlays

Environmental Significance Overlay (ESO1) – Streamside, watercourses and storages

This schedule relates to the protection of seven watercourses and two storages in the Shire. The schedule has formed part of the Planning Scheme since its introduction in 2000 and has not been reviewed since this time.

The overlay affects areas that range from approximately two kilometres around Tullaroop Reservoir to 200 metres around smaller watercourses. From a mapping perspective, there is a need to extend the overlay to special water supply catchments that are not covered by the overlay, namely, Laanecoorie and Bealiba. This issue was raised by Goulburn Murray Water as part of the review process. There is also a need to review the application of the overlay to watercourses.

Under the Schedule to Clause 66.04, all applications under the overlay must be referred to the catchment management authority under Section 55 of the Act. According to the NCCMA, the overlay also provides an alternative means for controlling development in floodplains in the absence of the LSIO maps.

Goulburn Murray Water and Central Highlands Water are currently not listed as referral authorities in the Schedule to Clause 66.04. This issue was raised by Central Highlands Water in their submission to this review. GMW has indicated that the key forms of development that are of interest to them are unsewered development and buildings within 100 metres of waterways. This issue could be managed through the use of an agreement between Council and the water authorities that specify standard permit conditions on low-risk applications triggered by the overlay.

The schedule to the overlay should be redrafted to improve permit requirements, exemptions and referral requirements.

Ultimately, Council should pursue the creation of two overlay schedules; one that applies to watercourses and the other that applies to special water supply catchments. This will enable the objectives, permit triggers, exemptions, referrals and decision guidelines to relate to the particular water quality issues that are relevant. The panel report for Amendment C92 to the Mitchell Planning Scheme could be used as a guide for the development of these schedules.

Recommendations

- OV.1) Create two schedules to the Environmental Significance Overlay: one for watercourses and one for special water supply catchments areas.
- OV.2) Apply the special water supply catchment overlay to the Special Water Supply Catchments of Laanecoorie and Bealiba reservoirs.
- OV.3) Engage with the North Central Catchment Management Authority, Central Highlands Water, Coliban Water and Goulburn Murray Water to determine:
 - the appropriate coverage of the overlays;
 - statement of environmental significance and environmental objectives;

- permit triggers and exemptions;
- referral requirements and changes to the schedule to Clause 66.04.

OV.4) Develop an agreement for standard conditions to be placed on low-risk developments to avoid referrals to the water authorities.

Environmental Significance Overlay (ESO2) – Air emissions buffer

This schedule relates to air emissions buffers around the former Penney and Lang abattoir site in Carisbrook and the Maryborough Waste Water Plant on Bendigo-Maryborough Road. The schedule has formed part of the Planning Scheme since its introduction in 2000.

The Review has found that the overlay implements the strategy in Clause 17.03-2L of the PPF to “facilitate establishment of compatible industries within buffer areas at Flagstaff and the Maryborough wastewater treatment plant.”.

The Review has, however, identified the following issues with its function, content or application:

- the Penney and Lang abattoir site is no longer in operation;
- the schedule relies upon a trigger for buildings and works to manage issues that relate to the use of land;
- the overlay is not supported by any policy guidelines in the Planning Scheme to aid in decision making;
- The Planning Scheme does not include any triggers for referrals to the operators of the facilities;
- the preferred VPP tool for protecting buffers for air emissions are zones and their schedules.

Central Highlands Water has advised that:

- they are in the process of reviewing the buffer distance around the Waste Water Treatment Plant, and will further consult with Council about this matter;
- the decision guidelines should make reference to their comments;
- they should be listed as referral authority in the overlay and in the Schedule to Clause 66.04 (Central Highlands Water letter to Central Goldfields Shire Council 2/10/2020).

If they are a referral authority, it may not be necessary to list them in the decision guidelines of the overlay. The Review supports the request for Central Highlands Water to become a referral authority in the Schedule to Clause 66.04.

The future of this overlay around the former Penney and Lang abattoir should be resolved following as part of an industrial land strategy (refer to Section 10.7 – Industry).

Recommendations:

OV.5) Retain the overlay around the Maryborough Waste Water Treatment Plant.

OV.6) Engage with Central Highlands Water to:

- determine whether the extent of the overlay is appropriate;
- develop policy positions on how discretion will be exercised for particular uses within the overlay area;
- develop appropriate referral trigger points.

OV.7) Review the overlay as it applies to the former Penney and Lang abattoir as part of an industrial land strategy.

OV.8) Update the MSS and overlay schedule in accordance with the outcomes of the above recommendations.

Vegetation Protection Overlay (VPO1) – Central Goldfields bushland

This overlay aims to protect remnant vegetation in the Shire. The overlay applies to a range of small and large areas in the rural parts of the Shire. Key areas exist to the west of Maryborough, adjoining the State Forest, to the west of Talbot and to the west of Tullaroop Reservoir. The schedule has formed part of the Planning Scheme since its introduction in 2000 and has not been altered since this time.

The Review has found that the overlay implements the strategies in Clause 21.09 of the MSS to encourage the retention of remnant vegetation. It has, however, identified the following issues with its function, content or application:

- the decision guidelines allow for consideration of any comments from DSE / DNRE (now DELWP), yet there is no Section 52 or Section 55 referral requirement;
- the Planning Scheme contains little policy guidance to aid in decision making on applications under the overlay.

The 2013 Review identified the need to prepare more accurate mapping of this overlay. This remains the case, however, the PPF now places a focus on areas of strategic biodiversity value and it is unclear how the application of this overlay fits with these objectives. This is unlikely to represent a high priority for Council, but opportunities may arise to review this overlay at some point in time.

Recommendations:

OV.9) Retain overlay.

OV.10) Liaise with DELWP to prepare more accurate mapping to assist in improving the integrity of the overlay in achieving its strategic objectives.

OV.11) Engage with DELWP to develop an appropriate referral trigger.

OV.12) Develop policy guidelines in the PPF to guide the exercise of discretion.

Significant Landscape Overlay (SLO1) – Cairn Curran reservoir (west bank)

This overlay aims to protect vegetation and landscapes associated with the Cairn Curran Reservoir. The overlay applies to land on the west side of Cairn Curran Reservoir. The schedule has formed part of the Planning Scheme since its introduction in 2000.

The Review has found that the overlay implements the strategic directions of the MPS to protect the environs of Lake Cairn Curran and encourage the retention of remnant vegetation. The Review has, however, identified the following issues with its function, content or application:

- the landscape objectives are general and do not specify what types of ‘land forms’ are important (e.g. ridgelines, plateaus, gullies etc.), or what areas are sensitive or significant.
- there are no decision guidelines for applications for the removal of vegetation;
- the Planning Scheme contains little policy to aid in decision making on applications under the overlay;
- the overlay is not supported by any clear statements in the ‘Environment and landscape values’ section of the MPS about protecting the landscapes that have been identified in the schedule.

It is noted that there is a similar overlay schedule that applies to land on the east bank of Cairn Curran Reservoir in the Mount Alexander Planning Scheme (Significant Landscape Overlay – Schedule 1). This overlay protects landscapes around Maldon. It would be useful to co-ordinate any review of this overlay with Mount Alexander Shire to ensure some level of consistency between the overlays.

Recommendations:

- OV.13) Retain overlay.
- OV.14) Review relevant reference documents and update policy to provide more detail about areas that are sensitive or significant.
- OV.15) Update the schedule with decision guidelines for the removal of native vegetation.
- OV.16) Develop strategic directions in the ‘Environment and landscape values’ section of the MPS for the landscapes identified in the Schedule.
- OV.17) Develop policy guidelines in the PPF to guide the exercise of discretion for applications under the overlay.

Significant Landscape Overlay (SLO2) – Talbot district volcanic rises

This overlay aims to protect vegetation and landscapes associated with volcanic rises in the Talbot district. The overlay applies to land in Mount Glasgow, Mount Gower and Glengower. The schedule has formed part of the Planning Scheme since its introduction in 2000 and has not been reviewed since this time. It is noted that a similar overlay applies to volcanic ridges in the Hepburn Planning Scheme (SLO1).

The overlay implements the strategic directions of the MPS to encourage the retention of remnant vegetation and “protect the Talbot district volcanic rises as a significant landscape”. The Review has, however, identified the following issues with its function, content or application:

- the landscape objectives are general and do not specify what types of ‘land forms’ are important (ridgelines, plateaus, gullies etc.), or what areas are sensitive or significant;
- there are no decision guidelines that relate to applications for the removal of vegetation;
- the Planning Scheme contains little policy to aid in decision making on applications under the overlay.

Recommendations:

OV.18) Retain overlay.

OV.19) Review relevant reference documents and update policy to provide more detail about areas that are sensitive of significant (the objectives of the SL01 in the Hepburn Planning Scheme could be used as a guide).

OV.20) Include decision guidelines for the removal of native vegetation or refer to Clause 52.17.

OV.21) Develop policy guidelines in the MSS to guide the exercise of discretion for applications under the overlay.

12.4 Heritage and built form overlays

Heritage Overlay (HO1 to HO209)

The main purpose of the Heritage Overlay is to conserve and enhance heritage places. The Shire has extensive heritage assets, with 209 heritage places identified in the Schedule to the Overlay. Other places of heritage significance are likely to exist in the Shire but have yet not been formally identified.

The Review has found that the overlay implements the strategies in the MPS that seek to “[protect] sites, places, buildings and features of heritage significance”. The issues relating to this overlay have been described previously in Section 10.5 of this report.

Recommendations:

OV.22) Update the heritage overlay in accordance with the recommendations of the Heritage Review (Rowe, 2004, vii-viii), namely:

- replace HO206 in Maryborough with eight heritage areas, following further work;
- prepare schedules for 49 places outside the existing heritage areas;
- alter HO209 in Carisbrook.

Design and Development Overlay (DD01) – Maryborough golf course residential development

This schedule was introduced in the Planning Scheme in 2009 through Amendment C16. Council has experienced a number of issues in applying and enforcing the requirements of the overlay, including the prescriptive requirements of the overlay regarding garages and siting and the height and material requirements for fencing. Most of the lots that are subject to this overlay have already been developed, so it is not considered necessary to review or amend the overlay at this point in time.

Recommendation:

OV.23) Retain overlay.

Design and Development Overlay (DD02) – Maryborough Airport environs

This overlay aims to protect the operations of the Maryborough Airport.

The Review has found that the overlay implements the strategies in Clause 21.12 of the MSS to “improve the use of the Maryborough airport for increased tourism, recreational and commercial activity”. The Review has, however, identified the following issues with the overlay:

- the schedule relies upon a trigger for buildings and works to manage issues that relate mainly to the use of land;
- the permit triggers may not accurately reflect areas that require height restrictions for new buildings and works (Obstacle Limitations Surface);

- the overlay attempts to manage noise related issues, however, does not appear to be based on an Australian Noise Exposure Forecast (ANEF);
- the Planning Scheme currently contains little policy to aid in decision making on applications under the overlay.

Recommendations:

OV.24) Retain overlay and review as part of a strategic assessment of the Maryborough Aerodrome.

OV.25) As part of the review, investigate whether the Airport Environs Overlay (Schedules 1&2) would be more appropriate to apply to land in areas of high aircraft noise.

Development Plan Overlay (DPO1) – Maryborough golf course

This schedule was introduced in the Planning Scheme as part of Amendment C16 in 2009. The content of the schedule was fully explored through this process and no further review of this schedule is considered to be necessary at this point in time. It is noted that a development plan was exhibited as part of the Amendment.

Recommendation:

OV.26) Retain overlay.

Development Plan Overlay (DPO2) – Maryborough urban prospects sites

This overlay aims to guide the re-development of three former school sites in Maryborough. The schedule was introduced in the Planning Scheme through Amendment C18 in December, 2008.

The Review has found that the overlay implements the strategies in the MPS to “[encourage] medium density housing in the vicinity of the Maryborough CBA”.

Development Plans have been approved under the overlay for each of the sites. The developments at 67-71 Inkerman Street and 60-62 Gillies Street do not appear to have been completed so there is a need to retain the overlay until they are completed.

Recommendations:

OV.27) Retain the schedule in the short term.

OV.28) Remove the schedule once development is completed on all sites.

Development Plan Overlay (DPO3) – Railway station precinct

This overlay aims to guide the re-development of land in the Railway Station Precinct in Maryborough. The schedule was introduced in the Planning Scheme in December, 2008, through Amendment C18. A development plan has been approved under the overlay.

The Review has found that the overlay implements various strategies in the MPS relating to gateways and entrances.

The sites affected by the overlay do not appear to have been fully developed. There is therefore a need to retain the overlay.

Recommendations:

OV.29) Retain the schedule in the short term.

OV.30) Remove once development is completed on all sites.

12.5 Land management overlays

Erosion Management Overlay (EMO)

This overlay aims to protect areas prone to erosion, landslip or other land degradation processes. The overlay applies to large tracts of land throughout the Shire. The land is predominantly zoned Farming and Rural Conservation. The schedule to the overlay specifies that a permit is not required for the construction of an outbuilding having an area less than 120m². It also specifies that an engineer's report may be required to advise on erosion issues. The schedule has formed part of the Planning Scheme since its introduction in 2000 and has not been altered since this time.

The Review has found that the overlay implements the strategies in the MPS to "[minimise] the potential impact of development on water pollution, land degradation, and risk of salinity and erosion." The Review has, however, identified two key issues with the schedule, one relating to decision making and other relating to the application of the overlay.

In relation to decision making, the schedule contains little guidance for Council and applicants to determine when an engineer's report is required. In the past, the Department of Primary Industries' (DPI) local office had expertise in this area, however, this is no longer the case. Without this expert advice, it is likely that the overlay is not achieving its strategic objectives.

In relation to application, the overlay applies to the entire township of Talbot and other urban land in the Shire. It therefore triggers the need for planning approval for most buildings and works in these areas, including the construction of all dwellings. Whilst this may not be a major issue at present due to low numbers of permit applications in these areas, if development activity increases, there will be a need to examine:

- the nature and severity of the erosion issues;
- how they constrain the development of urban land;
- whether erosion issues in urban areas should be managed under an overlay or through other planning tools to avoid significant numbers of permit applications.

Recommendations:

OV.31) Consult with DJPR and DELWP to:

- confirm the type of information that is available for erosion in the Shire and its accuracy;
- identify the need for further strategic planning work to guide the development of more useful schedules to the overlay; and
- identify the potential for a referral agreement with standard conditions for applications under the overlay.

OV.32) Investigate erosion management issues strategically as part of a rural land study or land capability study.

Salinity Management Overlay (SMO)

This overlay aims to identify areas subject to saline ground water discharge or high ground water recharge and manage development issues associated with salinity. The overlay applies to large areas of land throughout the Shire, predominantly land that is zoned for Farming and Rural Conservation. The schedule has formed part of the Planning Scheme since its introduction in 2000 and has not been reviewed since this time. Many of the areas affected by the Salinity Management Overlay are also affected by the Erosion Management Overlay.

The schedule to the overlay specifies that a permit is not required for the construction of an outbuilding having an area less than 120m². It contains no other requirements. Central Goldfields Shire Council has entered into a formal Agreement with DELWP to place standard conditions on applications for dwellings, outbuildings and extensions under the SMO if the development complies with certain siting or environmental conditions. These relate to earthworks, drainage and vegetation protection.

The Review has found that the overlay implements the strategies in the MPS to “[minimise] the potential impact of development on water pollution, land degradation, and risk of salinity and erosion.” The Review has identified two key issues with the schedule, one relating to decision making and other relating to the application of the overlay.

In relation to decision making, the Planning Scheme contains little guidance to guide decision making under the overlay. In the absence of this information, Council is likely to rely on the advice of DELWP as a Section 55 referral authority under the overlay for more significant applications that are not subject to the referral agreement. It is understood, however, that DELWP no longer has expertise in salinity management in its regional office. Without this expert advice, it is likely that the overlay is not achieving its strategic objectives.

In relation to application, the overlay applies to the entire township of Talbot and other urban land in the Shire. It therefore triggers the need for planning approval for most buildings and works in these areas, including the construction of all dwellings. Whilst this may not be a major issue at present due to low numbers of permit applications in these areas, if development activity increases, there will be a need to examine:

- the nature and severity of the salinity issues;
- how they constrain the development of urban land;
- whether salinity issues in urban areas should be managed under an overlay or through other planning tools to avoid significant numbers of permit applications.

Recommendations:

OV.33) Consult with DJPR and DELWP to:

- confirm the type of information that is available for salinity in the Shire and its accuracy;
- identify the need for further strategic planning work to guide the development of more useful schedules to the overlay; and

- identify the potential for a referral agreement with standard conditions for applications under the overlay.

OV.34) Investigate erosion management issues strategically as part of a rural land study or land capability study .

Land Subject to Inundation Overlay (LSIO)

This overlay aims to identify land in flood storage or flood fringe areas and manage development issues associated with flooding. The overlay applies to areas around the main waterways in the Shire, including central Maryborough and rural areas in the northern part of the Shire. The overlay has formed part of the Planning Scheme since 2000 and has not been reviewed since this time.

This overlay is applied in partnership with the North Central Catchment Management Authority (NCCMA). Council relies on the advice of the NCCMA as a Section 55 referral authority to guide decision making under the overlay.

The Review has found that the overlay implements the strategies in Clause 21.09 of the MSS to “*Minimising the risk of flooding and bushfire to property and life*”. The main issue identified in the Review relates to the accuracy of the overlay, which, according to the NCCMA, is not accurately mapped across the Shire, particularly in rural areas. According to previous advice from the NCCMA (letter dated 9/5/2012) and the advice offered as part of this review, the following issues exist with the application of the overlay:

- it is not centered over the waterways in many areas;
- it is too extensive in some areas, well in excess of the expected 100 year ARI flood extent;
- it is disconnected on some continuous rivers and streams;
- it traverses ridgelines and hilltops in some areas;
- there are significant ‘errors’ in its application in Carisbrook, Maryborough, Dunluce and Timor.

As a result of these issues, the LSIO triggers unnecessary planning permits. Flood studies for Dunolly and Carisbrook are in the process of being implemented through Amendment C031gol and a flood study for Maryborough is being commenced. According to the NCCMA, ‘rapid’ flood studies are now possible due to new technologies. This will provide the basis for the flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale, as identified in Section 10.3 – Flooding. Due to the safety and environmental issues associated with flooding, amending this overlay should be a high priority for Council.

Recommendations:

OV.35) Support the ‘rapid’ flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale.

OV.36) Assist the North Central Catchment Management Authority in preparing any planning scheme amendments to update the overlay.

Bushfire Management Overlay (BMO)

This overlay aims to assist community resilience to bushfires, identify areas of high bushfire risk and manage development issues associated with bushfires. It applies to much of the land in the central and southern parts of the Shire, including most of the land surrounding the towns of Maryborough, Dunolly, Talbot and Bealiba. The overlay mapping was last updated in October, 2017.

This overlay is applied in partnership with the Country Fire Authority (CFA). Council relies on the advice of the CFA as a Section 55 referral authority to guide decision making under the overlay.

The Review has found that the overlay implements the strategies in Clause 21.09 of the MSS to “[minimise] the risk of flooding and bushfire to property and life”.

The CFA has provided some information about the number of applications it receives as a referral authority. On average from 2015 to 2019, it received referrals for 49 applications per annum for planning matters, with the majority for development under the BMO. The categories of applications that receive the highest number of referrals were single dwellings and subdivisions.

In its information, the CFA has identified the following issue and opportunities with the three schedules to the BMO:

- there may be opportunities to use the BMO schedules more extensively to streamline applications and reduce referrals to the CFA;
- the text in the BMO schedules needs to be altered to reflect the current BMO clauses (i.e. Clause 53.02 not 52.47);
- inconsistencies in the application of the Schedules such as in the vicinity of Balaclava Road, Maryborough.

The CFA has also identified the following process related issues:

- occasionally scanned referral documents are poor quality;
- key documentation, such as Bushfire Management Statements, are sometimes not provided;
- Council does not always provide a statement explaining why it believes that the requirements of Clause 44.06-3 are not required.

These issues need to be addressed separately by strategic planning and statutory planning, in consultation with the CFA.

Recommendations:

- OV.37) Engage with the CFA to identify errors and anomalies in the Schedules and mapping to the BMO and consider including in an errors amendment.
- OV.38) Introduce checks when receiving planning permit applications under the BMO to ensure all information is provided to an adequate standard to avoid further information letters from the CFA.

12.6 Other overlays

Public Acquisition Overlay (PAO)

The purpose of this overlay is to identify land which is proposed to be acquired by an authority and to manage the use and development of land reserved for a public purpose. The overlay applies to the reservation of a future heavy vehicle bypass road to the south and south east of Maryborough. The overlay has formed part of the Planning Scheme since 2000.

The overlay is not supported by any strategic directions in the MPS, although there is an item of 'further strategic work' in the Schedule to Clause 74.02 to "implement with Regional Roads Victoria, the most appropriate heavy vehicle road by pass of Maryborough".

VicRoads did not provide formal any formal comments as part of this review process. This overlay should therefore remain unchanged unless a change is initiated by VicRoads. This review has made a number of recommendations for updates to the MSS in relation to the Maryborough Bypass (refer to Section 10.8 – Future Maryborough Bypass).

Recommendations:

OV.39) Retain the overlay.

OV.40) Pursue the recommendations in Section 10.8 of this report.

Environmental Audit Overlay (EAO)

The purpose of this overlay is to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination. The overlay has formed part of the Planning Scheme since 2000, when it applied to one site to the south east of Bealiba. Since this time, it has been applied to three site in Maryborough (Amendments C10, C18 & C23).

The Review has found that the overlay is generally being applied correctly in the Central Goldfields Planning Scheme, but that further work should be done in relation to potentially contaminated land (refer to Section 10.3 – Soil degradation).

Recommendations:

OV.41) Retain the overlay on current sites

OV.42) Further investigate potentially contaminated land in accordance with the recommendations of Section 10.3

12.8 Summary of key findings

Many areas within Central Goldfields Shire are affected by overlays in the Planning Scheme. In particular, large areas in the rural parts of the Shire are affected by environment and landscape, or land management overlays.

The Review has tested the purpose, application and operation of each overlay in the Planning Scheme. It has found that the overlays have generally been properly applied in the Planning Scheme and give effect to the PPF and MPS.

The Review has found that a number of the overlays need to be refreshed to improve language, content and referrals, in consultation with relevant government departments. This finding is most relevant to the environment, landscape and land management overlays, which have not been reviewed or amended since they were introduced in 2000.

The overlays that are unlikely to be achieving their strategic objectives due to a lack of policy direction in the Planning Scheme or mapping issues include:

- Environmental Significance Overlay (ESO1);
- Environmental Significance Overlay (ESO2);
- Heritage Overlay (HO);
- Land Subject to Inundation Overlay (LSIO);
- Erosion Management Overlay (EMO);
- Salinity Management Overlay (SMO).

Council should consider the following changes to overlays as a high priority:

- separating the Environmental Significance Overlay (Schedule 1) into two more function and effective overlays; one that relates to watercourses and one that relates to special water supply catchments, in conjunction with the NCCMA and water authorities;
- reviewing the Heritage Overlay, particularly for Maryborough; and
- reviewing the Land Subject to Inundation Overlay following new flood studies in consultation with the NCCMA.

More detailed investigations are required into how the Salinity Management Overlay (SMO) and Erosion Management Overlay (EMO) issues should continue to be managed, in consultation with DJPR and DELWP.

12.10 Summary of recommendations

Table 3 contains a summary of the recommendations of this report for all overlays and their schedules, together with a list of the actions that are considered to be priorities for Council (numbered 1-3).

Table 3 Summary of findings for overlays

Strategic study & recommendation	Recommended changes		Priority
	Ordinance	Mapping	
Environmental Significance Overlay (ESO1)	✓	✓	1
Environmental Significance Overlay (ESO2)	✓	✓	2
Vegetation Protection Overlay (VPO1)	✓	✓	3
Significant Landscape Overlay (SLO1)	✓	-	3
Significant Landscape Overlay (SLO2)	✓	-	3
Heritage Overlay (HO1 to HO209)	✓	✓	1
Design and Development Overlay (DD01)	-	-	-
Design and Development Overlay (DD02)	✓	-	3
Development Plan Overlay (DPO1)	-	-	-
Development Plan Overlay (DPO2)	-	-	-
Development Plan Overlay (DPO3)	-	-	-
Erosion Management Overlay (EMO)	✓	-	2
Salinity Management Overlay (SMO)	✓	-	2
Land Subject to Inundation Overlay (LSIO)	✓	✓	1
Bushfire Management Overlay (BMO1-3)	✓	✓	2
Public Acquisition Overlay (PAO)	Investigate	Investigate	3
Airport Environs Overlay (AEO)	Investigate	Investigate	Investigate
Environmental Audit Overlay (EAO)	✓	✓	2

13 Review of other provisions

13.1 Particular provisions

The Particular Provisions cannot be altered at the local level, although opportunities exist for planning authorities to include local content in the provisions through the use of schedules to some clauses.

This review has identified the following issues and opportunities with the local schedules in the Particular Provisions:

- the potential to remove the two rail projects identified in the Schedule to Clause 51.01 as these appear to be outdated;
- the potential for the Schedule to Clause 53.01 to be used to clarify Council's expectations for open space requirements in new subdivisions.

The use of these schedules should be considered as part of future strategic work for particular forms of use and development such as advertising signage, car parking, licensed premises and native vegetation.

13.2 Referrals and notice

Central Goldfields Shire Council has one referral agreement, with DELWP (Agreement between Central Goldfields Shire Council and DELWP, 2018). This covers:

- certain applications under the SMO (as discussed previously);
- applications for minor subdivisions that do not involved native vegetation removal (no provision specified);
- low impact applications near crown land where DELWP is a Section 52 referral authority;
- certification of plans referrals if DELWP has not provided conditions during the application process.

No issues have been expressed by DELWP or Council with the scope or operation of this Agreement. Therefore, it should remain in place for the time being. The Agreement should be reviewed in more detail in the next planning scheme review, when it has been applied to a higher number of applications and a more rigorous analysis of its effectiveness is done.

The major issue associated with referrals under Clause 66 is the need to review the application and referrals associated with special water supply catchment areas (refer to discussion under Environmental Significance Overlay – ESO1).

13.3 Operational provisions

Planning certificates

Central Goldfields Shire Council continues to be the responsible authority for issuing planning certificates under Clause 3.0 of the Schedule to Clause 72.01. As discussed in Section 5.8 in relation permit activity and processing, Council's role in issuing Planning Certificates is unlikely to be an efficient use of Council's planning resources and should be reviewed.

Incorporated Documents

Goulburn-Murray Water Native Vegetation Code of Practice (February 2011)

This document was introduced into the Planning Scheme through Amendment C24. The Code gives effect to exemptions for native vegetation removal associated with a utility installation under Clause 52.17. The Code was prepared by Goulburn-Murray Water and forms part of 26 planning schemes in Victoria.

Neither Council or Goulburn Murray water have identified any issues with this document as part of the Planning Scheme Review process. This document should be retained as an Incorporated Document.

Mildura-Geelong Rail Freight Upgrade Project (September 2007)

This document was introduced into the Planning Scheme through Amendment C17. The document relates to land owned by Victorian Rail Track Corporation or Crown Land vested in the Victorian Rail Track Corporation along the railway corridor between Gheringhap and Mildura. The document provides permit exemptions for the upgrade of the rail track.

Consultation is required with VicTrack to determine whether the upgrade works have been completed and whether the document should be retained as an Incorporated Document.

Rail Infrastructure Projects (December, 2002)

There are three documents that relate to rail projects and fibre optics. It is recommended that these documents be removed from the list of Incorporated Documents, subject to confirmation from the relevant rail authorities.

13.4 Key findings

The Review has not revealed any major issues with the Particular Provisions or Incorporated Documents in the Planning Scheme. It has, however, found that referrals to the water authorities in special water supply catchments areas are unlikely to be occurring properly and that this issue should be taken up with the water authorities as a priority.

13.6 Recommendations

- OP.1) Subject to confirmation from the relevant authorities, amend the Schedule to Clause 51.01 to remove the two rail projects.
- OP.2) Update the Schedule to Clause 66.04 with referral and notice provisions of overlays, as per the specific recommendations of Section 11 of this report.
- OP.3) Introduce interim systems to ensure that all applications under all of the special water supply catchments areas in the Shire are referred to the relevant water authority under. This could include:
 - the introduction of a mapping layer in Council’s GIS; and/or
 - an administrative check when planning files are created.
- OP.4) Commence the necessary statutory and administrative steps to transfer the responsibility for issuing Planning Certificates to DELWP (refer also to Recommendation PP4) .
- OP.5) Engage with VicTrack to determine whether the Mildura-Geelong Rail Freight Upgrade Project (September 2007) document should be retained in the Planning Scheme.
- OP.6) Subject to confirmation from the relevant rail authorities, remove the Rail Infrastructure Projects (December, 2002) from the Planning Scheme.

14 Conclusion

The Central Goldfields Planning Scheme has performed adequately in managing land use and development issues in Central Goldfields Shire since 2013. It has, however, become progressively less relevant and useable for decision making as it has remained relatively unchanged since it was introduced in 2000.

From a statutory planning perspective, there is potential to improve the processing of planning permit applications in various ways. The Review has identified a range of issues that should be the subject of a separate review of systems and processes, including consideration of new software systems to manage planning permit applications.

The recent introduction of a new Municipal Planning Strategy has made Council's strategic vision clearer and more succinct. It has also brought it into closer functional alignment with state planning policies. The new PPF structure has, however, revealed various strategic gaps and significant opportunities for Council to improve local policy expression for planning matters.

Council has recently completed an important planning strategy, the Population, Housing and Residential Strategy. For the first time, Council has an evidence-based framework for future settlement planning in the Shire. This will provide a solid foundation for many of Council's future strategic planning initiatives.

There are a large number of local provisions of the Planning Scheme that need to be updated, refreshed, removed or replaced. This is particularly the case for planning scheme overlays, which are often not performing in an efficient way, do not comply with current DELWP guidelines and need to be reviewed.

The Review has identified many strategic gaps and emerging issues and provided recommendations to address them through further strategic work, or other actions. Some of the recommendations can be achieved immediately with relatively little cost. Others will require long-term budgeting, careful scoping and efficient implementation through the planning scheme amendment process. Council's current short-term strategic work program is sound and provides a good starting point to address the issues.

The resources and effort that will be required to address all of the recommendations of this Review will be significant. It is inevitable that some of the recommendations and projects will rollover into future reviews or be superseded by other changes to priorities or emerging issues. This is not unusual for a relatively small rural shire that must manage a wide range of urban, rural and environmental issues. Notwithstanding, there are some key strategic projects, including an industrial land strategy, land use framework plan for the Carisbrook-Flagstaff area and rural land study that should be undertaken as a matter of priority as these will provide important direction for some of the most challenging planning issues in the Shire.

It is expected that Council will prioritise the Review's recommendations based on its resources and priorities. In order to address some of the recommendations, it will need to partner with DELWP, other authorities, the VPA and potentially neighbouring councils, to achieve progress in a timely and cost-effective way.

15 Implementation of review

In order to give effect to the priority findings of the Review, Council will need to undertake a broad range of actions. The strategic planning department will need to take the lead role in implementing most of the recommendations, but many recommendations will also involve other Council departments or external authorities.

The recommendations fall broadly into seven categories:

- commencing a planning scheme amendment to implement the findings of the Review;
- changes to systems, processes and management;
- changes to the MPS and PPF to address strategic gaps and emerging issues;
- strategic work program;
- changes to zones and overlays;
- changes to other provisions, including particular provisions, referrals and notice and operational provisions;
- establishing an appropriate strategic planning budget.

As the Review has made a large number of recommendations, these have been collated and presented in Tables 4-7 on the following pages. Where appropriate, the Council department and external authority responsible for the recommendation has been identified. A suggested timeframe has also been provided, where possible, to provide a sense of how important the recommendation is considered to be in the context of all of the recommendations of the Review. It is acknowledged that these timeframes will ultimately be determined by Council in the context of other priorities and issues that face the Shire.

The recommendations in Table 4 (Systems, processes and management) fall across different Council departments. In order to assist with implementation, these recommendations have been listed in order of suggested timeframe to enable the immediate priorities to be easily identified.

15.1 Implementation amendment

Once the Review has been submitted to the Minister for Planning, it is recommended that Council prepare a planning scheme amendment to implement the key findings of the Review. The amendment should address all of the recommendations identified as 'Amendment to implement PSR' in the tables below.

15.3 Systems, processes and management

Table 4 Summary of recommendations for systems, processes and management

Ref No.	Recommendation summary	Responsibility	Timeframe
PP.3)	Record permit triggers for all new planning permit applications to enable later analysis.	Statutory planning	Immediate
PP.5)	Introduce an appropriate mechanism to ensure that the Victoria Unearthed mapping tool is checked for potentially contaminated land when new planning permit application files are prepared	Statutory planning	Immediate
PP.6)	Introduce an appropriate mechanism to ensure that the Victoria Unearthed mapping tool is checked for closed landfills when planning permit applications are prepared.	Statutory planning	Immediate
OP.3)	Introduce interim systems to ensure that all applications under all of the special water supply catchments areas in the Shire are referred to the relevant water authority under	Strategic and Statutory planning	Immediate
PO.1)	Identify the best ways for Council to engage with future State-led reform and create opportunities for Council staff or representatives to be involved.	Strategic planning	Ongoing
SP.2)	Investigate initiatives that seek to improve the quality of applications in rural areas.	Strategic and Statutory planning	Ongoing
PP.4)	Commence the necessary statutory and administrative steps to transfer the responsibility for issuing Planning Certificates to DELWP.	Statutory planning	Amendment to implement PSR
PO.2)	Abandon amendments C11, C13/C19, C22 and C26.	Strategic planning	Next 12 months
PO.3)	Re-commence a new 'errors' amendment.	Strategic planning	Next 12 months
PP.1)	Undertake a benchmarking exercise with similar councils to explore staff workloads, file allocation processes, instruments of delegation.	Executive management team	Next 12 months
PP.2)	Explore new software system(s) for statutory planning.	Executive management team	Next 12 months
SP.1)	Undertake more detailed investigations into the location of applications that are refused.	Strategic planning	Next planning scheme review
SP.3)	Identify opportunities to reduce planning permit triggers including the use of the Schedule to Clause 59.15 (local VicSmart applications).	Strategic planning	Next planning scheme review

15.4 Changes to the MPS and PPF to address strategic gaps and emerging issues

Table 5 Summary of recommendations for changes to the MPS and PPF

Ref No.	Recommendation summary	Suggested process
Settlement		
MP.1)	Update the Municipal Planning Strategy to provide clearer direction about shop top living and mixed use developments that include residential, commercial, retail and related uses.	Amendment to implement PSR
MP.2)	Amend the Maryborough Structure Plan to identify the planning issues identified in this section and capture other key settlement opportunities.	Amendment to implement PSR, or following review of Maryborough UDF or Housing Strategy
MP.3)	Consider the need for an urban growth boundary as part of the implementation of the Population, Housing and Residential Strategy.	Implementation of the Population, Housing and Residential Strategy.
MP.4)	Clarify the definition and preferred location of medium density housing in Maryborough.	Amendment to implement PSR, or following review of Maryborough UDF or Housing Strategy
Natural resource management		
MP.5)	In conjunction with relevant authorities and agencies, revise the strategic directions and strategies to support overlays and key landscapes.	Amendment to implement PSR
MP.6)	Identify the need to address urban-forest interfaces at the local level during the preparation of new structure plans.	As required
Environmental risks		
MP.7)	Identify bushfire risks as a key driver for the Maryborough, and the lower risks in the Carisbrook area as strategic directions in the MPS.	Amendment to implement PSR
MP.8)	Identify general areas of bushfire hazard in some way in the Central Goldfields Strategic Framework Plan and the Maryborough Structure Plan.	Amendment to implement PSR
MP.9)	Recognise salinity and erosion associated with future greenfield development in Maryborough and Carisbrook as 'further strategic work'.	Amendment to implement PSR – Schedule to Clause 74.02
MP.10)	Include the implementation of flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale as 'further strategic work' in the MPS.	Amendment to implement PSR – Schedule to Clause 74.02
MP.11)	Identify issues relating to greyhound keeping and training and dams and unplanned and incremental change in rural areas in the MPS.	Amendment to implement PSR

Ref No.	Recommendation summary	Suggested process
Housing		
MP.12)	Identify the need to provide a more diverse mix of rural living opportunities that are located closer to key towns such as Maryborough and Carisbrook.	As part of a Carisbrook-Flagstaff Framework Plan and following the completion of a rural land study.
MP.13)	Identify the need to review existing rural living zoned land with a view to applying more appropriate zone provisions.	Rural land study.
Economic Development		
MP.14)	Update the MPS with a fuller and more accurate set of industrial land use issues.	Amendment to implement PSR or following an industrial land strategy
MP.15)	Incorporate relevant elements of the Economic Development and Tourism Strategy in the MPS, as appropriate.	Amendment to implement PSR
MP.16)	Recognise the 'Golden Way touring route' in the MPS or remove it from the Central Goldfields Shire Strategic Framework Plan.	Amendment to implement PSR
Movement		
MP.17)	Recognise the findings of the Central Goldfields Shire Walking and Cycling Strategy (2017).	Amendment to implement PSR
MP.18)	Include a strategic direction in the MPS and PPF to 'protect' the Maryborough Aerodrome.	Amendment to implement PSR
MP.19)	Implement the findings of the Integrated Transport Strategy (2020) in the MPS and PPF, as appropriate.	Amendment to implement the Integrated Transport Strategy
Infrastructure		
MP.20)	Identify the potential need for development contributions plans and infrastructure contributions for new growth areas in Maryborough and Carisbrook in the MPS.	Amendment to implement PSR
MP.21)	Include a policy in the local section of the PPF to passively irrigated trees in new development areas, the CBA and town entrances by requiring landscape plans.	Amendment to implement PSR
MP.22)	Consider including the Maryborough Integrated Water Management Plan (2018) as a Background Document in the Schedule to Clause 72.08.	Amendment to implement PSR
MP.23)	Recognise the location and role of local waste and resource recovery infrastructure including transfer stations in the MPS.	Amendment to implement PSR
MP.24)	Recognise the land use risks posed by closed landfills in the MPS.	Amendment to implement PSR

15.5 Strategic work program

Table 6 Summary of recommendations for strategic work program and further strategic work

Ref No.	Recommendation summary	Responsibility	Timing / process
General			
SS.1)	Continue to implement the current strategic work program.	Strategic planning	Immediate
SS.3)	Develop a medium and longer term strategic work program for the next 4-8 years, having regard to the findings and recommendations of Section 10.	Strategic planning	Immediate
SS.2)	Prepare planning scheme amendments to implement the findings of all strategic planning work in the most efficient and logical manner.	Strategic planning	Ongoing
SI.1)	Consider how to best respond to the needs of the specific land uses through the Planning Scheme.	Strategic planning	Ongoing
SI.2)	Explore how to best address the provision of walking and cycling infrastructure; development contributions and sustainable urban design and building design through the planning system.	Strategic planning	Ongoing
SI.3)	Engage with DELWP to determine how the regional section of the PPF can better recognise regional issues and opportunities.	Strategic planning / DELWP	Next 12 months
SI.4)	Closely track demographic trends in the Shire through reviews of Census data, building approvals.	Strategic planning	Planning scheme reviews, Population, Housing & Residential Strategy
Settlement			
FW.1)	Prepare a structure plan for the Maryborough-Dunolly Road Precinct, or as recommended by the Population, Housing and Residential Strategy.	Strategic planning / VPA	2021/22
FW.2)	Consider the preferred work that is required to support changes to the Maryborough Central Business Area Structure Plan and amend the plan accordingly.	Strategic planning	Review of the review of Maryborough UDF or commercial land strategy
FW.3)	Undertake further investigations into the extent of the town centres Talbot, Carisbrook, Dunolly, Bealiba, Timor-Bowenvale and Majorca to clearly identify the extent of the town centre and amend the township structure plans accordingly.	Strategic planning	Review of township UDFs

Ref No.	Recommendation summary	Responsibility	Timing / process
Natural resource management			
FW.4)	Undertake an assessment of the Moolort Wetlands to guide the development of appropriate planning tools for the Moolort Plains Wetlands.	Strategic planning, NCCMA & DELWP	2023/24
FW.5)	Engage with DELWP to develop an action plan to identify other vegetation assets in the Shire that have high biodiversity value so that these can be identified in the MPS and apply overlays, as appropriate.	Strategic planning, & DELWP	2023/24
Environmental risks			
FW.6)	Consider how best to address climate change through the planning system, potentially as part of a broader investigation that also looks at Council's other functions and activities.	Strategic planning	Ongoing
FW.7)	Once prepared, review the findings of the CFA's 'traffic light' bushfire mapping process and consider the implications for the Planning Scheme.	Strategic planning and CFA	Next planning scheme review
FW.8)	Prepare a rural land study.	Strategic planning	2022/23
Built environment and heritage			
FW.9)	Develop signage guidelines and implement them in the Planning Scheme as policy guidelines, a policy document or incorporated document.	Strategic planning	2023/24
FW.10)	Implement the findings of the Heritage Review Stage 1 (2005), with a focus on reviewing the Heritage Overlay in Maryborough.	Strategic planning	2020/21
FW.11)	Develop heritage guidelines and include in the Planning Scheme as policy guidelines, a policy document or incorporated document.	Strategic planning	Implementation of Heritage Review
FW.12)	Consider how best to develop urban design and landscape guidance for the City's highway entrances.	Strategic planning and other Council departments	
FW.13)	Consider how to best develop policies for energy and resource efficiency in new buildings in the context of broader climate change initiatives by Council.	Strategic planning and other Council departments	
FW.14)	Monitor infill development activity and consider the need for neighbourhood character guidelines.	Strategic planning	Next planning scheme review

Ref No.	Recommendation summary	Responsibility	Timing / process
FW.15)	Consider the development of policies or guidelines that provide exemptions for certain low-impact works or development of non-contributory building in heritage precincts.	Strategic planning	Implementation of Heritage Review
FW.16)	Identify key infill residential development and re-development sites in Maryborough that are suitable for housing	Strategic planning	Housing strategy or review of the Maryborough UDF
FW.17)	Identify Rural Living zoned land that should be rezoned to the Rural Conservation or other zones.	Strategic planning	Rural land study
Economic development			
FW.18)	Prepare a commercial land strategy for Maryborough and update the Maryborough CBA Structure Plan, as appropriate.	Strategic planning	2023/24
FW.19)	Prepare an industrial land strategy for Maryborough and other parts of the Shire;	Strategic planning	2020/21
FW.20)	Prepare a land use framework plan for the Carisbrook-Flagstaff area.	Strategic planning	Following / as part of industrial land strategy.
Movement			
FW.22)	Prepare a map showing the recommendations of the Central Goldfields Shire Walking and Cycling Strategy 2017-2026 (2017) for use in the planning department and for internal referrals.	Strategic and statutory planning	Immediate
FW.23)	Engage with VicRoads to provide basic information about planning issues associated with the Maryborough Heavy Vehicle Bypass in the Planning Scheme.	Strategic planning and VicRoads	Review of the Maryborough Urban Design Framework
FW.24)	Review the planning provisions at Maryborough Aerodrome.	Council and strategic planning	Strategic review of the Maryborough Aerodrome.
Infrastructure			
FW.25)	Investigate the implications of the upgrade of the Maryborough District Hospital and opportunities for clustering of uses.	Strategic planning	Review of the Maryborough Urban Design Framework.
FW.26)	Discuss the potential to rezone the Bealiba, Carisbrook Dunolly and Talbot Transfer Stations to the Public Use Zone (PUZ6) with DELWP.	Strategic planning and DELWP.	
FW.27)	Discuss the potential to apply the Environmental Audit Overlay (AEO) to closed landfills in the Shire with DELWP.	Strategic planning and DELWP.	

15.6 Other provisions

Table 7 Summary of recommendations for other provisions

Ref No.	Recommendation summary	Responsibility	Timeframe
Zones			
ZO.1)	Pursue the strategic work for the commercial, industrial and rural zones identified in Sections 9.6 and 9.7 as the strategic basis for changes to the zones.	Strategic planning	Ongoing
ZO.2)	Review the content of Schedule 1 to the Special Use Zone and improve provisions relating to use of land and buildings and works.	Strategic planning & DELWP	Amendment to implement PSR
ZO.3)	Investigate the potential for the Goldfields Reservoir and Ron Sinclair Reserve to be rezoned to Public Park and Recreation Zone (PPRZ) or Public Use Zone (PUZ).	Strategic planning & DELWP	Errors amendment
Overlays			
OV.1)	Create two schedules to the Environmental Significance Overlay: one for watercourses and one for special water supply catchments areas.	NCCMA, Central Highlands Water, Coliban Water and GMW	Next 12 months
OV.2)	Apply the ESO for special water supply catchment overlay to the Special Water Supply Catchments of Laanecoore and Bealiba reservoirs.	NCCMA, Central Highlands Water, Coliban Water and GMW	Next 12 months
OV.3)	Engage with relevant authorities to determine the content and coverage of the schedules to the ESO.	NCCMA, Central Highlands Water, Coliban Water and GMW	Next 12 months
OV.4)	Develop an agreement for standard conditions to be placed on low-risk developments to avoid referrals to the water authorities.	NCCMA, Central Highlands Water, Coliban Water and GMW	Next 12 months
OV.22)	Update the heritage overlay in accordance with the recommendations of the Heritage Review	Strategic Planning	2020/21
OV.35)	Support the 'rapid' flood studies for Maryborough, the Avoca River and Moliagul, Bet Bet, Talbot, Bealiba and Timor-Bowenvale.	Strategic Planning & NCCMA	Ongoing
OV.36)	Assist the North Central Catchment Management Authority in preparing any planning scheme amendments to update the overlay.	Strategic Planning & NCCMA	Ongoing

Ref No.	Recommendation summary	Responsibility	Timeframe
Particular provisions			
OP.1)	Subject to confirmation from the relevant authorities, amend the Schedule to Clause 51.01 to remove the two rail projects.	Strategic planning & rail authorities.	Amendment to implement PSR
Referrals and notice			
OP.2)	Update the Schedule to Clause 66.04 with referral and notice provisions of overlays, as per the specific recommendations of Section 11 of this report.	Strategic planning & rail authorities.	2020/21
Operational provisions			
OP.4)	Commence the necessary statutory and administrative steps to transfer the responsibility for issuing Planning Certificates to DELWP (refer also to Recommendation PP4)	Strategic planning & DELWP	Amendment to implement PSR
OP.5)	Engage with VicTrack to determine whether the Mildura-Geelong Rail Freight Upgrade Project (September 2007) document should be retained in the Planning Scheme.	Strategic planning & rail authorities.	Amendment to implement PSR
OP.6)	Subject to confirmation from the relevant rail authorities, remove the Rail Infrastructure Projects (December, 2002) from the Planning Scheme.	Strategic planning & rail authorities.	Amendment to implement PSR

15.7 Resources

In order to make meaningful progress on the further strategic work identified in this report, a more significant financial commitment will be required from Council than in the past. Council now has a strategic planning budget that allows it to confidently program future strategic planning projects. Importantly, it should also allow sufficient funds to prepare planning scheme amendments that will ensure that the work is reflected in the Planning Scheme.

Council's strategic planning department is actively consolidating changes to the Planning Scheme so that efficiencies can be gained through the planning scheme amendment process. This approach is supported, particularly when there are common issues and stakeholders involved.

References

- AECOM 2108, Loddon Campaspe Freight Hub Study
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