

# Planning Scheme Review Report Summary



Every four years, we have to review our Planning Scheme to make sure it is hitting the mark.

As with any review, this has highlighted significant challenges and some work we need to do.

## Significant Challenges



### Coastal Planning

Many of the current controls are not specific enough, don't clearly state the preferred outcomes for each area, and don't provide enough guidance for applicants and decision makers, such as what views or landscape qualities we might want to protect.

### Rural Planning

We need to protect our agricultural resource, the landscape and visual amenity of our rural areas, and provide better guidance on conflicting planning considerations. This is so our farming land can continue to contribute to the economy and support the tourism potential of our rolling hills, green valleys and wild coast.



### Managing the Growth of Nyora

The town is currently experiencing significant demand for growth, but policy direction and controls are inadequate. Further work needs to be done to plan for its future growth and development, such as road network design, storm water planning and open spaces.

## Recommendations

The report groups these into the following categories:

### Further Strategic Work

*The highest priority tasks have been identified. Only work that can be completed in the next four years should be included in the planning scheme.*

**In the next four years, we propose to:**

- Complete the Coastal Strategy and include or change any planning controls if required.
- Consider how we can guide urban design to keep township character.
- Consider how we protect our rural resources and landscapes from inappropriate development by preparing a Rural Landscapes Strategy.
- Plan for Nyora's future growth and infrastructure as an emerging township.
- Review what triggers a planning permit so that unnecessary applications are avoided.
- Ensure we have enough supply of industrial land by developing an Industrial Land Use Strategy.
- Identify how we best protect heritage assets.
- Resolve a Memorandum of Understanding with South Gippsland Water to remove them as the referral authority for unplumbed domestic sheds more than 30 metres from a waterway.

### Planning Scheme Amendment

**Prepare a Planning Scheme Amendment to do the following:**

- Update the Municipal Planning Strategy, local policies and schedules to make the changes identified in the audit of the review.
- Make the changes requested by referral agencies.
- Ensure the planning scheme reflects new key Council strategies and plans.
- Add back in policies that were lost in the Planning Policy Framework transition for rural planning, localities and strategic framework plans.
- Update any anomalies, such as spelling mistakes.
- Change Nyora's classification from 'Small town' to 'Emerging district centre' and update the description of its future role.
- Add policy in the Bushfire Planning clause to improve the safety of development.
- Update the name of Environmental Significance Overlay 3.
- Improve objectives for Design and Development Overlay's 3, 4, 5 and 6 (Sandy Point, Waratah Bay, Venus Bay and Tarwin Lower respectively).
- Remove the subdivision permit trigger from Design and Development Overlay's 8 to 11.
- Move referral requirements to one clause.
- Update the clause that identifies further strategic work to be done.

### Process Improvements

*These recommendations apply to Council, state government and referral agencies.*

- Review the resourcing of the statutory planning team to deal with the significant increase in planning permit applications and improve processing timelines to fit better with State Government recommendations.
- Improve the information on Council's website regarding Restructure Overlay Incorporated Plans and work with local real estate agents to support better understanding of the Restructure Overlay to prospective purchasers of land.

### Advocacy

*These are beyond the scope of Council, but are matters we may want to discuss with the State Government and advocate for change.*

- Consult with the Department of Transport and Planning (DTP) to make Restructure Overlay Incorporated Plans more accessible to the community in our planning scheme.
- Seek advice from the Department of Energy, Environment and Climate Action (formerly DELWP) on the appropriate tool to manage Special Water Catchments.
- Consult with relevant authorities to resolve three anomalies relating to referrals of planning permit proposals to South Gippsland Water, transitioning Environmental Significance Overlay 4 and 8 to Buffer Area Overlay, and strengthening Environmental Significance Overlay 9. The aim is to resolve these prior to the new planning scheme being implemented.

### Other Work to Consider

- Review Environmental Significance Overlay 1 – Areas of Natural Significance.
- Review future expansion needs for the Mirboo North town centre.
- Update the Signage clause to provide clearer guidelines that are easy for the community to understand and help Council refuse inappropriate proposals.
- Develop an offset framework, or set of rules to enable appropriate relocation or replacement of habitat of the Giant Gippsland Earthworm.
- Incorporate the formalised restriction of further subdivision on title recommended by the *South Gippsland Rural Strategy 2011* into the planning scheme, or do further work to make it happen.
- Change Environmental Significance Overlay 4 and 8 to the Buffer Area Overlay (water treatment plant buffer and Burra Foods buffer area respectively).
- Identify known sites of land contamination and apply an overlay to require risks are considered in future development.
- Identify areas that are highly likely to suffer from significant soil erosion and implement design guidelines to reduce impact from and on development.
- Update the Land Subject to Inundation Overlay or introduce a Flood Overlay to include areas in Foster identified in the completed Flood and Drainage Study.
- Draft changes to Special Use Zones 4 and 7, Environmental Significance Overlay 2 and 7 and the Parking Overlay.