

ISSUES PAPER

# Central Goldfields Planning Scheme Review 2019

September, 2019

Prepared for

**Central Goldfields Shire Council**

Prepared by

The logo for Centrum Town Planning features a vertical red bar to the left of the word "centrum" in a bold, lowercase sans-serif font. Below "centrum" is the text "TOWN PLANNING" in a smaller, uppercase sans-serif font.

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# Introduction

Central Goldfields Shire Council has commenced a process to review its planning scheme and associated planning processes. It is a requirement under the Planning & Environment Act 1987 that Councils review their planning schemes following the adoption of the Council Plan. Expected benefits of the project include:

- closer alignment with state planning policies;
- updated strategic objectives;
- improved performance of the planning scheme;
- improved format, consistency and useability;
- simpler, clearer language; and
- removal of unnecessary permit requirements.

It is anticipated that the review will lead to a planning scheme amendment to revise the Central Goldfields Planning Scheme.

## Project background and 2013 Review

This is the second complete review of the Central Goldfields Planning Scheme ('the Planning Scheme'). The first review was completed in 2013 and adopted by Council in June, 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.*

The review made a range of structural, strategic and content related recommendations to improve the Planning Scheme. The Municipal Strategic Statement (MSS) and local planning policies were re-drafted following the review, however, a planning scheme amendment was not commenced to formally update the Planning Scheme.

## New 2019 review and current projects

Council has recently engaged Centrum Town Planning to carry out a new review of the Planning Scheme. Since 2013, limited new strategic land use planning work has been completed, although the 2019 review coincides with the commencement of two important strategic studies by Council: a Population, Housing and Residential Land Development Strategy and an Economic Development Strategy. These projects are discussed in more detail later in the issues paper.

## Purpose of issues paper

The purpose of the issues paper is to 'set the scene' and stimulate thought and feedback for the 2019 review report, which will be completed in late 2019. The issues paper will assist in a number of community consultation events and engagement with government departments, agencies and other stakeholders.

The issues paper contains a description and analysis of the following information:

- key changes to the planning system and Victoria Planning Provisions since 2013;
- emerging planning issues based on consultation undertaken with Council planning staff;
- development activity using planning and building permit data;
- applications for review at the Victorian Civil and Administrative Tribunal (VCAT);
- major planning permit applications.

The analysis of emerging planning issues draws upon the findings of the 2013 Review Report and recent discussions with Council planning officers.

The 'issues' section has been divided into five themes: settlement planning, land management, urban, rural and economic development and tourism.

# What has changed at the state level?

The 2013 Review found that the Central Goldfields Planning Scheme is largely unchanged since it was introduced in 2000. As the planning system continues to evolve to reflect emerging issues and needs and changing priorities at the stage level, local planning schemes inevitably become less relevant and useful in decision making unless they also evolve.

As the starting point for this issues paper, this section provides a summary of changes that have occurred and the state and local level that are likely to be relevant to the review.

## Amendments to the Victoria Planning Provisions

Since 2013, there have been a number of important amendments to the Victoria Planning Provisions that provide the basis for all planning schemes in Victoria. These amendments include:

- VC100 (July, 2013): the introduction of new Commercial zones, modified Low Density Residential Zones and industrial zones.
- VC103 (September, 2013), which made changes to the rural zones, including uses and definitions.
- VC105 (December, 2013), which modified the biodiversity provisions of planning schemes to reflect 'no net loss' rather than the previous 'net gain' approach.
- VC106 (May, 2014), which makes reference to Plan Melbourne and Victoria's regional growth plans.

- VC114 (September, 2014), which introduced VicSmart to streamline planning assessments.
- VC124 (April, 2015), which made changes to the planning provisions for wind energy facilities.
- VC101 (October, 2015), which made extensive changes to documents and guidelines referenced or incorporated into planning schemes.
- VC136 (April, 2017), which introduced planning requirements for apartment developments.
- VC138 (December, 2017), which implemented reforms relating to vegetation removal following the release of *Protecting Victoria's Environment – Biodiversity 2037*
- VC148 (July, 2018), which introduced a new Planning Policy Framework (PPF) and related content and structural changes to the VPP.
- VC150 (September, 2018), which changed the definitions of animal industries and the operation of related codes.
- VC154 (October, 2018), which modified the Victoria Planning Provisions to reflect new policies relating water management and stormwater.

## Amendments to the Central Goldfields Scheme

Since 2013, there have been a small number of local amendments to the Central Goldfields Planning Scheme.

These amendments comprise the following:

- C25 (March, 2014), which exempted landowners from permit requirements under the BMO for works associated with one dwelling on a lot.
- GC8 (June, 2014), which introduced and applied the General Residential Zone (GRZ).
- GC13 (October, 2017), which updated the BMO maps across the Shire.
- C27 (July, 2017), which updated the Heritage Overlay to reflect the Victorian Heritage Register.

## Ministerial Direction No.19

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](http://www.planning.vic.gov.au)).

## Key questions

- *What changes to the Planning Scheme need to occur to reflect changes to the VPPs since 2013?*
- *What further strategic work is required to support or guide these changes?*

# What has changed at the local level?

## Council Plan 2017-2021 (2018 Refresh)

The following elements of the new Council Plan have a land use and development component and could have implications for the Planning Scheme:

- *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)*

## Population, Housing and Residential Development Strategy

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 will consider settlement scenarios for different levels of growth and will provide recommendations for where future investigations should occur. The costs and benefits of different types of urban forms will also be explored. This includes guidance for infill development and the infrastructure needed to support new development. The Strategy will also identify Council's role in a range of planning, advocacy and sustainability actions to implement the Strategy.

The Strategy will be prepared concurrently with the Planning Scheme Review and it is intended that they will be implemented in the Planning Scheme through the same process.

## Economic Development and Tourism Strategy

Council has commenced the preparation of this 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.

It also aims to provide specific direction and actions for developing the Central Goldfields visitor economy (tourism) sector, highlighting investment opportunities and priorities. This will enable Council and businesses to respond to current and future industry trends.

The Strategy will be prepared concurrently with the Planning Scheme Review.

## Key questions

- *How should the Planning Scheme Review accommodate and further the findings of the Population, Housing and Residential Development Strategy?*
- *How should the Planning Scheme Review accommodate and further the findings of the Economic Development and Tourism Strategy?*

# Urban and settlement issues

## Industrial-residential interfaces

The 2013 Review recommended that a comprehensive industrial land strategy should be prepared to provide guidance on a number of issues relating to industrial land, including lack of services, amenity issues and future expansion areas.

Recent feedback from Council suggest that there is land use conflict between dwellings and Low Density Residential Zoned land and industrial zoned land in the Flagstaff area to the east of Maryborough. Council has also experienced difficulties in assessing applications for new development and subdivisions in this area. It is understood that, whilst, the specific issues relate to a small number of sites and proposals, they highlight the potential need for Council to review the location of industrial land in Maryborough and the land use vision for the area.

At the state level, the Department of Land, Water, Planning and Environment is working on improvements to the VPPs to improve the planning provisions that relate to buffers and uses with adverse amenity potential. It is understood that this work will include greater recognition of 'agent of change' principles, however, this work is unlikely to assist in resolving legacy issues similar to those in Flagstaff.

In the short term, the Planning Scheme review may need to consider how applications for both dwellings and industry in these areas can be better resolved. Options could include new MSS provisions or local policy.

It is useful to note that, in 2010, Council prepared urban design guidelines for industrial development, although these guidelines have not been adopted by Council.

## Townships

Clause 21.13 of the Planning Scheme contains structure plans for the smaller townships in the Shire. These structure plans may need to be reviewed following the preparation of the Population, Housing and Residential Development Strategy.

Council reports increasing interest in people wishing to live in small towns such as Talbot and Dunolly for affordability and lifestyle reasons. The re-opening of Talbot station to Melbourne bound trains (via Ballarat) has contributed to this interest.

Whilst it is yet to figure significantly in building and planning approvals, the implications of township growth needs to be anticipated in the Planning Scheme. For example, the 2013 Review identified lack of reticulated sewer as a key constraint to the future development of Talbot. It may be possible that Talbot could benefit from innovative local wastewater solutions that were previously not possible under the Water Act.

There are a number of examples of local wastewater solutions in Victoria. These include Blackwood (Moorabool Shire), where septic tank systems were upgraded, and Forrest (Colac Otway Shire). It is understood that DELWP is looking at rolling out a program to identify similar solutions in other areas.

## Retail and commercial

The 2013 Review recommended that the Planning Scheme needs to provide stronger direction for commercial development, and recommended that a Commercial Land Strategy be prepared. Since 2013, new Commercial zones have been introduced in the VPPs that allow for a broader range of uses in each zone.

According to Council, High Street in Maryborough is surviving the general downturn in retail activity relatively well, but there is a need to revitalise some other parts of the Maryborough CBA. It is understood that there have not been any major commercial developments in recent years, although more feedback is required to determine the implications of the new Commercial Zones and the Mixed Use Zone at the local level.

## Key questions

- *Is guidance needed to resolve interface issues relating to industrial land? If so, in what form?*
- *What new planning work is needed for settlement in the Shire's small towns?*
- *How could the Planning Scheme facilitate innovative wastewater solutions in Talbot? What other planning issues might this raise?*
- *Are the new Commercial zones operating appropriately in Maryborough?*
- *What parts of the Maryborough CBA would benefit from additional strategic planning?*

# Land management issues

## Bushfire risk

In the 2013 Review Report, bushfire risk was identified as a key strategic planning issue. For example, the 2013 Review found that the existing township framework plans in Clause 21.13 need to be updated to reflect bushfire risks.

In 2017, as part of Amendment GC13, the Bushfire Management Overlay was expanded to cover additional areas in the Shire. It now affects most of the most populated rural and outer urban parts of the Shire, including all of the land surrounding Maryborough and Dunolly and most of the land surrounding Talbot. These areas include substantial areas of land zoned Rural Living.

Within Maryborough and Dunolly, Schedule 1 to the BMO provides a more streamlined application process for some land. It is worth noting that all of the rural areas of the Shire are located in designated bushfire prone areas under the *Sale of Land Act 1962*.

There is a need to examine how the BMO is functioning in its current form, and explore any opportunities for improvement. This could include new or modified schedules to the BMO.

Since 2013, the State Government's planning responses to bushfire risk have emerged more fully. Clause 13.02-1S of the PPF now states that population growth must be directed to low risk locations.

The PPF prevents Councils from approving any strategic planning document, policy or amendment that will result in the introduction or intensification of development that will have more than a BAL12.5 rating upon completion. From a settlement perspective, these requirements will be explored in detail as part of the upcoming Population, Housing and Residential Development Strategy.

## Flooding

Since 2013, the North Central Catchment Management Authority (NCCMA) has prepared flood management plans for Dunolly and Carisbrook. The NCCMA is supporting Council in the preparation of new flood provisions to implement these studies in the Planning Scheme, including overlay controls. This will affect the development potential of land in some areas. There are a variety of issues associated with the existing LSIO maps in the Planning Scheme, as documented in the 2013 Review Report. Maryborough also requires flooding investigations.

## Potentially contaminated land and waste and resource recovery facilities

Generally, the proper identification of potentially contaminated land and waste and resource recovery facilities is an issue that is likely to be of increasing importance to councils in the future as land use changes, knowledge of former industrial sites is lost, and the recycling and resource recovery industry confronts a range of issues.

These issues will become more important following the introduction of Ministerial Direction No.19, which requires early and ongoing involvement from the EPA in strategic decision making.

The 2013 Review identified a number of planning issues relating to potentially contaminated land and operating and closed landfills in the Shire. It recommended that further work be done to examine the issues. Recent EPA guidance highlights the need for councils to consider land use issues within the buffers of active and closed landfills when making planning decisions.

In 2018, the Grampians Central West Waste and Resource Recovery Group completed a Land Use Project (Centrum Town Planning, 2018), that provided specific recommendations for planning provisions relating to active waste and resource recovery facilities in the Shire. This project was supported by the Shire. It recommended changes to the MSS to better identify and protect active facilities, and some changes to zones and overlays.

## Key questions

- *Is the Bushfire Management Overlay operating effectively and achieving its strategic objectives?*
- *How should the Planning Scheme respond to new EPA requirements for contaminated land and landfills?*
- *What are the priority areas for future flooding investigations and why?*

# Design and heritage issues

## Heritage

Heritage is a strong part of the Shire's identity, but requires significant resources to manage well through the planning system. The 2013 Review found that Council has completed heritage studies for most of the areas in the Shire, and had undertaken a consolidated review of these studies, but that implementation in the planning scheme was yet to occur.

The approaches to applying planning controls in heritage areas has changed over the years. Today, it is common for councils to provide a finer level of control in heritage precincts. This reduces permit requirements for developments that will have minimal impact on heritage areas. Councils are also providing greater policy guidance for heritage areas in the form of heritage guidelines or local policies in the planning scheme. Greater Bendigo is one council in the region that has adopted these approaches.

These approaches have benefits to all users of the planning system, however, they require significant time and resources to prepare. The review may need to give consideration to whether these approaches would be worthwhile for the Central Goldfields Planning Scheme.

## Urban design

Council has also prepared Urban Design Frameworks for Dunolly (2002), Carisbrook (2003), Maryborough (2005), 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. There is a need to check with the community and stakeholders about what aspects of these documents are relevant and what elements should be replaced.

The *Maryborough CBA Traffic Parking & Pedestrian Study (2012) – Draft*, contains recommendations for urban design treatments in the Maryborough CBA. Key concepts contained in this document include a shared pedestrian-vehicle space along Nolan and Clarendon Streets. Again, the future relevance of this work needs to be checked with the community and stakeholders.

## Neighbourhood character

Council officers have also 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. The review may need to consider what form of strategic planning work may be required to explore these questions if they are not covered by the Population, Housing and Residential Development Strategy, having regard to the cost versus benefits of the options.

## Signage

According to Council planning officers, Council and the community would benefit from additional policy guidance in relation to signage.

In 2013, Council developed and considered a draft policy for 'promotion signs', however, the policy was not formally adopted.

There have been appeals to VCAT over signage and other signage proposals have raised challenges. For example, in *Total Outdoor Media Pty Ltd v Central Goldfields SC [2019] VCAT 193*, the permit applicant appealed a decision by Council to refuse an application for a major promotion sign in the Industrial 1 zone on the Pyrenees Highway in Carisbrook. Council refused the application on grounds relating to rural landscapes, township entries and driver safety.

At the hearing, Council relied upon its local urban design policy in Clause 22.01 and statements in the MSS. Clause 22.05 (Industrial Development) was also relevant. Questions were raised about the Carisbrook Structure Plan in Clause 21.13 and the extent of the town entrance. The rural setting of the industrial zone was a key reason for the Tribunal's refusal of the application. This case re-inforces the potential need for more detailed signage policies in the Planning Scheme.

## Key questions

- *What planning work is needed for heritage?*
- *Are the Urban Design Frameworks for Dunolly Carisbrook, Maryborough and Talbot still relevant for the future?*
- *Are more detailed signage policies needed to assist Council and the community?*

# Rural issues

## Rural land uses

Council has found a number of applications for new poultry farms particularly challenging and many applications for these uses have proceeded to VCAT since 2013, as discussed in this section. Some of these cases have raised strategic planning issues relating to the significant of rural landscapes.

The relatively high number of cases, and their complexity, appears to validate the recommendation of the 2013 Review that the MSS should be strengthened in relation to the location of productive agricultural land, the preferred locations of intensive animal industries, rural industry and other rural uses. It recommended that these issues be explored through the preparation of a rural land study. This approach would also respond to the more rigorous permit requirements for intensive animal industries that were introduced as part of VC150 (September, 2018).

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.

Feedback from the community and stakeholders is required to verify the findings of the 2013 Review and make any additions and refinements based on emerging issues in the Shire's rural areas.

## Rural living

The 2013 Review and prior review work identified the extensive areas of Rural Living zoned land in the Shire as an area that required further investigation and analysis for a number of reasons, including settlement planning, infrastructure provision and bushfire risk. The 2013 Review recommended that this work take place as part of a broader rural land study. The new PPF in relation to bushfire risk is likely to further elevate the need for this work. Land management issues and the role that this land plays in affordable housing and attracting new residents may also need to be further considered in formulating the most appropriate planning responses to this work.

## VCAT appeal for a poultry farm in Carisbrook

In *Ophir Poultry Pty Ltd v Central Goldfields SC [2013] VCAT 428*, the applicant sought to amend a current planning permit (D232/2002) to increase the capacity of a broiler farm in Carisbrook by 40,000 birds, resulting in a total capacity of 200,000 birds. Objections were received and Council refused the permit application. The site was located in a cluster of poultry farms and in the Farming Zone. Nevertheless, VCAT upheld Council's decision. Whilst VCAT found that there is "significant support" in the Planning Scheme for the use and that separation distances in the *Victorian Code for Broiler Farms* were met, the history of complaints and the lack of evidence about compliance with odour emissions standards were crucial to the Tribunal's findings.

The case highlights some strategic issues relating to land use conflict in this part of the Shire, which includes dwellings, Carisbrook township and industrial land.

## VCAT appeal for poultry farm in Alma

In *Towers v Central Goldfields SC [2017] VCAT 376*, Council refused an application for a poultry breeding facility in Alma following an officer recommendation to approve the application.

The Tribunal found that the Farming Zone and Council's local planning policy for agriculture at Clause 22.04 contributed to broad policy support for the proposal. VCAT ultimately directed that a permit be issued.

## Key questions

- *How should Council plan more strategically for different rural land uses?*
- *How can intensive animal industries be better managed in the Planning Scheme?*
- *What specific land uses may need more policy guidance in rural areas?*
- *How important is a rural land study and an investigation of Rural Living zoned land? What should be considered in this work?*



# Environment and landscape issues

## Renewable energy

Renewable energy is specifically encouraged at the State level in the Planning Policy Framework 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. A solar farm is proposed in Carisbrook and the application has been approved by Council (Application 065/18).

The local section of the Planning Scheme does not currently identify any areas where renewable energy facilities are to be encouraged, or policies that may assist in decision making.

## VCAT appeal for poultry farm in Strathlea

In *Lewis v Central Goldfields SC [2015] VCAT 410*, Council supported an application for a 380,000 bird broiler farm near existing broiler farms on the Moolort Plains in Strathlea. Objectors appealed Council's decision and the permit applicant appealed conditions.

The Tribunal cited State Policy and Council's local policy for Agriculture at Clause 22.04 as providing strategic support for the proposal. The issues considered were extensive and complex.

Ultimately, the Tribunal found that Council's decision should be set aside and no permit should be issued based mainly on compliance with the *Code for Broiler Farms*. The reasons included visual impacts.

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 need to better identify the Moolort Plains Wetlands from an environmental perspective was a key recommendation of the 2013 Review, although these recommendations did not relate to landscape significance.

In 2017, a scaled back application was refused by Council on the grounds of odour, landscape character and other grounds. The decision was appealed by the permit applicant at VCAT in *Grandview Poultry Pty Ltd v Central Goldfields SC (Corrected) [2017] VCAT 2090*. In this case, the permit applicant persuaded the Tribunal that the proposal was acceptable. Again the Tribunal found significant state and local policy support for agriculture.

The case and its issues were again complex and extensive. Again, the environmental and landscape significance of the Moolort Plains were discussed, however, these were not significant in the Tribunal's findings, which focused mainly on compliance with the Broiler Code.

## Key questions

- *How should the Moolort Plains and its wetlands be recognised in the Planning Scheme?*
- *What strategic planning work needs to be done and by whom?*
- *Is strategic guidance needed to guide renewable energy facilities?*

# Economic development and tourism

## Major projects

As part of this review, an analysis has been undertaken of planning and building permits that were issued in Central Goldfields Shire from 2011 to 2018 with a value of more than \$500,000, by location. These have been described as 'major projects' for the purposes of this issues paper.

The analysis showed that annual investment on major projects varies between \$4 million and \$13 million per annum. Their contribution to the overall value of planning projects ranges from 15% (in 2015) to 58% (in 2013).

Most of the major projects that were applied for were located in Maryborough. These projects were varied in nature, ranging from industrial, public and residential forms of development. Not all major projects required building approvals.

Major projects outside Maryborough are similarly varied, and include applications for intensive animal and horticulture industries. The largest project in terms of value over the period was a \$35 million broiler farm proposal in Strathlea/Moolort in 2017, which was ultimately approved by VCAT, as described previously.

There is little to suggest any trends or patterns in the form or location of major projects that the planning scheme review might need to respond to.

Nevertheless, it is worth noting the diversity of projects that occur in the Shire and the need to accommodate and manage growth in all parts of the Shire, with an emphasis on Maryborough.

These findings require validation and feedback from the community and stakeholders as some major projects have not proceeded to planning or building stage. Others may rely upon specific investments in infrastructure or other interventions that can be facilitated by the Planning Scheme.

## Goldfields Heritage Development and Opportunity Project

The Council plan supports this project, which advocates for World Heritage Listing for the Goldfields Region, which includes Central Goldfields Shire. The Planning Scheme Review may need to explore what this might mean for land use and development and future strategic land use planning.

## Key questions

- *Is a lack of strategic planning or planning policy direction limiting or discouraging major investments in the Shire?*
- *What implications might the Goldfields Heritage Development and Opportunity Project have for strategic land use planning?*

# Planning permit activity

Planning and building approvals provide a useful guide about development and investment activity in the Shire. They can be used to reveal trends and suggest where strategic planning may be required to address, facilitate or manage issues.

## Planning permit applications

Figures 1&2 show the number of planning permit applications and decisions made by Central Goldfields Shire Council from 2011 to 2018. Key findings:

- 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.
- Council refused approximately three applications per annum, on average, over the period.

Common refusals included applications for:

- Dwellings – location/zone unknown (x8), a land use category which represented approximately 29% of all refusals.

- Intensive animal industries / poultry farms (x5).
- Signage related (x3).
- Liquor related (x2)

On average, 1.4 applications per annum are reviewed by appeal at VCAT.

## Comparable shires

The data for Central Goldfields Shire (population 13,210) is comparable on most levels to regional Victorian councils of a similar size that have a single major town with 50-60% of the resident population. For example, Northern Grampians Shire Council (population 11,500) and Southern Grampians Shire Council (population 16,140) received 98 and 127 applications respectively in 2017/18. In this period, these Shires had 0-3 refusals and 0-2 VCAT appeals respectively.

## Key questions

- *Have the changes to the Victoria Planning Provisions since 2011 affected the number of planning applications?*
- *Is there a pattern to where or why dwelling applications are refused?*

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

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

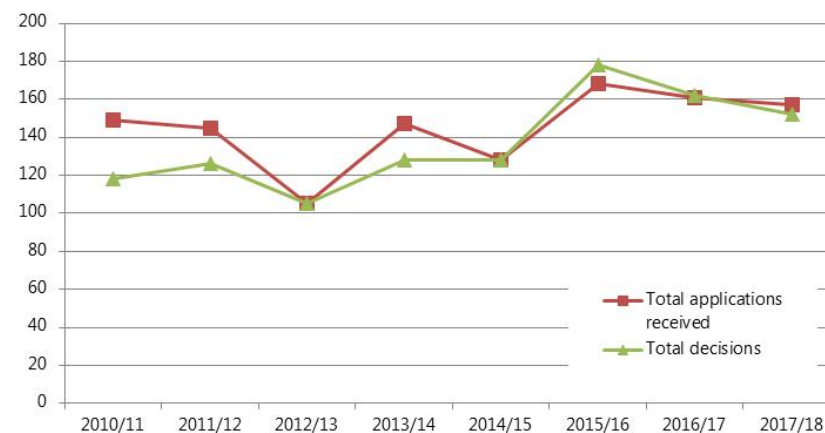
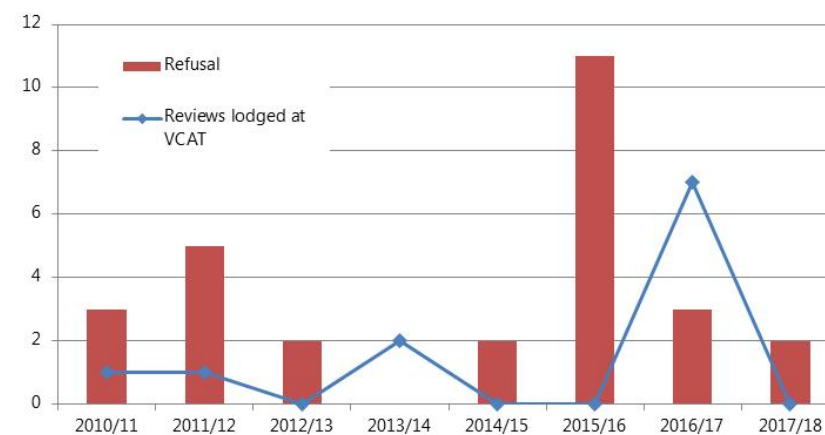


Figure 2 Planning permit applications refused and VCAT appeals 2011-2018



# Development location

## Planning permit applications

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.

This suggests that, from a planning scheme perspective, that Maryborough is becoming increasingly important. This is supported by building permit approvals, which show that the proportion of all building approvals in Maryborough has risen approximately 5% over the period.

## Building permits for dwellings

Analysis of building permits for new dwellings presents a more complex picture of development activity in the Shire.

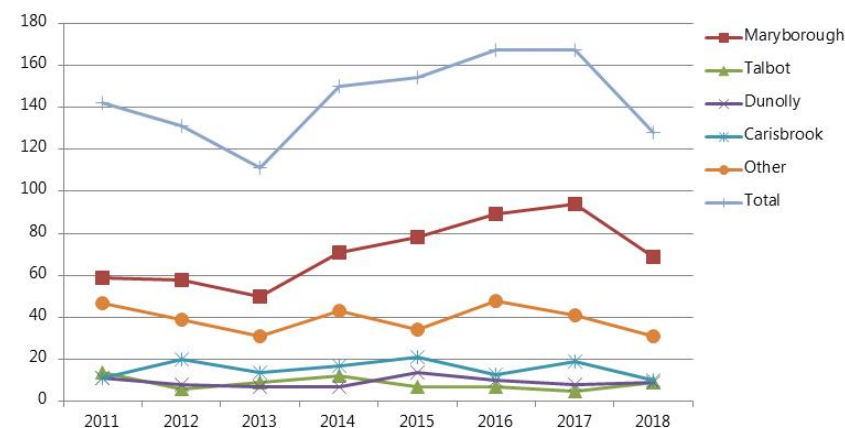
Figure 4 shows the value of building permits issued for new dwellings by location. It shows that the number of building permits issued for new dwellings has fallen steadily across the Shire, however, the largest falls have been in Maryborough, which fell from 63 approvals in 2011 to 40 approvals in 2018. This suggests that Maryborough is becoming less important as the location of dwelling investment in the Shire.

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.

## Key questions

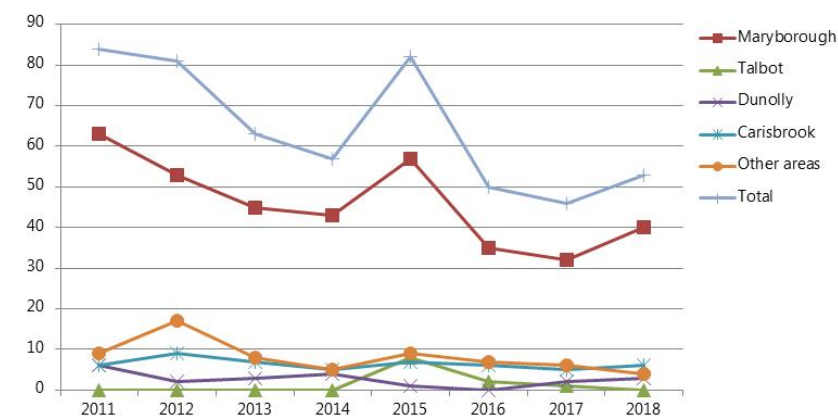
- *What does increased planning permit activity in Maryborough mean for the Planning Scheme?*
- *What strategic or policy responses are needed to guide development in the rural areas and towns of the Shire?*

Figure 3 Number of planning permit applications decided upon by area 2011-18



Source: Central Goldfields Shire Council Planning Register, 2011-2018

Figure 4 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.

# Permit applications by category

Figures 5 and 6 shows key data from the register of permit applications lodged with Council from 2010/11 to 2017/18, by category of consent.

## Dwelling related consents

Figure 5 shows dwelling related consents. Key findings:

- 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.

## Non-residential and subdivision consents

Figure 6 shows non-residential applications and subdivisions. Key findings

- There has been strong growth in the number of applications for 'one or more new buildings' since 2015/16, indicating 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.

Council's data is generally not collected in a way that records planning permit trigger or zone details. This would allow a greater degree of analysis and has the potential to lead to efficiencies in the future.

## Key questions

- *What improvements can be made to recording planning data?*
- *Is there sufficient guidance for applications for agricultural, commercial and industrial buildings?*
- *Is there a need for any additional policy guidance to assist Council or the community in considering applications for native vegetation removal?*

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.

Figure 5 Planning permits issued 2010/11 to 2017/18 by consent for major application categories (dwelling related)

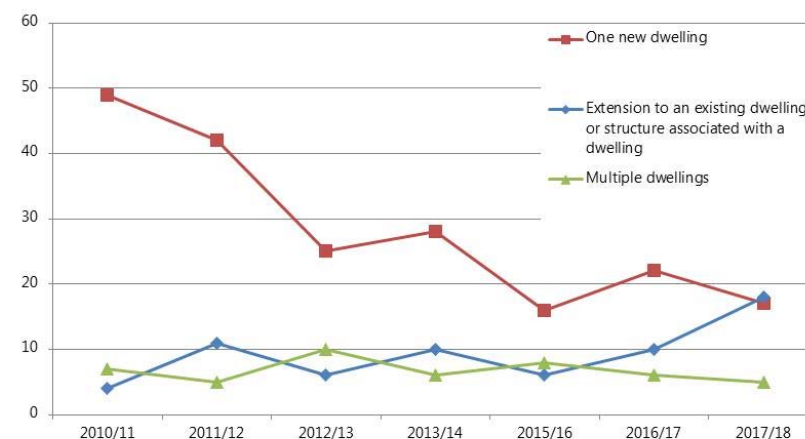
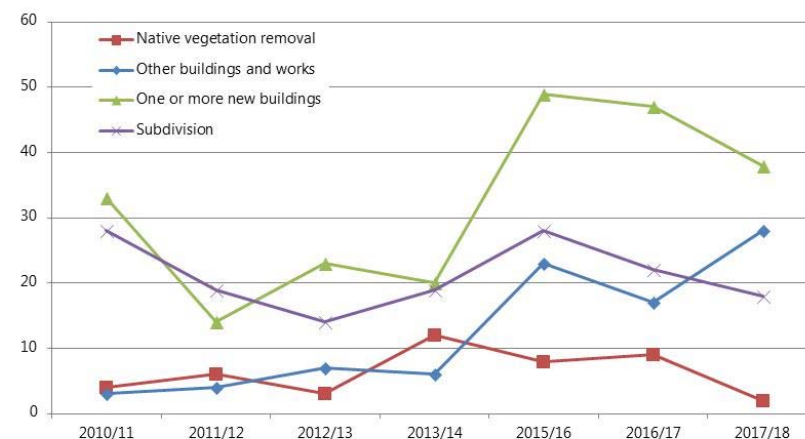


Figure 6 Planning permits issued 2010/11 to 2017/18 by consent for major application categories (non-residential and subdivision)



# Feedback and next steps

## Providing feedback

You can provide feedback for the Planning Scheme review in the following ways:

- Fill out a feedback form, available on Council's website at [www.centralgoldfields.vic.gov.au](http://www.centralgoldfields.vic.gov.au)
- Attend a public drop in session at Maryborough Library, 91 Nolan Street Maryborough, Wednesday 2 October, 2019, 3-7pm.

Key government departments and agencies will be contacted directly as part of the review.

## Next steps

The project timetable is envisaged as follows:

- General authority mailout: Late August/early September
- Key user group mailout: mid September
- Public drop-in session: 2 October, 2019
- Draft planning scheme review: December, 2019
- Council briefing session: February / March 2020

## References

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[www.planning.vic.gov.au](http://www.planning.vic.gov.au)