

Macedon Ranges Localised Planning Statement

“The Government Isn’t Listening”

Presented by Christine Pruneau, Secretary
Public Meeting, 13th February 2018, Gisborne Mechanics Hall, Gisborne

Hello and welcome. Thank you for coming.

A special welcome to our guest speakers, Professor Michael Buxton and Deb Dunn.

A LITTLE BIT ABOUT MACEDON RANGES RESIDENTS' ASSOCIATION

The Association is an incorporated not-for-profit, non-party-political volunteer organisation, established in 1995 at council amalgamations, with a Shire-wide focus

We know a fair bit about this protection business because the Association has pursued re-instatement of State level planning protection for Macedon Ranges since 1999.

We called this meeting because we don't think the protection process is being sufficiently explained to the community.

I would like to start by providing some information about protection, and the Localised Planning Statement, and will be back after our guest speakers with actions you can take.

GOVERNMENT COMMITMENTS TO PROTECTION

Baillieu Government

In 2010 the Baillieu government committed to protect Macedon Ranges with a Localised Planning Statement, and to retain Statement of Planning Policy No. 8.

A Localised Planning Statement produced by the then Macedon Ranges Shire Council in 2014 didn't retain Statement of Planning Policy No. 8, and failed to gain community support. Before this could be addressed, the government changed.

Andrews Government

In 2014 the Andrews government committed to protect Macedon Ranges from inappropriate development “for good”, with legislative protection based on Statement of Planning Policy No. 8.

Why is Statement of Planning Policy No. 8 So Important?

The Hamer State government introduced *Statement of Planning Policy No. 8 – Macedon Ranges and Surrounds*, or SPP8 as it is also known, in 1975. The Statement:

- Was State policy specific to Macedon Ranges, supported by legislation, and took precedence over other policy.
- Recognised the Macedon Ranges as an area of State level significance for drinking water catchments, leisure and recreation, tourism, and nature conservation.
- Set policy that gave priority to protection of the areas’ special qualities in land use and development decisions.
- Has been the basis for strategic planning in Macedon Ranges for 40 years, and for many of the planning controls – zones, overlays, policy – in our planning scheme.
- Over the years its continuing relevance has been reaffirmed by VCAT and planning panels.

At this point, you may be thinking, with all of that, why does Macedon Ranges need more protection?

Statement of Planning Policy No. 8 no longer has legislative support, and it isn’t State policy any more either. Both were lost when the Planning and Environment Act was introduced in 1987.

SPP8 is now *local* policy in the Macedon Ranges planning scheme.

- As a *local* policy, SPP8 and its priorities for protection no longer come first. Instead it has to be *balanced* against State policy which isn’t specific to Macedon Ranges, and doesn’t have priorities for protecting Macedon Ranges.
- The Victoria Planning Provisions – which are the basis for all planning schemes in Victoria – are, as you know, generic, discretionary and open to wide interpretation.
- “Should” doesn’t work but we can’t say “must” anymore, or set the bar as high as it needs to be.

Pressure for growth and development has become overwhelming. Macedon Ranges is being picked off by developers and sold off as a ‘land-banking’ opportunity, with applications for suburban outcomes and over-development eroding our rural character and values.

Macedon Ranges can’t survive without State level policy protection.

WHAT “PROTECTION” IS THE STATE GOVERNMENT PROPOSING?

Legislation

Protection is in two parts, and the first is the Distinctive Areas and Landscapes legislation.

- This is landmark legislation, which provides for a Minister for Planning to declare an area to be a distinctive area and landscape.

Macedon Ranges is to become the first 'declared' distinctive area and landscape in Victoria.

- The legislation also requires a Statement of Planning Policy to be prepared to provide policy that protects a declared area's special qualities, and sets requirements for the content and function of a Statement of Planning Policy.

As the Distinctive Areas and Landscapes legislation will be added to the Planning and Environment Act, the resultant Statement of Planning Policy will be powerful, high level planning policy which sits above, and influences, the planning scheme, policies, strategies, projects and decisions.

Part 2 of proposed protection is the draft *Localised Planning Statement*.

Even though it is irrevocably flawed, provides less, not more, protection than now, is a growth plan on a metropolitan scale, the current intention is to simply rebadge it so it becomes the Statement of Planning Policy required by the legislation, without further consultation. It will also replace Statement of Planning Policy No. 8.

The LPS unacceptable in all regards, and here's why:

Doesn't meet legislation's requirements for a Statement of Planning Policy

The legislation wants "a vision for at least 50 years that identifies values, priorities and preferences for distinctive attributes". Instead, the LPS gives us at least 50 years of land supply and a program for population growth. It makes the horrors of the last 10 years our future.

The LPS doesn't include long-term needs for the integration of policy.

The LPS doesn't identify the parts of the Statement that are "binding" on responsible public entities (which include a council), which means requirements become merely recommendations.

The LPS's Framework Plan is supposed to be what decisions on future use and development are based on. It's almost a blank page - six towns with blue rings around them, 6 State-significant landscape features, some public land, and rural living zones.

Then we come to the Macedon Ranges Protection Advisory Committee

In 2015, the Minister for Planning began processes for protection by appointing the Macedon Ranges Protection Advisory Committee. The Committee's July 2016 report made 12 recommendations, all of which were accepted by the Minister, and Macedon Ranges Shire Council, in early 2017.

The Committee recommended a preferred Localised Planning Statement. The LPS ignores it.

Statement of Planning Policy No. 8

The State government said protection would be based on Statement of Planning Policy No. 8. The Advisory Committee had it in its preferred Localised Planning Statement. It's deleted in the LPS.

The LPS Doesn't Do What a Statement of Planning Policy Is Supposed To Do

The LPS follows the format set down for Localised Planning Statements in 2014. A Statement of Planning Policy is a different beast.

As Macedon Ranges already has a Statement of Planning Policy, we know what it's supposed to include, say, and do.

- It's supposed to have a strong and clear Purpose
- The LPS's Purpose is:
*The statement aims to support efforts to...
 identify and protect state-significant landscapes, environmental and cultural heritage features within the Macedon Ranges...*
- Instead of policy, the LPS offers a collection of Visions, Objectives, Strategies - vaguely-worded, open-to-interpretation – that don't add anything to what's already in our planning scheme. It favours "balance" when "priorities" are needed. It says "manage", but not HOW.
- The LPS doesn't identify any threats, or fully identify values and attributes. Its map showing biodiversity refers the reader to a website, while the map for "State-significant landscapes and water features" only shows 6 landscape features, and leaves off half of the Shire's water catchments.
- SPP8 includes implementation measures. The Macedon Ranges Protection Advisory Committee's preferred LPS included implementation measures. The LPS has none.

How about Township Character?

Protection of township character is of universal importance, except to the LPS. The Advisory Committee said protection of towns was to be a cornerstone of policy.

The LPS has only one reference to township character, in a single strategy, in its growth-dominated Settlement section: "*Encourage infill development to respect townships' character.*" We have better policy in our current planning scheme.

State significance

- The LPS is only interested in heritage of State or National significance - like Woodend's Avenue of Honour or Kyneton's Mechanics Institute. Local heritage significance – like shops along High Streets – doesn't count.
- Biodiversity. The LPS goes no further than wanting to maintain high-value vegetation to conserve and protect biodiversity, revegetation only in areas of identified state significant biodiversity value, and biolinks only if they connect high-value ecological areas.
- Landscape. The LPS condenses landscape into State-significant "landscape features", and only 6 of those are apparently important enough to catch the LPS's eye.

SETTLEMENT BOUNDARIES

The LPS is asking the community to sign a blank cheque. Only 4 of 6 towns have settlement boundaries – Romsey and Gisborne won't be available for 18 months, and it doesn't identify protected settlement boundaries - just blue rings around 6 towns.

The LPS's inclusion of new land within a settlement boundary automatically signals that land is intended to be developed for urban purposes. The LPS circumvents processes, consultation and tests normally required to include land within a boundary.

Over recent years, quite a lot of work has been done sorting out growth in the Shire. All of it confirmed the findings of the Macedon Ranges Settlement Strategy 2011, which found all towns had sufficient existing zoned land to accommodate population growth out to 2036, except Riddells Creek.

Most of us thought growth was done and dusted until 2036, but with this LPS, it's as if someone asked "*can I have more development?*" and the response was "*how much would you like?*"

KYNETON, RIDDELLS CREEK AND WOODEND

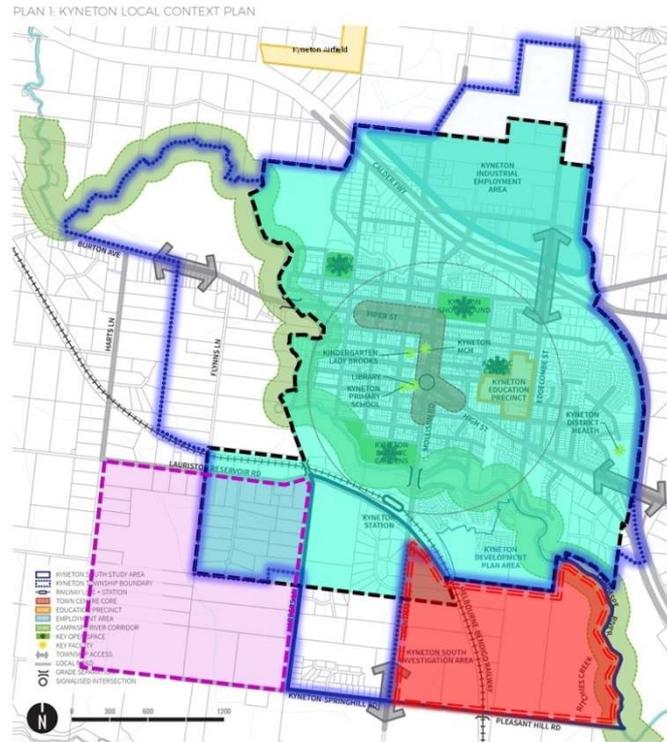
The LPS puts another 800ha of rural zoned "future investigation areas" inside settlement boundaries. These *long-term* future investigation areas are identified in each town's Structure Plan. How did these areas get into Structure Plans when no additional land was needed for decades?

Kyneton

The LPS adds about 190ha of Farming zone, south of the town (shown in red).

Did you know:

- That the Loddon Mallee Regional Growth Plan doesn't say Kyneton is to grow to a Regional Centre (more than 10,000 people) by 2036, as some claim?
- That the Kyneton Structure Plan's "investigation area" didn't have any development timeframes, they were added in Amendment C99, based on investigation by landowners?
- That our previous council changed Kyneton's town boundary to 'better recognise Kyneton's outer suburbs'?
- That the LPS is still promoting 265ha of 2ha rural living development (shown in the purple area)?
- That the Kyneton South Framework Plan added another 350ha inside Kyneton's town boundary? (the white area on the left between the aqua area (existing town boundary), and the blue line (the town boundary shown in the 2017 Kyneton South Framework Plan))



ABS census data:

In 2016, the urban centre of Kyneton had 4,900 persons.

Macedon Ranges Settlement Strategy:

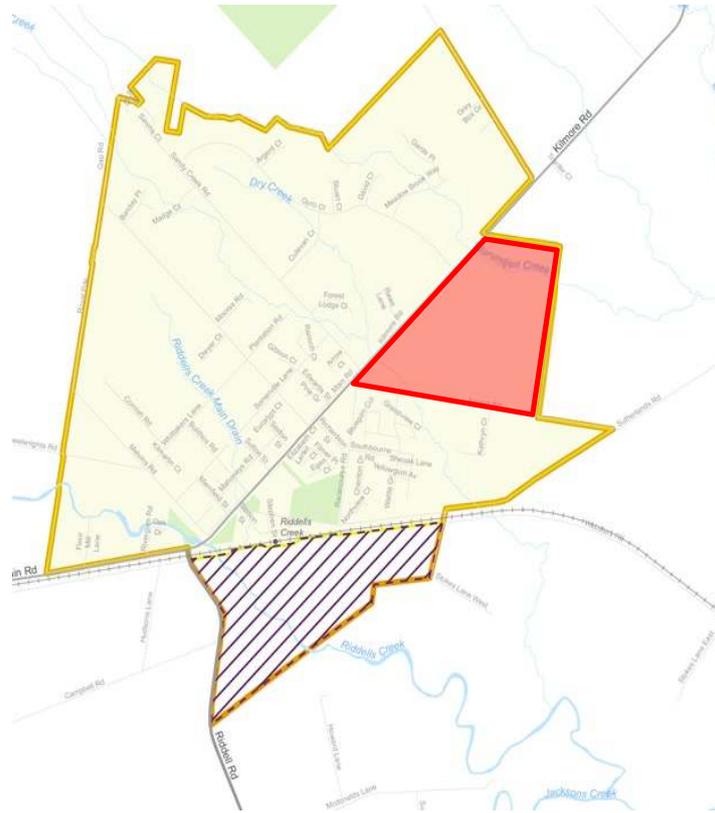
Kyneton could accommodate 8,600 persons out to 2036 without rezoning any new land.

LPS:

Rough calculations suggest the 190ha added by the LPS has potential to place 3,700 to 5,300 more persons in the town, additional to the 8,600 already planned for, producing a town population of 12,000 to 14,000 persons.

RIDDELLS CREEK

The LPS adds about another 120ha inside the Riddells Creek settlement boundary (hatched area), additional to the 130ha added last year by Amendment C100 (shown in red).



ABS census data:

In 2016, the urban centre of Riddells Creek had 3,167 persons.

Macedon Ranges Settlement Strategy:

With additional land, Riddells Creek could accommodate 6,100 persons out to 2036. 57ha was needed, 130ha was rezoned in 2017 (shown in red).

LPS:

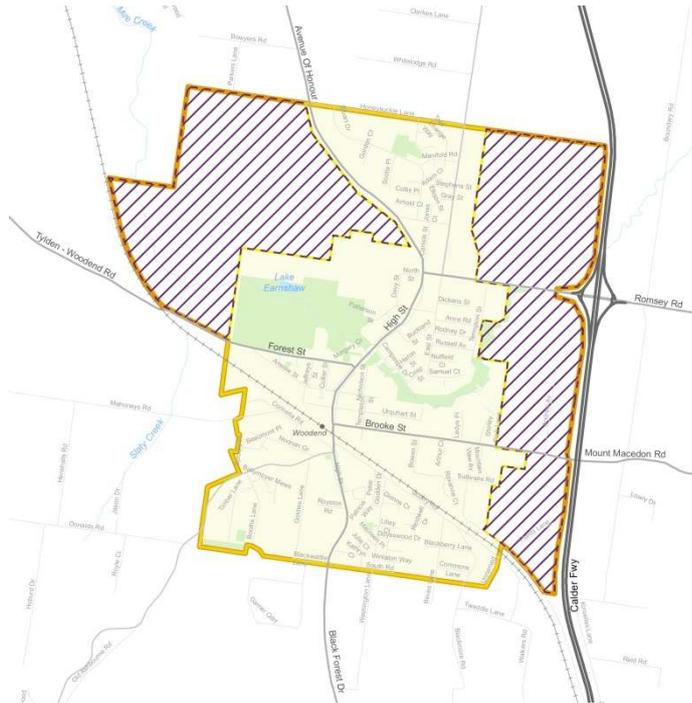
Rough calculations suggest the 120ha the LPS adds has potential to place 3,000 to 4,000 more persons in the town, additional to the 6,100 already planned for. Combined town population: 9,000 to 10,000 persons.

This rises to 6,000 to 8,500 more persons, and a combined town population of 12,000 to 15,000, if the 130ha (shown in red) that has already been rezoned is added.

WOODEND

The Woodend Structure Plan confirmed the Settlement Strategy’s conclusion that no additional land is required out to 2036. It said look at investigation areas to the east first, if any additional is required.

Woodend residents have spent over 10 years resisting rezoning and inclusion of “Villawood’s” 300ha, north west of the town, inside the town’s boundary. The LPS pops it in, along with another 200ha east of the town.



ABS census data:

In 2016, the urban centre of Woodend had 3,775 persons.

Macedon Ranges Settlement Strategy:

Woodend could accommodate 5,000 persons out to 2036 without rezoning any new land.

LPS:

Rough calculations suggest the 500ha the LPS adds has the potential to place 12,000 to 17,000 more persons in the town, additional to the 5,000 already planned for. Combined town population: 16,000 to 20,000 persons.

LANCEFIELD

The Macedon Ranges Settlement Strategy identified Lancefield as a “District Town” with 2,000 persons in 2006. It said that in 2036 Lancefield would remain a “District Town” with a population of 3,000 persons.

The Macedon Ranges planning scheme doesn’t include the Settlement Strategy’s population figures, but includes a ‘population range’ instead. For a “District Town” like Lancefield, the population range is 2,000 to 6,000 persons.

The Localised Planning Statement simply says Lancefield will have a population of 6,000 by 2036.

ROMSEY

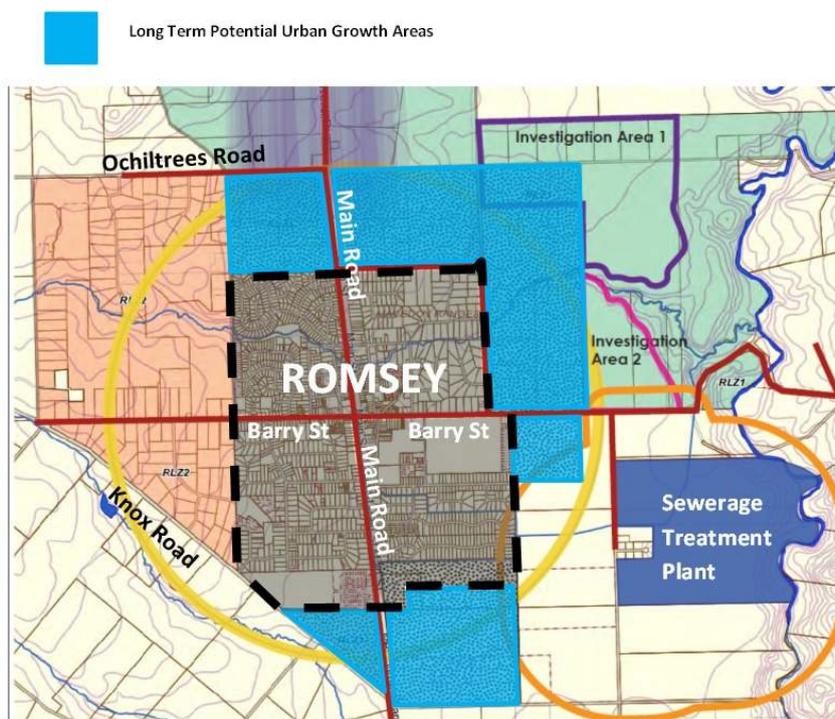
The LPS won't include a settlement boundary for Romsey for another 18 months.

The Romsey Outline Development Plan doesn't have any investigations areas, but here's a map of Romsey that was included the final draft of the background document to the previous council's 2015 "In The Rural Living Zone" strategy.

The black dashed line is the existing Romsey town boundary.

Blue areas are about 500ha of existing Rural Living and Farming zone identified as "Long Term Potential Urban Growth Areas" on this plan.

Are these to be Romsey's "investigation areas"?



ABS census data:

In 2016, the urban centre of Romsey had 3,900 persons.

Macedon Ranges Settlement Strategy:

Romsey could accommodate 6,000 persons out to 2036 without rezoning any new land.

Rough calculations suggest an additional 500ha inside a settlement boundary has the potential to put 12,000 to 17,000 more people in the town than the 6,000 already planned for. Combined town population: 18,000 to 23,000 persons.

Rough calculations are based on 85% of total land size at 1,000sqm and 700sqm lots (1 dwelling per lot) and applying the 2016 ABS urban centre persons per household figure for each town to each lot. Combined town populations are the total of LPS potential and 2036 projected population.

Four Towns

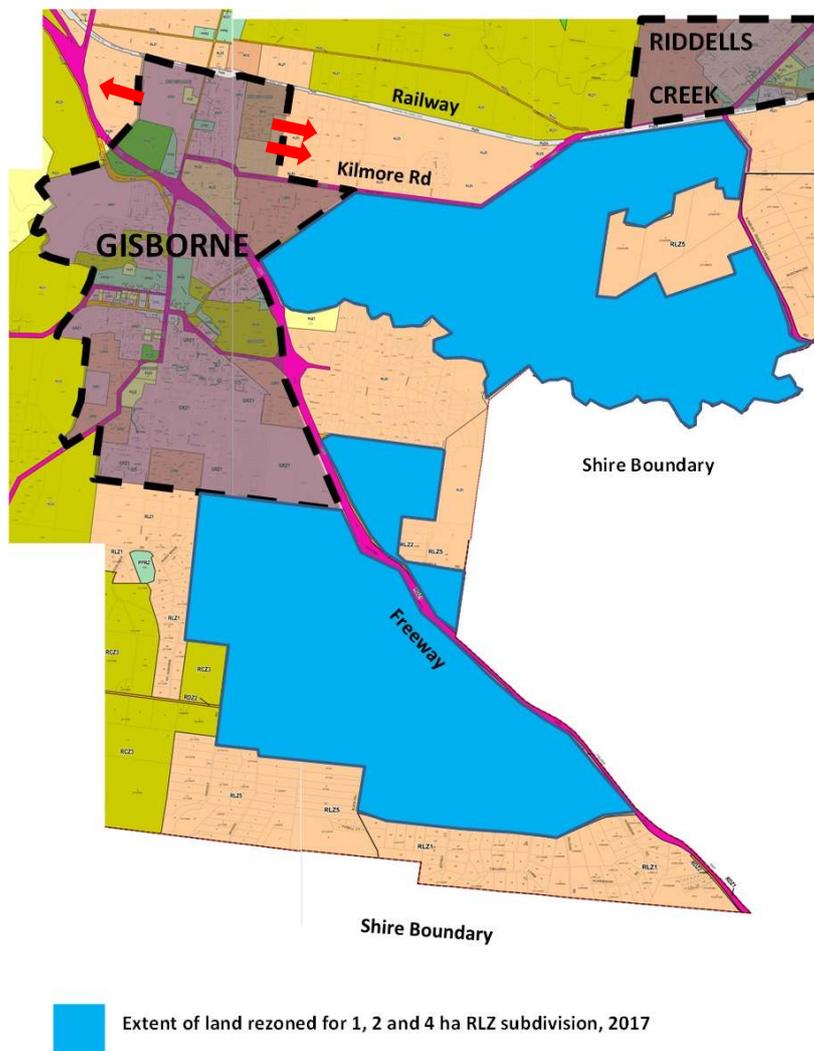
In a nutshell, the LPS puts 800ha of rural land into settlement boundaries at Kyneton, Woodend and Riddells Creek alone. If another 500ha at Romsey, it becomes 1,300ha of rural land – the same rural land the State government says it is protecting – being turned into housing estates.

In 2016, Macedon Ranges Shire had a population of 46,100 persons. The LPS could potentially add 29,000 – 42,000 more people – additional to growth already planned for, just to these four towns.

And that’s not counting the 130ha rezoned at Riddell last year, or Lancefield. Then there’s Gisborne.

GISBORNE

Gisborne doesn’t have investigation areas (or a settlement boundary in the LPS) but the Gisborne Outline Development Plan included arrows (shown in red) indicating areas of investigation for possible future expansion of the town boundary.



The dashed black line on the left shows the existing Gisborne/New Gisborne town boundary. Upper right is Riddells Creek.

The blue area shows several thousand hectares rezoned in 2017 for rural living development at 1, 2 and 4ha subdivision sizes.

ABS census data:

In 2016, the urban centre of Gisborne/New Gisborne had 9,800 persons, 24% of which were between 0 – 14 years old.

Macedon Ranges Settlement Strategy:

Gisborne could accommodate 15,000 persons out to 2036 without rezoning any new land. Gisborne in fact had more land than it needed, enough for 17,000 people.

The LPS is silent on how much growth is proposed for Gisborne.

In November 2017 MLA for Macedon Mary-Anne Thomas announced a \$220,000 “Streamlining For Growth” grant for Gisborne for work including long-term settlement boundaries and a new Gisborne Structure Plan, to replace the Gisborne Outline Development Plan.

You need to ask, **how much more growth is being secretly planned for Gisborne?**

LPS: THE “LESS PROTECTION STATEMENT”

So, what is this LPS? We call it the “Less Protection Statement”. For years Macedon Ranges had the identity of being “*an area identified at State level as off-limits to urban development*”. The LPS turns it into “*an area identified at State level as an urban growth area.*”

There is a gaping disconnect between this LPS, and the State government’s promised protection, our new council’s direction, and community values. It promotes all of those things Macedon Ranges needs to be protected from.

Protection isn’t about no development, or no growth, but it is about strictly controlling both. It’s about us being able to say **we will decide what happens here, and how it happens**. If we can’t, Macedon Ranges’ irreplaceable special qualities will continue to be lost.

Who’s responsible for this LPS? Current councillors and community weren’t consulted. Instead the LPS has our previous council’s thinking (*Macedon Ranges already has enough protection*) and priorities for economic development and population growth. Yet it has the State government’s name on it.

Wherever it came from, it isn’t acceptable, and the State government must fix it.

RESOLUTION

Resolution Re Draft Macedon Ranges Localised Planning Statement (December 2017)

MARRA Public meeting, 13 February, 2018 (Gisborne Mechanics Institute, Gisborne)

This public meeting, representing a broad cross-section of the Macedon Ranges' Shire community, resolves:

- 1) To inform the Premier of Victoria (Hon. Daniel Andrews), Minister for Planning (Hon. Richard Wynne), Shadow Minister for Planning (Hon. David Davis) and MLA for Macedon (Mary-Anne Thomas):
 - 1A. That the draft Macedon Ranges Localised Planning Statement 2017 is completely irreconcilable with the State government's commitment to protection, and unacceptable in every regard.
 - 1B. That any Macedon Ranges Statement of Planning Policy is required to:
 - i. Meet proposed legislative requirements for the format, content and function of a Statement of Planning Policy;
 - ii. Incorporate Statement of Planning Policy No. 8 as its starting point;
 - iii. Respond to Macedon Ranges Protection Advisory Committee recommendations;
 - iv. Clearly and fully identify values contributing to the Shire's significance, threats and constraints;
 - v. Confine itself to providing clear, strong, integrated, high-level planning policy and implementation measures prioritising protection of the Shire's environment and biodiversity, natural resources, rural land, (built, cultural and natural) heritage, landscapes, and rural and township character;
 - vi. Identify existing township boundaries as protected settlement boundaries, and not include investigation areas or promote growth additional to that already planned for out to 2036;
 - vii. Bind the Statement of Planning Policy upon all responsible public entities;
 - viii. Prioritise consultation with the Macedon Ranges' community;
 - ix. Be prepared subject to further consultation with the Macedon Ranges' Shire Council and community.
- 2) To call for Mary-Anne Thomas, the member for Macedon, to vigorously pursue and deliver the Statement of Planning Policy at 1B.
- 3) To call for Macedon Ranges' Shire Council to actively support community expectations and priorities for protection, and strongly advocate for the Statement of Planning Policy at 1B.

Moved: Brian Penny

Seconded: Adam Murphett

Carried (4 opposed)

WHAT YOU CAN DO

1) Make a submission on the Localised Planning Statement by February 19th 2018

Go to <https://engage.vic.gov.au/macedon-ranges-localised-planning-statement>

Avoid the online survey and

scroll down to the heading "Upload a Submission", where you can attach a file and submit it.

OR

Submit your submission by email:

- email address planning.implementation@delwp.vic.gov.au
- Subject Line: Submission – Macedon Ranges Localised Planning Statement
- Attention: Fiona DePreu

AND

2) Send your submission or an email expressing your views to:

Daniel Andrews, Premier daniel.andrews@parliament.vic.gov.au

Minister for Planning richard.wynne@parliament.vic.gov.au, and

MLA for Macedon, mary-anne.thomas@parliament.vic.gov.au

3) If you are told the Localised Planning Statement is protecting Macedon Ranges, respond:

"I do not accept that the Localised Planning Statement is protecting Macedon Ranges. The government is not listening to the people of Macedon Ranges."

4) You may also wish to send your submission or an email to:

Shadow Minister for Planning david.davis@parliament.vic.gov.au

Points for submissions

The government has produced an LPS that promotes all of the things Macedon Ranges needs to be protected from.

- it's not doing what the legislation being introduced to protect Macedon Ranges says it should do;
- it's not doing what the Macedon Ranges Protection Advisory Committee said it should do;
- it deletes Statement of Planning Policy No. 8 when it's supposed to be based on that policy;
- it provides less protection, not more, for our towns, character, landscapes, heritage, rural land and environment than we have now;
- it's an urban growth plan of epic proportions pushing Sunbury-scale urban development into Macedon Ranges on an unprecedented scale; and
- it's not the protection the State government promised for Macedon Ranges.

The LPS also:

- Focuses on heritage, biodiversity and landscapes of State and National significance, not all significance.
- Provides no protection for our towns
- It isn't policy, or integrated policy, and isn't a Statement of Planning Policy
- Doesn't include implementation, doesn't say it is "binding" on public entities
- It doesn't identify threats, incompletely identifies attributes,
- Its Framework Plan is meaningless

More Information

MRRA website www.mrra.asn.au

- MRRA Assessment and advice on the important
- A summary of the LPS for Woodend residents from Settle Woodend.