

**Submission
No 73**

**INQUIRY INTO THE PROTECTIONS WITHIN THE VICTORIAN
PLANNING FRAMEWORK**

Organisation: Mitchell Shire Council

Date Received: 28 January 2022

Please quote our reference in your reply
OUT22/627

28/01/2022

Ms Sonja Terpstra
Chair
Legislative Council Environment and Planning Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002
Sent via email: planninginquiry@parliament.vic.gov.au

SUBMISSION TO THE INQUIRY TO EXAMINE PLANNING AND ENVIRONMENT ACT

Dear Ms Terpstra,

Please find attached Mitchell Shire Council's submission to the *Inquiry to Examine Planning and Environment Act*.

Mitchell Shire is Victoria's fastest growing municipality. Our current population is projected to grow from its current level of 51,273 residents to 170,830 by 2041. The majority of this growth will occur within townships of Wallan and Beveridge which sit within the Urban Growth Boundary.

As a growth area municipality just entering a period of sustained and rapid growth, our community is highly exposed to Victoria's Planning Framework. Mitchell Shire currently has three Precinct Structure Plans (PSP) which are being fast tracked by the Victorian Planning Authority, and we still have at least two more PSPs yet to begin.

Mitchell Shire Council is focused on achieving the best possible outcomes for our current and future communities as they grow and develop. Importantly this involves continuing to strive for more resilient communities which are planned and delivered in a manner that supports their needs early in their development.

The submission attached highlights some key areas where the Victorian Planning Framework could be strengthened or improved to enable and support a more transparent and approachable system which works towards prioritizing beneficial outcomes for the community.

We would like to request the opportunity to present to the Committee on the matters raised in our submission. As a growth area Council, and Victoria's fastest growing municipality, the role, function, and outcomes of the Victorian Planning Framework are uniquely important to our community. The opportunity to present in person to the Committee and to discuss in greater depth our recommendations would be invaluable.

Our community's 2050 collective vision is that *'Mitchell will become a place that people of all ages love to call home. Where we celebrate our natural beauty and where businesses prosper.'* In order for this to become a reality it is vital that the Victorian Planning Framework is designed and operates to deliver beneficial outcomes for everyone within the community.

Please do not hesitate to contact me to discuss the recommendations from our submission or the opportunity for Mitchell Shire Council to present to the Committee. To make a time please contact [REDACTED]

Yours sincerely



BRETT LUXFORD
CEO

Mitchell Shire Council (MSC) welcomes the opportunity to provide a submission on the *Inquiry to examine Planning and Environment Act*. Mitchell Shire Council submits the following:

Topic	Submission
<p>(1) the high cost of housing, including but not limited to —</p> <ul style="list-style-type: none"> (a) provision of social housing; (b) access for first home buyers; (c) the cost of rental accommodation; (d) population policy, state and local; (e) factors encouraging housing as an investment vehicle; (f) mandatory affordable housing in new housing developments; 	<p>Prevent the sale of lots prior to Statement of Compliance</p> <p>Mitchell Shire Council and the Interface Councils are experiencing rapid greenfield/outer suburban residential growth. Associated growth is seen within existing townships in proximity to these greenfield areas. Current practice by (some) developers is to ‘sell’ lots on a plan prior to Statement of Compliance, and it is common to see lots or a stage of a subdivision ‘sold’ before a planning permit is issued. The flow-on effect is that:</p> <ul style="list-style-type: none"> • Some developers and permit applicants are hesitant to amend the design of a proposal due to being ‘locked in’ by ‘sold’ lots. Council is therefore placed under pressure in its consideration of the planning permit to not request changes resulting in unnecessary, extensive officer hours to discuss/argue the matter with an applicant. Generally, the developer will ‘win’ and a sub-optimal planning outcome will result. • Some purchasers ‘blame’ Council for delays to issuing Statement of Compliance as they are advised unrealistic timeframes by developers, or shift blame to Council for an unresolved matters. <p>Legislative changes should be made to ensure that no contract of sale or pre-sale agreement and deposit can be entered into until, at the very least, a planning permit (including endorsed plans) is issued by the Responsible Authority. This outcome may assist in lowering land sales as the demand of multiple stages appearing ‘sold’ is no longer used as a sales tactic.</p>
	<p>Require a number of lots for first home buyers</p> <p>The State Government has recently changed legislation to make it easier for first home buyers to buy a property to live in. These changes include:</p> <ul style="list-style-type: none"> • Victorian Homebuyer Fund shared equity scheme • Stamp duty removed or reduced • Changed stamp duty concession for off the plan purchases • Exemption from residency requirements for defence force members • First Home Owner Grant doubled in Regional Victoria • Land tax on vacant residential properties in Metropolitan Melbourne <p>The current competition in the market has resulted in the increase in lot prices. Due to a combination of low mortgage rates, a strong economic recovery, and buyer demand being strong against relatively low levels of stock, first home buyers are still struggling with getting into their first home. Setting aside lots for first home buyers will ensure first home buyers have an opportunity to purchase a lot without competing with non-first home buyers.</p> <p>One consideration to be investigated may include whether setting aside a small percentage of lots for first homebuyers. A potential result that must be avoided with this option is that developers seek to place ‘first home buyer lots’ in the least desirable place away from facilities and amenities as many first home buyers are young families, and require access to these facilities.</p>

Prevent the number of vacant land holdings after Statement of Compliance

- Raise the tax for vacant lots in growth areas.
Currently the vacant land residential land tax applies to Councils within Metropolitan Melbourne. It is recommended the vacant land residential land tax be applied throughout growth areas and regional areas where development, particularly new subdivisions for residential purposes occur. This will prevent landowners who purchase a lot from holding onto the lot and selling it at a later date for an increased price.
- Requiring dwellings to be constructed on lots within 2 years
An alternative option is requiring lots sold within new subdivision to require dwellings be constructed within 2 years of the purchase. This could be done via a condition requirement within the Victorian Planning Provisions. An additional tax or lump sum payment could then be required if a lot is not constructed or under construction within the 2 year period.

Density of Housing

- Additional incentive can be provided for low rise apartment buildings to seek for a smaller building footprint to allow for greater setbacks for soft and hard landscaping (inclusive of benches, tables, vegetation etc) to promote socialising between residents. Additional low rise, relatively large apartments aimed for first home buyers and young families in middle and outer suburbs may result in more affordable housing choice as opposed to standard, common attached townhouses which generally result in minimal garden and outdoor areas.
- Require appropriate density in growth areas and regional areas. This should not be left to developers or the market to dictate lot sizes. Currently, Precinct Structure Plans provide a 'minimum' density but no 'maximum' density and it can be difficult to control outcomes.
- Council planners in growth areas and regional Councils are always faced with the situation where "the market" dictates the size of lots, including building envelopes, but have no idea where the figure for the "market" comes from.

It is considered that 'the market' or 'outcomes' sought by developers is a loose term used to place Council in a position where the desired outcome (generally maximum yield) is used as an advantage of a developer. By requiring certain appropriate densities in growth areas and regional areas, appropriate envisaged outcomes would more likely occur. It is understood that Planning Authorities (i.e. VPA or Local Governments) provide the strategic planning work and policy to dictate densities – It is noted that Growth Area Councils or Regional Councils are not always resourced to do this work.

	<ul style="list-style-type: none"> In growth areas, the term 'medium density' should be given more thought. In most instances, 'medium density' results in smaller, rectangular lots where the only available outcome is attached terrace housing. Additional consideration could be given to identify where different built form outcomes should occur to respond to additional density requirements. For example, areas facing parks and open space could be identified as areas where 'medium density – rear loaded terrace housing' is appropriate, and areas close to facilities but adjoining / near to arterial or connector roads with a less green outlook could be 'medium density – unit or apartment developments' to ensure a wide variety of build form outcomes occur to provide as much dwelling typology diversity as possible.
<p>Tax subsidies for development that incorporates affordable housing</p> <p>It is not often that a developer will openly provide/offer lots to be set aside for low income housing. This should be mandated, and consideration should be given to Federal/State level incentive to ensure an appropriate amount of affordable housing is provided in appropriate locations.</p>	
<p>Government assisted first home buyers' packages</p> <ul style="list-style-type: none"> The requirement for an initial deposit is a challenge for many first home buyers. Similar to a 'build-to-rent' scheme or the 'Homebuyer Fund', State/Federal Government could offer a contribution to the cost of a 1st homeowners purchase. For example, 20% can be covered by Government with the remaining to be the homeowner. Once the property is then sold the Government would be reimbursed the initial amount plus an additional 5-10%, this would then contribute to the profitability of the scheme. It will be imperative to ensure this does not result in house prices rising to match the 20%. 	
<p>Car Parking Requirements</p> <p>Further investigate the appropriateness to waive car parking requirements in locations within proximity to public transport options, or where the developments meets additional requirements regarding environmental efficiency, landscaping or affordable housing. This can result in an activity centre dwelling typology.</p>	
<p>Increased garden area</p> <p>Increasing Garden Area requirements may force vertical builds in locations close to transport/activity centre options. Consider increasing garden area requirements within particular zones to push the market to consider additional vertical builds and increase densities in/around neighbourhood activity centres to provide greater dwelling diversity and increased garden area including canopy trees.</p>	
<p>Other Items</p>	

Negative gearing contributes to market drivers, the ability to invest 'losses' in real estate reduces the ability for first home buyers to compete with established individuals/businesses. Reducing foreign investment in the property market can reduce the demand to help cater to the supply vs demand.

Develop and implement an integrated whole of government services and infrastructure planning framework in order to better plan for a delivery of regional and sub-regional infrastructure.

The Victorian Planning Framework should enable, support and identify an integrated whole of government services and infrastructure planning framework for growth areas to facilitate Victorian government agency alignment and connection to the strategic planning process and support effective delivery of services and supporting infrastructure.

Important outcomes from an integrated planning framework would include:

- Provision of land in terms of location and facility scale must be made for major regional facilities, whilst planned for at a regional level these must be located within an individual PSP area
- Planning for localised services, the early delivery of infrastructure to support outreach services and staged development of service hubs as the community grows and develops
- Early delivery of public transport facilities.
- Road infrastructure

Regional level facilities include:

- Hospitals and associated medical facilities – critical infrastructure to support growth areas must be located appropriately to support access
- Community health – a key platform for the provision of primary care services that will need to expand with a growing community
- Justice and Emergency Services – Courts, VicPol, Fire Services Vic, Ambulance Victoria and VicSES
- Higher Education – RMIT, Latrobe, Kangan, GoTAFE
- Regional Open space
- Public Transport Facilities such as train stations, bus stations and depots, tram services.

This approach would align with, and achieve the desired outcomes from a broad range of Federal, State and Local government policies, strategies and other frameworks.

Sections 4(1)(f) and (fa) of the *Planning and Environment Act 1987* should either be removed or rephrased to remove the term and meaning of 'facilitate'. Alternative phrasing such as 'establish' would help to strengthen the application, and achieve the objects of the Act.

Delivery of, and access to affordable housing, particularly in growth areas, is a substantial and important challenge. Whilst the current objectives of the Act support a desire to achieve better outcomes in this area, the phrasing of sections 4(1)(f) and (fa) lack the strength and clarity required to ensure that these objectives are met. Stronger language would help to support the delivery of housing for those most in need.

	<p>The government should consider how to mandate and strength requirements around affordable housing. Options may include:</p> <ul style="list-style-type: none"> • Changing ‘may’ to ‘must’ in s173(1A) • Removing s173(1A) and creating a mandatory relationship under a potential s173A • Removing s173(1A) and creating an alternative mandatory relationship with the Act <p>Experiences with respect to the creation of agreements under section 173 of the <i>Planning and Environment Act 1987</i> demonstrate that the ‘may’ in s173(1), (1A) is substantively weakening the application and objectives of the Act. The provision of affordable housing, to support those most in need in our community, is of vital importance and should be mandated by the act. Mandating the creation of agreements, at the very least for affordable housing, would empower agreements to be made to ensure the delivery of affordable housing.</p> <p>It is evident to that existing tools in the planning system alone will not meet affordable housing demand. These tools rely on <i>voluntary agreements</i> with developers, and in practice have proven to be unpredictable, uncertain, and ineffective. We cannot rely on these tools to provide the housing Victoria needs.</p> <p>The major limitation of Section 173 agreements is that they are voluntary. In circumstances where there is no clear basis or bargaining leverage to compel a developer to do something, it may be difficult to strike an agreement for the provision of housing or financial contributions. Land rezoning processes and/or strategic development site planning approvals provide the most effective point in the planning process for Councils to require entry into a Section 173 agreement in relation to social and affordable housing.</p>
<p>(2) environmental sustainability and vegetation protection;</p>	<p>Vegetation Protection for Significant Trees in Residential Zones</p> <ul style="list-style-type: none"> • Greater protection of trees, particularly canopy vegetation in Residential Zones on lots smaller than 4000 square metres must be implemented within the policy provisions. Too much canopy vegetation is being lost as it is removed prior to an application being lodged, or not thoroughly being assessed. • Requirements and criteria for retention should be implemented to retain vegetation within residential zones. • The current approach of requiring Councils to prepare a detailed vegetation study and then a full Planning Scheme Amendment process is resource intensive and leaves remnant vegetation at risk between the time it is identified as significant and the Planning Scheme Amendment is approved. <p>Climate Change policy to be Avoidance not Adapting</p> <ul style="list-style-type: none"> • The Planning Scheme provides measures to adapt to the risks of climate change but falls short in measures to avoid future greenhouse gas emissions. There should be greater and stronger policy guidance to avoid and mitigate emissions and adapt to the negative impacts of climate change.

	<p>Clearer objectives and strategies for sustainable subdivision</p> <p>Policy should incorporate the science behind sustainability to require any major subdivision to demonstrate that the future estate complies with State requirements. A point scoring criteria matrix will provide a clear direction to any outcome. Further, having a threshold on scoring will allow local councils to easily identify if the development complies with environmental objectives and in turn will reduce the pressure on Council's to make decisions purely based on market drivers. Penalties could even apply to every tree which is lopped.</p>
	<p>Improving the national Planning Policy Framework surrounding sustainable development</p> <p>Current policy that exists is ambiguous with no compulsory requirements. Taking inspiration from the UK the provision for 'sustainable development' needs to include clearer objectives and include standards that must be met. This would apply to all development applications.</p>
	<p>State Planning Policy</p> <p>Stormwater Treatment Objective – Relative Measure (STORM), Built Environment Sustainability Scorecard (BESS) to be a basic application requirement for any residential development of two or more dwellings within Victoria. Solar panels and light roof colouring required for all new houses can be mandatory within planning policy which will be an effective tool to fight climate change.</p>
	<p>Livestock should be banned from waterways</p> <p>Greater emphasis should be given to waterway protection. Farm Management Plans and housing in rural and farming areas should be required to revegetate and protect waterways as defined within the Water Act.</p>
	<p>Metropolitan Open Space Strategy (MOSS) needs to include a set definition for environmental infrastructure and to clearly articulate the benefits of access and utilising different types.</p> <p>A definition for environmental infrastructure is required within the MOSS. This definition should clearly articulate the benefits of access and utilisation from different types of environmental infrastructure. A definition of this nature will provide certainty for multiple stakeholders and set the scene for future provision planning.</p>
	<p>Suggested recommendation</p> <p>That the recommendations from the "<i>Climate Change and Planning in Victoria</i>" paper (attached) prepared by Hansen partnership 2021) are implemented</p>
	<p>Suggested recommendation</p>

	<p>Progress the Environmentally sustainable development of buildings and subdivisions roadmap</p> <p>Suggested recommendation</p> <p>There should be a strong alignment between the Planning & Environment Act and the Flora and Fauna Guarantee Act which protects Victorian biodiversity and its significant species on public land. The P&E Act should enable the application of the FFG Act on private land.</p> <p>Suggested recommendation</p> <p>Currently 31 Councils throughout the state are working collaboratively under the guidance of Council Alliance for a Sustainable Built Environment (CASBE) to elevate ESD targets in their respective Planning Schemes. Mitchell Shire Council is a part of this project., with an intention of seeking a joint planning scheme amendment in 2022. Mitchell Shire council seeks the state government support in this project. Council Alliance for a Sustainable Built Environment.</p>
<p>(3) delivering certainty and fairness in planning decisions for communities, including but not limited to —</p> <p>(a) mandatory height limits and minimum apartment sizes;</p> <p>(b) protecting Green Wedges and the urban growth boundary;</p> <p>(c) community concerns about VCAT appeal processes;</p> <p>(d) protecting third party appeal rights;</p> <p>(e) the role of Ministerial call-ins;</p>	<p>Timeframes of planning permit applications for assessment (small, medium, complex)</p> <p>All planning permit applications require the same timeframe for assessment regardless of the complexity (excluding VicSmart applications). Applications should be allocated appropriate timeframes for further information request and decision making based on the complexity of the application. This could be, for example, based on the estimated cost of development. With the exclusion of a single dwelling, applications with an estimated cost of development of less than \$1.5m have an 'RFI date' of 21 days, vs applications over \$1.5m and a 28 day timeframe.</p> <p>Notification period and statutory clock</p> <p>During the notification period, the Act/Regs stipulate that the statutory clock pauses when council directs public notice to be carried out, and then resumes after the last notice is given (i.e. the mailout of letters, the erection of the sign onsite, or the notice published in the newspaper, whichever is the latter). Given that the Responsible Authority is not allowed to make a decision on the planning permit application during the 14 days of public notice, including these 14 days in the 60-day statutory timeframe is unfair to the Responsible Authority and provides additional pressures to under resourced Councils. The statutory clock should stop during the 14-day notification period.</p> <p>Improved community consultation</p> <ul style="list-style-type: none"> • Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. • Consider requirements for pre-application meetings (even if it is a telephone call) before an application can be registered by Council.

	<ul style="list-style-type: none">• Consider a requirement for a consultation meeting if there a threshold of objections is reached. <p>Condition Plans – additional fee for second revision review</p> <ul style="list-style-type: none">• Fees should be implemented for a second revision of plans to respond to a condition. This will deter applicants from lodging multiple plan sets, keep consultants accountable and provide Council's with additional income to assist in delivering community services. <p>Building Resilience in New and Emerging Communities report (attached), commissioned by the Northern Metropolitan Partnership, in partnership Mitchell Shire Council, City of Whittlesea and Hume City Council investigated how the Victorian planning system, including relevant policy, legislation and organisations can support new communities to build resilience in the first years of their development. It is concerned with the relationship between:</p> <ul style="list-style-type: none">• The health, well-being and safety of the community;• The accelerated development of resilience in new and emerging growth area communities; and• Strategies that would simultaneously promote community resilience and minimise potential harm. <p>The Victorian Planning Framework lacks direction on how the Victorian planning system can better support growth and build resilience in new growth areas by ensuring that key facilities, services and infrastructure are provided prior to the introduction of facilities that could negatively impact vulnerable communities.</p> <p>How does the Framework support new communities to build resilience in the first years of their development - It should reference and be concerned with the relationship between:</p> <ul style="list-style-type: none">• The health, well-being and safety of the community;• The accelerated development of resilience in new and emerging growth area communities; and• Strategies that would simultaneously promote community resilience and minimise potential harm. <p>Resilience is the ability of people and the environment to absorb and positively advance in the face of significant changes, shock, stress and / or uncertainty. Achieving resilience is a greater challenge in new and emerging growth area communities compared to inner and middle metropolitan areas. In growth areas, the new home starts with an absence of most of the physical, social and economic facilities, including infrastructure, services, informal supports and networks that are readily available in more established areas.</p> <p>The new and emerging community will be more resilient earlier in its life if the planning and delivery of new homes is matched by the early, comprehensive and integrated delivery of a well-considered range of opportunities, facilities, services and supports.</p>
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	<p>Refer to the report: Building Resilience in New and Emerging Communities report The recommendations below come from the report.</p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 1 – ‘Revise the Objectives of the Planning Framework within the Act to include the building of resilience in the Victorian community and minimising threats and harms to community wellbeing’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 2 – ‘Include definitions of resilience and harm minimisation in the definitional section of the VPPs’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 3 part 1 – ‘Include a state-wide policy on gambling in the Victoria Planning Provisions.’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 3 part 2 – ‘Resilient Communities and Harm Minimisation should be specific subjects or themes addressed under the suite of policies clustered under the heading of Settlement within the Planning Policy Framework’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 3 part 3 – ‘Include a regional planning policy on gambling in planning schemes that could be applied consistently across metropolitan and/or regional city growth areas’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 4 – ‘Revisions to the PSP Guidelines should include explicit steps to develop more resilient communities that address both physical and social considerations of resilience’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 5 – ‘Building resilient communities and harm minimisation should form part of the purposes, application requirements and decision guidelines of the Urban Growth Zone’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 6 part 1 – ‘Planning practice notes should be developed on building community resilience and harm minimisation in growth areas’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 6 part 2 – ‘Planning practice notes should be developed on developing and applying the gambling provisions of planning schemes’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 7 part 1 – ‘Expand the Purpose of Clause 52.28 to include <i>minimise the potential harm to the community</i></i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 7 part 3 – ‘Include a list of application requirements regarding the maturity of the community and its capacity to minimise harm in the applicable local schedule’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 9 part 2 – ‘The Planning Scheme should control the location and timing of the establishment of new EGM venues and the consolidation of additional EGMs in existing venues, as well as the design and layout of the venue’</i></p> <p><i>Building Resilience in New and Emerging Communities, Recommendation 9 part 1 – ‘The role of the VCGLR under the GRA</i></p>
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	<p>should be confined to approving EGM entitlement holders and supervising the operation of EGM venues’</p> <p>Immediately and urgently review the design and implementation of the Victorian Planning Authority’s Fast Track PSP Process.</p> <p>There are serious concerns over the pace of the Fast Track program and the potentially negative impact this will have upon the ability to achieve a quality outcome for these future communities.</p> <p>The current Fast Track process more likely than not result in deeply compromised and disappointing outcomes risking the need for costly and inadequate retrofitting and replanning of these communities in the future.</p> <p>The Fast Track process also appears to have the potential for an increasingly limited ability for technical, advisory and community input in to the process.</p> <p>Whilst the Fast Track process would appear to be delivering houses faster, if these houses are not delivered in well-planned, connected and environmentally sustainable ways future communities will suffer and the result will be placing some of our most vulnerable community members in compromised locations. Fast Track process need to be whole-of-government inclusive and need to be aligned with funding certainty for major and regional infrastructure including roads, rail, schools, hospitals, open space and other social infrastructure.</p>
	<p>Redesign VCAT through a customer-centric process and model in order to improve its accessibility for the broader community. Particular consideration should be given to improving accessibility to VCAT through amendments to Section 102 (1),(2) and (3) of the VCAT ACT relating to the giving and receiving of evidence,</p> <p>VCAT processes need to be more accessible to community. It is currently an intimidating process which comes with costs, legal fees and a practice and process which is often alienating and intimidating for community members. Current VCAT practices actively work to discourage community from making appearances.</p> <p>Barriers to the giving of evidence are excessively high and often community members suffer greatly through a lack of access. A recent decision at VCAT <i>Mitchell SC v Victorian Commissioner for Gambling and Liquor Regulation</i> [2021] VCAT 310 placed ‘very little weight’ (130) on a community video as the ‘video featured unnamed individuals expressing their general opposition to gaming machines’, stating ‘it is unfortunate that none of the participants were named or called to give evidence in the hearing, so their views could be tested and their relationship to the community of Mitchell Shire could be established’ (130). This standard of evidence and requirement for formal community member identification and participation sets a very high bar and acts to intimidate community from participating in the process. Reform should focus on new and alternative ways for community to give evidence to reflect an acceptance of greater accessibility and openness.</p>
	<p>Resolve the tension and issues related to duplications within the planning and regulatory systems related to Packaged liquor, Amenity and Community harms</p>

	<p>A range of duplications exist across the Planning and Environment Act 1987, the Liquor Control Reform Act 1998 and the Gambling Regulations Act 2003. Councils are required to take on multiple decision-making roles when determining land use applications or acting in response to referrals from the Victorian Commission for Gambling and Liquor Regulation for licensed or gambling premises.</p> <p>Significant work has taken place to rectify some of the shortfalls across gambling assessments but licensed premises, and in particular packaged liquor outlets are still not resourced with the appropriate guidance and practice note materials to ensure that Planning can properly consider and address off site impacts from bog box and regular packaged liquor outlets.</p> <p>It has been well established that within Australia over 80% of alcohol is purchased through packaged liquor outlets and then consumed in private settings often away from the regulatory and supervised environments. This means that in the case of Council considering an application for packaged liquor consideration must be given the broader catchments where people will likely consume the product opposed to within metres of the licensed premise.</p> <p>The Planning and Environment Act however fails to give appropriate regard to consider the broader off-site impacts and only encourages planners to look at the immediate vicinity of the premise. In most instances any existing guidance materials have been created to only address impacts associated with late night venues such as Hotels, Nightclubs and Pubs.</p>
	<p>Review and amend as appropriate the Victorian statutory planning provisions (Clause 52.27 VPP) to ensure that:</p> <ul style="list-style-type: none">a) Consideration is given to the impacts on the broader health, wellbeing, public safety and security of the community in regard to an application for a packaged liquor licenseb) Consideration is given to the needs of the community when assessing the Cumulative Impact of packaged liquor on health, wellbeing, public safety and securityc) Applicants must prepare and provide a socio-economic impact assessment as a justification to Councils as part of their application for a liquor license planning permit, particularly for packaged liquor <p>It is acknowledged that packaged liquor was a later edition to the provisions which apply to licensed premises. It was introduced through amendment VC79 which required that any new premises that seek to be licensed for the sale of packaged liquor also requires a planning permit.</p> <p>The clause predominantly exists to consider existing licence types such as, on premise, late night, taverns, hotels, nightclubs and restaurants. These land uses have measurable impacts where proven conditions can manage amenity-based issues that often occur within close proximity to the site. There is a lack however of appropriate planning tools that can provide a comprehensive assessment of the harms which extend from the operation of packaged liquor outlets. These recommendations go towards addressing this gap in the planning provisions.</p>

	<p>An attempt was made in 2018-19 where a group of Councils proposed to undertake a GC amendment in order to introduce further guidance material and changes to clause 52.27 however were informed at the time by the Department that this was within the remit of the Victorian Commission for Gambling and Liquor Regulation. It did not address however that the use still remained a matter which needed to be considered under the Planning & Environment Act.</p>
	<p>Better define ‘amenity’ in relevant legislation to ensure it encompasses a broader community catchment, rather than only the surrounding area, that incorporates a range of social and health indicators that align themselves with the principles of the <i>Public Health and Wellbeing Act 2008</i>. A potential way in which this could be achieved could be through sections 3 and/or 4 of the <i>Planning and Environment Act 1987</i>.</p> <p>Amenity is often referenced throughout planning and is considered in many ways to be quite subjective. The Act would benefit from providing a clearer definition which could better address a range of concerns that arise from many types of applications.</p>
	<p>No timeframes currently on when decisions are to be made on Planning Scheme Amendments by the Minister for Planning/ Department of Environment, Land Water and Planning</p> <p>Ministerial Direction 15 (the Planning Scheme Amendment process) was introduced to set timeframes during the different steps of the Amendment process. There is no set timeframe for when a Council-adopted amendment is lodged for Ministerial approval. This step can often take up to 6 months to complete, even for amendments which are strongly consistent with State and Local planning policy. A review of this step in the process will provide greater certainty for applicants, landowners and community members.</p>
	<p>Protecting green wedges and the urban growth boundary</p> <p>This is vital as there is considerable land speculation for areas abutting urban growth boundary with very little planning policy in place for direction. The DELWP-lead project “Planning for Melbourne’s Green Wedges and Agricultural Land” has significantly stalled and there have been no significant updates since exhibition close in early February 2021. This project needs to get moving again and there should be consideration to reviewing legislation which restricts the Green Wedge Zone to only being application to a small number of municipalities.</p>
<p>(5) ensuring residential zones are delivering the type of housing that communities want; and</p>	<p>Implement a strategy that requires developers to provide services and infrastructure in a timely manner to the residential growth rate</p> <p>A main issue regards the delivery of services and public infrastructure always arrive at a later date compared to the residential components of a subdivision. It is important for people who move into a new area to be able to live locally, this plays a vital role in the evolution of a place. Require the development of services to be tied to a timeframe after Statement of Compliance is met for a particular stage / particular lot.</p>

<p>(6) any other matter the Committee considers relevant</p>	<p>Modernising the Planning and Environment Act and VPPS</p> <ul style="list-style-type: none"> • Simplify the current laws • Eliminate duplication, examples - liquor licensing • Remove redundant provisions – provide items electronically • Modernise the language – require emails for objections, so items can be submitted electronically • Strengthen certainty and timeliness in the planning process - Standardize timeframes for all Councils, this includes timeframes for further information request, extensions of times and decision timeframes. Simple, medium, complex applications needs different time frames • Streamline the growth area planning process to ensure that zoned land is available in a timely manner for future urban development and that suitable mechanisms are available for development to contribute to the costs of infrastructure provision <p>SPEAR</p> <p>Utilise SPEAR as a statewide platform for ALL application lodgements. This would provide a clear, consistent platform for planners in local government (reducing lag time to 'get up to speed' with a new software or process if moving jobs), and planners/consultants/developers/end users so no matter which municipality they are lodging an application they are aware of the process. All parties, including referral authorities, will be held accountable due to the transparency in SPEAR.</p> <p>Simplify the language used in Residential Zones within the Planning Scheme</p> <p>The existing language used within the Planning Scheme's Zones can be difficult to understand or interpret (in particular, for the public). Less ambiguity regarding uses and permit triggers may assist.</p>
	<p>Protecting heritage in the planning system</p> <p>The Heritage Council of Victoria undertook a "State of Heritage Review" in 2017 around how local government protects and manages heritage under the <i>Planning and Environment Act 1987</i>. The review outlines a series of actions which require clear vision and guidance from State Government. Aboriginal Cultural Heritage legislation and regulations are outdated to provide adequate planning guidance. There is a need for update and for a State-independent body to become more centralised in decision-making.</p>

BUILDING RESILIENCE IN NEW AND EMERGING COMMUNITIES

Final Report

April 2021

**PREPARED FOR THE NORTHERN METROPLITAN
PARTNERSHIP GROUP**



FORWARD

The vision for the Northern Partnership is that our diverse communities have access to the jobs, services and infrastructure that allow them to be healthy and well. Building community resilience, particularly in new and emerging communities, is important for the liveability and connectedness of communities across our region.

Through Northern Partnership engagement we have heard the need to ensure that our rapidly growing communities are supported and resilient. It is important that these communities have access to a broad range of critical services and infrastructure, including education, entertainment and employment opportunities early in their development. Central to this is ensuring that the Victorian planning system and its process considers, and responds to, the concept of resilience and the stressors and challenges which present a barrier to the development of strong, healthy communities.

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This evidence-based report highlights a number of state and local actions recommended to ensure greater attention is paid to community resilience within the Victorian planning system. It also highlights the indicators for a resilient community for inclusion and consideration within Victorian liveability frameworks. Promoting resilience at the earliest stage in emerging communities will not only have the greatest impact, but also ensure that residents and families can be supported to build the social connection which underpins a strong sense of community.

The impact of bushfires, floods and the COVID-19 pandemic further highlights and reinforces the challenges and vulnerabilities many new communities face. The importance of a resilient community has never been clearer, and the recommendations in this report provide a clear roadmap for creating strong, resilient communities in our growth areas.

We are pleased to make this report available for all growth areas across Melbourne. We look forward to how it can support and nurture the growth, liveability and resilience of these communities.

Terry Larkins PSM OAM

Chair, Northern Metropolitan Partnership

Acknowledgements

I would like to acknowledge and thank the following people and organisations that have driven this report. Firstly, I would like to thank the late David Turnbull, past CEO of Mitchell Shire Council who laid the foundations for this work, striving to achieve greater support and investment for all rapidly growing communities, recognising the importance of fostering and protecting resilience in communities in their formative stages, and also Mary Agostino (Director Advocacy and Community Services) and Brett Luxford CEO of Mitchell Shire Council for continuing this important work.

I would like to thank all the members of the Northern Partnership for their work and the Project working group membership led by;

Rebecca Sirianni (Coordinator Advocacy, Social Policy and Partnerships) and Nicolas Adams (Research and Advocacy Officer) of Mitchell Shire Council; working together with Fiona Ryan, Senior Strategic Planner, City of Whittlesea, Kristine Mueller, Social Policy Planner at Hume City Council, Sean Greer, Coordinator Strategic Planning, and Jo Wilson Manager Community Strengthening at Mitchell Shire Council. Thank you also to the Office for Suburban Development – Jo Richardson (Manager, Partnerships) Jessica Boyle and Fiona Florakx (Northern Partnership Program Coordinators). Thank you to the Victorian Government departments and agencies, academics, not for profit agencies and community leaders who contributed to stakeholder discussions and consultations.

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Terry Larkins PSM OAM

Chair, Northern Metropolitan Partnership, 2021

We acknowledge the traditional Aboriginal owners of country throughout Victoria, their ongoing connection to this land and water and we pay our respects to their culture and their Elders past, present and future.

This report was prepared by K2Planning and Kinetica for the Northern Partnership. This report is proudly made available for all growth areas across Melbourne.

This report was funded by the Metropolitan Partnership Development fund, made available by the Office for Suburban Development, Victorian Government.

TABLE OF CONTENTS

1.	Introduction.....	10
1.1.	Purpose and scope	10
1.2.	The client group and consultant.....	11
2.	Key finding and recommendations	12
2.1.	Key Findings.....	12
2.2.	Recommendations	13
3.	community resilience	17
3.1.	Introduction.....	17
3.2.	Resilience	18
4.	The challenges of resilience in new and emerging communities.....	22
4.1.	The implications of starting from scratch.....	22
4.2.	The scale of the challenge.....	23
4.3.	Minimising harm - the counterbalance.....	24
4.4.	Resilience, COVID 19 and emerging communities.....	24
5.	What defines a new and emerging community?	28
6.	Resilience and EGMs	33
6.1.	EGM Gambling, Problem Gambling and Resilience	33
6.2.	Gambling in the Northern Growth Area.....	35
6.3.	Harm minimisation strategies and EGMs.....	36
7.	Recognition of resilience and harm minimisation within the planning framework.....	40
7.1.	The emerging references to resilience and harm minimisation.....	40
7.2.	Resilience and the early delivery of facilities and infrastructure.....	41
7.3.	Incomplete connection between resilience, harm minimisation and gaming	42

7.4.	Recommendations for change.....	43
8.	Conclusion	51
9.	Attachments	52

LIST OF TABLES

Table 1: Project Recommendations.....	15
Table 2: Indicators of a Mature Resilient Community.....	30
Table 3: EGM Statistics Northern Growth Area LGA's June 2020	36
Table 4: Documentation to be submitted supporting applications for gambling venues in growth areas.....	49
Table 5: 100 Resilient Cities - City Resilience Framework.....	55
Table 6: Gap Analysis - The Planning Policy Framework & Resilience	57
Table 7: Growth Area Councils - Social Challenges.....	70
Table 8: Losses to EGM's 2017/18 and estimated losses to other forms of Gambling Regulated by the State Government (\$M).....	74
Table 9: Estimated Prevalence of Severe EGM Gambling Related Problems.....	74
Table 10: Annual EGM Losses Expressed as the Number of Children Who Could be Fed for A Year	74

ABBREVIATIONS

DELWP	Department of Environment Land Water and Planning
DHHS	Department of Health and Human Services
EGMs	Electronic Gaming Machines
GRA	Gambling Regulation Act 2003
MPA	Metropolitan Planning Authority
NGAA	National Growth Areas Alliance
NMP	Northern Metropolitan Partnership Group
PPF	Planning Policy Framework
SEIFA	Socio-Economic Index for Areas
UGZ	Urban Growth Zone
VAMPIRE	Vulnerability Indices for Mortgage, Petroleum and Inflation Risks and Expenditure
VCGLR	Victorian Commission for Gambling and Liquor Regulation

1. INTRODUCTION

1.1. Purpose and scope

This report addresses how the Victorian planning system can better support local councils to manage growth and build resilience in new growth areas by ensuring that key facilities, services and infrastructure are provided prior to the introduction of facilities that could negatively impact vulnerable communities.

The project behind this report has investigated how the Victorian planning system, including relevant policy, legislation and organisations can support new communities to build resilience in the first years of their development. It is concerned with the relationship between:

- The health, well-being and safety of the community;
- The accelerated development of resilience in new and emerging growth area communities; and
- Strategies that would simultaneously promote community resilience and minimise potential harm.

10
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To illustrate how this might be applied in practice the project has used the protection of new and emerging communities from any potential harm presented by Electronic Gaming Machines (**EGMs**) as a case study.

The consideration of gambling is confined to the role of land use planning in identifying the appropriate location and timing for the establishment of new gambling venues. The report does not analyse or comment upon those matters of gambling regulation that manage the suitability of entitlement holders and venue operators, and other matters considered by the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) and the *Gambling Regulation Act 2003* (GRA).

A specific recommendation arising from this project is that there should be greater clarity between the roles of land use planning and gambling regulation, with the former considering the appropriateness of a gambling venue in the context of the social and economic circumstances of its proposed location, and the latter managing the suitability of venue operators and holders of EGM entitlements and the daily operation of approved venues.

The research and other recommendations explore specific planning provisions, tools and mechanisms that could be developed regarding gambling venues in growth area locations to ensure that the first and / or the only entertainment venue in a newly developed area is not a gambling venue.

The recommendations identify the various tools and levers that can be relied upon by State and local government to deliver greater community resilience and the potential impact of those initiatives in minimising harm, and promoting resilience, in growth areas.

1.2. The client group and consultant

This report highlights the importance of working in a regional context across growth area municipalities. The report has been commissioned by, and is a collaboration between the Shires of Mitchell, and Hume and the City of Whittlesea, with funding provided through the State Government of Victoria, Office of Suburban Development.

The project has been endorsed by the Northern Metropolitan Partnership (NMP), an advisory group established by the Victorian government to provide a means for local communities to engage directly with state and local government and advise the Victorian Government on the priorities for jobs, services and infrastructure across the northern region of Melbourne. The project has been conducted by K2Planning in association with Kinetica Studio.

11



The regional basis of the report provides significant opportunities for a systematic and coordinated approach to implementing the project recommendations and working towards increased community resilience in growth areas.

The report has focused on ways in which indicators of resilience can support, and strengthen, existing municipal initiatives such as Municipal Health and Well Being Plans, Precinct Structure Plans and other land use planning strategies.

The report also provides recommendations on gaming provisions that might apply across growth areas and which should be portable for application in other municipal planning schemes and growth corridors / area municipalities.

2. KEY FINDING AND RECOMMENDATIONS

2.1. Key Findings

Resilience is the ability of people and the environment to absorb and positively advance in the face of significant changes, shock, stress and / or uncertainty.

Recent amendments to the Planning Policy Framework of all Victorian planning schemes seek to ensure that the development of settlements will support resilient communities and their ability to adapt and change

Achieving resilience is a greater challenge in new and emerging growth area communities compared to inner and middle metropolitan areas. In growth areas, the new home starts with an absence of most of the physical, social and economic facilities, including infrastructure, services, informal supports and networks that are readily available in more established areas.

12



The report advances a series of indicators that might be identified in an emerging community that provide a measure of its maturity, stage of development and level of resilience. These indicators fall into the following categories:

- 1 Development: Facilities, Services and Infrastructure,
- 2 Relational: Social connections
- 3 Human Capital: Social Support; Learning
- 4 Networks: Participation; Communications; Preparedness; Trust,
- 5 Cohesion: Community Building Initiatives, Shared values; Outlook.

The strategic point of difference between gambling in established and new communities is the respective resilience and capacity to absorb shocks and manage new threats and harm within each area.

The new and emerging community will be more resilient earlier in its life if the planning and delivery of new homes is matched by the early, comprehensive and integrated delivery of a well-considered range of opportunities, facilities, services and supports.

Melbourne's growth areas are expected to accommodate 53% of the Greater Melbourne population growth over the 2016 - 2031 period.

The impact of COVID 19 on working practices and residential location preferences is likely to increase this anticipated population growth even further.

Identifying and responding with carefully considered strategies and controls to those features and activities that pose an embedded threat to the health, safety and wellbeing of the community and its resilience is an important role of the Victorian planning framework.

Gambling venues can pose a threat to new communities when that venue is one of the early or only passive recreation facility in a new community.

A harm minimisation response should not only identify an appropriate location for gambling venues but also a timing response that holds back on the establishment of new gambling venues until a resilience threshold is established, and can be objectively measured, and the community is mature enough to better manage any harm and threats associated with gambling.

There is a need to reframe the direction of legislation and subordinate legislation to recognise that the health, well-being and safety of all Victorians would be enhanced by recognising the building of resilience and the minimisation of harm among the objectives of planning in Victoria.

13

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2.2. Recommendations

The purpose of this report is to provide holistic advice to government about the 'levers' that can be used to introduce greater attention to community resilience into the Victorian planning system.

Section 7 of this report advances the principal recommendations for changes to the planning framework. These are summarised in Table 1, below.

The recommendations advance reform and change to the *Planning and Environment Act* in order to recognise resilience and harm minimisation as an objective of planning in Victoria.

The other recommendations address corresponding and associated changes to planning policy, zone provisions, and those planning provisions that specifically reference gaming.

The recommendations extend to non-legislative tools including planning practice notes and Precinct Structure Plan Guidelines.

In addition to the above the report recommends:

- Review and changes to the application of regional caps and municipal limits on the maximum number of electronic gaming machines that can be established in an area as they apply to growth areas;

- Adoption of resilience indicators as a crucial step towards COVID recovery;
- Adoption and development of resilience indicators by growth area municipalities which might be applied in other regional growth area.

Table 1: Project Recommendations

	Legislation and Planning Scheme Reforms	Proposed Changes	Responsibility	Level of Impact*
Resilience recommendations				
1	Planning & Environment Act 1987	Revise the Objectives of the Planning Framework within the Act to include the building of resilience in the Victorian community and minimising threats and harms to community well-being	NMP (Advocacy) DHHS Office of Suburban Development (Implementation) DELWP (Implementation)	HIGH
2	Victoria Planning Provisions (VPP's)	Include definitions of resilience and harm minimisation in the definitional section of the VPP's	DELWP	MEDIUM
3	Planning Policy Framework	Include a state-wide policy on gambling in the Victoria Planning Provisions (VPP's) <i>Resilient Communities and Harm Minimisation</i> should be specific subjects or themes addressed under the suite of policies clustered under the heading of <i>Settlement</i> , within the Planning Policy Framework (PPF) Include a regional planning policy on gambling in planning schemes that could be applied consistently across metropolitan and or regional city growth areas	DELWP	HIGH
4	PSP Guidelines	Revisions to PSP Guidelines should include explicit steps to deliver more resilient communities that address both physical and social considerations of resilience	VPA	HIGH
5	Zones	Building resilient communities and harm minimisation should form part of the purposes, application requirements and decision guidelines of the Urban Growth Zone (UGZ)	DELWP	MEDIUM
6	Planning Practice Notes	Planning Practice Notes should be developed on: - building community resilience and harm minimisation in growth areas	DELWP	MEDIUM

15
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	Legislation and Planning Scheme Reforms	Proposed Changes	Responsibility	Level of Impact*
		<ul style="list-style-type: none"> developing and applying the gambling provisions of planning schemes 		
Gaming Recommendations				
7	Gaming Provisions (Clause 52.28 Gaming)	<p>Expand the Purpose of Clause 52.28 to include <i>minimise the potential harm to the community</i></p> <p>Develop a common suit of locational and venue design criteria for EGM venues to include within local schedules</p> <p>Include a list of application requirements regarding the maturity of the community and its capacity to minimise harm in the applicable Local Schedule (see Table 4)</p>	<p>DELWP</p> <p>Growth Area Councils</p>	HIGH
8	Local schedules	Populate the local schedules to Clause 52.28 of municipal planning schemes as they relate to appropriate locations, venues and application requirements as set out in section 7 of this report.	Councils	MEDIUM
9	Redefine responsibilities and purposes for gambling between the GRA 2003 and Planning Schemes	<p>The role of the VCGLR under the GRA should be confined to approving EGM entitlement holders and supervising the operation of EGM venues</p> <p>The Planning Scheme should control the location and timing of the establishment of new EGM venues and the consolidation of additional EGMs in existing venues, as well as the design and layout of the venue</p>	<p>NMP (Advocacy)</p> <p>DHHS Office of Suburban Development (Implementation)</p> <p>DELWP (Implementation)</p>	HIGH

*Level of Impact references the quantum of change that would arise from implementing the proposed changes.

3. COMMUNITY RESILIENCE

3.1. Introduction

This project arises from a concern that the health, safety and well-being of individuals, households and communities in the metropolitan growth areas is particularly threatened by the additional and unique stresses and shocks to daily life associated with:

- Establishing a new home;
- Changing work or commuting patterns;
- Coming to terms with a new recreational environment;
- Making new connections, associations and relationships, and;
- Building a sense of community in a new and emerging neighbourhood.

The cultural diversity of growth areas, including increasing numbers of residents who are newly arrived in Australia, further contributes to and compounds the sense community and individual vulnerability, as these communities respond to the challenges of an entirely new setting without familiar supports.

17

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The quantum of shock and stresses, associated with COVID-19, adds an extraordinary real time examination and test of the meaning and implications of what it means to be resilient at an individual and community level.

These themes are considered in greater detail in the following sections of this report.

The sense of familiarity, well-being and safety that the community derives from living in established neighbourhoods arises in large part from the knowledge and assurance that the context of everyday living is established, settled and supportive.

In established communities there is an existing framework of leadership and governance, a diversity and choice of facilities and services, and a sense and presence of community providing relationships, friendships, associations, connections and support.

The relative absence of uncertainty and anxiety about those attributes of community and the living and built environment enables individuals and households in established areas to cope better with the other challenges thrown up from day to day.

In new and emerging communities, such as those found in growth areas, those foundations of daily life are either not or only partially in place. While there may be a vision and a plan for the structure and composition of the new community in the short to medium term, that vision will

be incompletely delivered, the 'community' will still be arriving, and there is likely to be varying degrees of stress associated with 'getting by' and becoming fully established.

At an individual or household level this stress is likely to be experienced as a sense of personal or household vulnerability and threat, reflected in the mental and physical wellbeing of the community.

3.2. Resilience

In recent times resilience has become part of our everyday vocabulary expressing the ability of people and environments to adapt and positively respond to a range of significant shocks, stresses, anxiety, and uncertainties.

Resilience in a community is usefully viewed through an awareness of an individual's health and well-being and the importance of social connection as a contributor to health and well-being outcomes.

18



Julia Baird in her recent widely researched book *Phosphorescence* succinctly and incisively captures the essence of resilience in a community context. Baird observes that we live in an era of disconnection, digital relationships and polarisation of political views. She bemoans the demise, and celebrates the importance, of personal contact and social connections.

Based upon American research Baird observes how the absence of associations and friendships has worrying implications for well-being, including greater isolation and loneliness, and flow on implications for the physical and mental health of the community.

The recent experience of the COVID-19 lockdown in Victoria confirms the validity of this observation. The metropolitan and national community has experienced a fundamental dislocation and substantial loss of connections, social contact, work, business and community engagement.

This loss has been paralleled by a widely reported increase in depression, poorer mental health and physical fitness, heightened stress, greater alcohol consumption and, relevant to this study, increased on-line gambling.

Baird comments that 'a sense of community' can make us more resilient, not only improving our current state of mind but also protecting our mental health. She observes that social connections and relationships might be the single greatest predictor of health and happiness.

These comments draw the important link to the value of the opportunity for social relationships, interaction and engagement as a core element of building and amassing greater individual and

community resilience. They provide direction to where priority should be placed in establishing and implementing plans for 'resilient' new suburbs in our growth areas.

In addition to the above, multiple other definitions of the term 'resilience' are available in the literature.

In relation to urban areas and communities, the '100 Resilient Cities' program has defined resilience as:

The capacity of individuals, communities, institutions, businesses, and systems to survive, adapt and grow no matter what kinds of chronic stresses and acute shocks they experience¹

The 100 Resilient Cities Framework has focused upon the characteristics and capacities of a city to adapt and grow in the face of severe shocks and stresses. It has sought to distinguish resilient cities from ones that collapse in the face of disruption and adversity.

19

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That work has produced the 'City Resilient Framework' which provides a common set of factors and systems that enhance a city's ability to survive, adapt and grow in the face of adversity. The Framework identifies health, well-being and society among four identified dimensions that must be attended to in equal measure:

- Health and well-being;
- Economy and society;
- Infrastructure and environment, and;
- Leadership and strategy.

Three main Government supported resilience initiatives are currently operating in Victoria:

- Department of Premier and Cabinet – Strategic Framework to Strengthen Victoria's Social Cohesion and the Resilience of its Communities;
- Emergency Management Victoria (EMV) – Community Resilience Framework and Resilient Recovery Model

Melbourne City Council – 100 Resilient Cities (For further details see Regional Development Victoria (RDV) Discussion Paper: Strengthening Resilience in Regional Victoria, Framework for a productive, inclusive and resilient future 2018, p. 54).

These initiatives focus on:

1. Preparedness measures such as proactively identifying risks that Victorian communities note might affect their ability to make ends meet in the future eg. cost of water, electricity

¹ The 100 Resilient Cities (100RC) Program was founded by the Rockefeller Foundation to support the 100RC member cities and Chief Resilience Officers through a Global Resilient Cities Network. See Rockefeller Foundation et al 2015. <http://www.100resilientcities.org/#section-2>.

gas etc' cost of living/transport; unemployment/lack of jobs; Crime/drugs (Structural adjustments - acute events of shocks); more gradual chronic stress (eg. environmental changes, increasing pressure on health care);

2. **Resilience Principles** that start by asking 'how can we collectively take a greater focus on long-term resilience building and preparedness to allow communities to more effectively navigate a rapidly changing world'; and,
3. **Operational Plans** designed to operationalise the Resilience Principles (RDV 2018).

These initiatives are reflected in a range of concepts and indicators of community resilience, represented in the following figure.

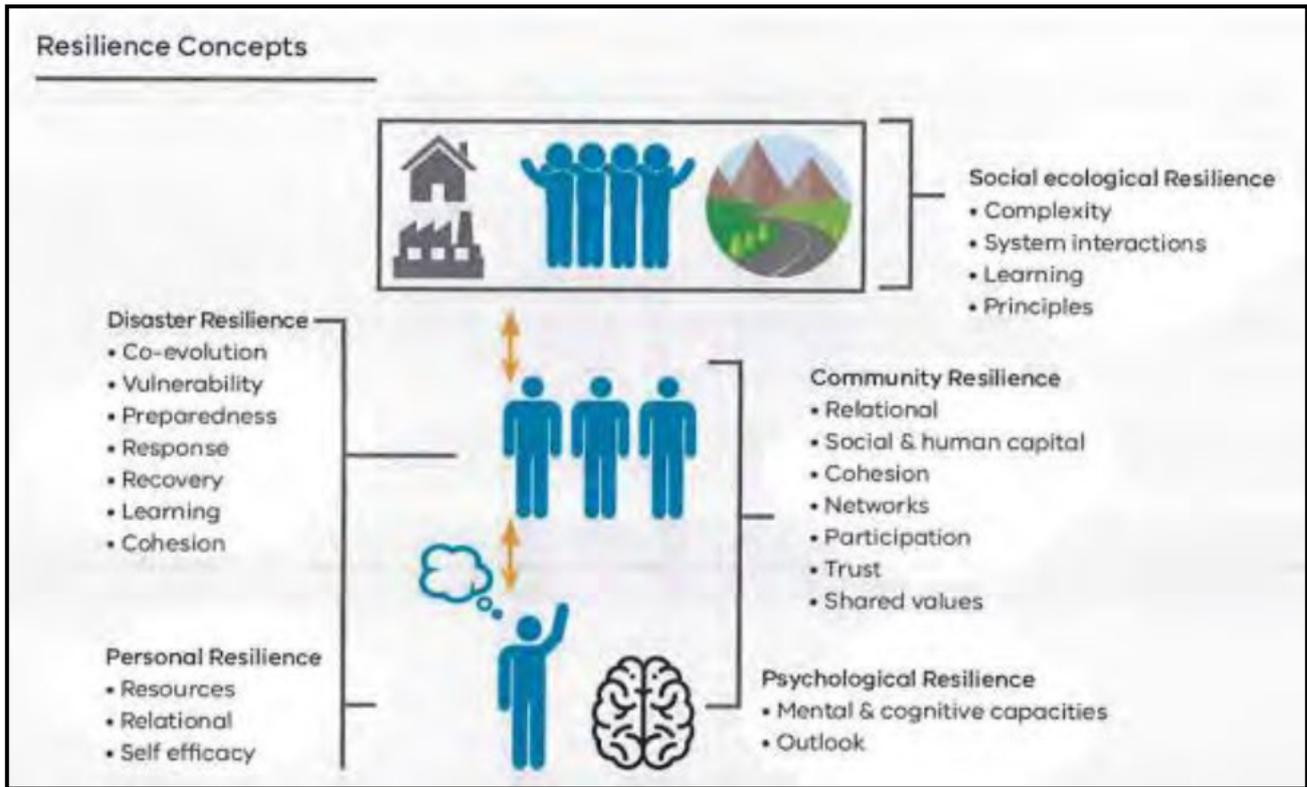


Figure 1: Different Ways of Looking at Resilience

Source: RDV 2018, p. 34

More detailed measures and indicators from the Resilient Cities Framework are provided in Appendix 1 and are drawn on below to develop appropriate measures of resilience related to growth areas and electronic gaming machines.

Resilience is advanced as a desirable attribute of sustainable living and community development, contributing to prosperity and sense of place.

Recently and for the first time, the Planning Policy Framework of all Victorian planning schemes has been amended to seek, among other matters, the development of settlements that will support resilient communities and their ability to adapt and change.

There is no definition of ‘resilience’ or ‘resilient communities’ in the Victoria Planning Provisions and part of the task of this project has been to identify measures and indicators of a resilient community that might provide objectives upon which resilience building strategies are created.

4. THE CHALLENGES OF RESILIENCE IN NEW AND EMERGING COMMUNITIES

4.1. The implications of starting from scratch

In recent times the resilience of the community and its ability to minimise harm have been tested in unimagined and compounding ways with the threats of a pandemic, bushfires, drought and recession, adding to more localised and personal pressures, stresses and anxiety.

In the above context, the challenge of ‘starting from scratch’ in a new community is a further level of complexity and challenge. The underlying premise is that the new and emerging community will be more resilient, earlier in its life, if the planning and delivery of new homes is matched by the early, comprehensive and integrated delivery of a well-considered range of facilities, services and supports.

22



With those features in place the opportunities for contact and social engagement, the building of new friendships and associations, and the establishment of a sense of place and experience of community will be hastened.

Establishing a new, emerging community may have some similarities to the challenges faced by a community having to rebuild after a bushfire.

While establishing a new home in a new community does not amount to literally losing everything in a bushfire, on the other hand the bushfire devastated community can usually build upon the established friendships, associations, informal and formal networks and supports of an existing community. That prior shared community experience, and pre-existing community structure, is able to assist individuals and communities during their re-establishment.

For the new and emerging community, however, the new home starts with an absence of prior features of a community. Most the physical, social and economic facilities, infrastructure services, social contacts, relationships and informal supports and networks are non-existent in new growth areas. There may be no or minimal:

- Shops, jobs, community, health and education facilities or services;
- Recreation spaces, clubs, trails or other leisure activities;
- Public transport services;
- Neighbours, immediate family, kin or cultural groups.

This absence of community supports and structures presents specific challenges for building community resilience in growth areas.

4.2. The scale of the challenge

The importance and scale of growth areas, and the distinction between established metropolitan areas and growth areas, as set out in the metropolitan planning strategy *Plan Melbourne 2017 – 2050* is crystallised in the following analysis. Growth areas will:

- Accommodate approximately 53% of Greater Melbourne’s population growth over the 2016-2031 period;
- Provide approximately 49% of Greater Melbourne’s dwelling requirements over the next 15 years;
- Support Greater Melbourne’s labour force requirements by providing approximately 53% of labour force growth between 2016-2031; and,
- Include 55% of Greater Melbourne’s local road network, including a considerable amount of non-sealed local roads.

Despite this significant role of growth areas, compared to Greater Melbourne averages, the growth areas are characterised by:

23
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- A deficit in local employment opportunities;
- Poor provision of public transport options;
- Heavy reliance on vehicle-based travel; and,
- Relatively low provision of professional jobs, higher order medical services such as hospitals, preschool services, and arts and cultural services including libraries, arts centres etc.².

This lack in infrastructure and other opportunities impacts on the well-being of growth area communities contributing to:

- High level of unemployment, youth disengagement with regard to higher education and workforce participation, and socio-economic disadvantage (highlighted through SEIFA and VAMPIRE);
- Relatively low average incomes and levels of educational outcome;³
- Fragile families, poor health outcomes, at risk youth, and isolated aged (see **Error! Reference source not found.**⁵ in Attachment 3 for more details).

Research conducted amongst northern metropolitan growth area Councils finds a significant shortfall in liveability in these areas including:

² Essential Economics Pty Ltd. 2018, *One Melbourne or Two? Implications of Population Growth for Infrastructure and Services in Interface Areas*, Updated Report 2017 Final Prepared for Interface Councils, p. 1.

³ Essential Economics Pty Ltd. 2018 (above) p. 2. adapted by K2 Planning 2020.

- Generally poor social conditions and social isolation compounded by distance to services and facilities, lack of transport options, weak social capital and long travel times for commuters;
- Greater social vulnerability and additional barriers including: spatial gaps in employment access with men and women in growth areas experiencing greater disadvantage in access to employment compared to men and women in non-growth areas; and women in growth areas being more disadvantaged in accessing employment compared with men.⁴

While growth areas offer places of aspiration for many residents who seek new opportunities and vibrant new communities, these social challenges undermine the ability of individuals and communities to cope with threats and challenges, to develop 'resilience'. It is in this context that the concept and practice of building community capacity and in turn resilience takes on specific meaning in growth area locations.

In essence, the objective of developing resilience in growth areas is to provide a framework for an urban environment that meets community health, well-being and safety needs as early as possible in the life of the new community. The aim is to ensure that no one living in a growth area community should feel unsupported, or without help, and everyone should have access to the resources needed to withstand the shocks and stresses associated with growth area living.

24



4.3. Minimising harm - the counterbalance

A counterbalance to building community resilience is minimising potential threats and harm.

Returning to the bushfire analogy, harm minimisation entails planning and strategies that will minimise the prospect of being devastated by fire in the future. Such plans and strategies address where to rebuild, how the houses and infrastructure are located, the choice of non-combustible building techniques, the protection of defensible space, establishment of communication networks in disastrous conditions and the like.

Translated into the urban context, minimising harm is about identifying and responding with carefully considered strategies and controls to those features and activities that pose an embedded threat to the health, safety and well-being of the community and its resilience to withstand unforeseen events.

4.4. Resilience, COVID 19 and emerging communities

⁴ City of Whittlesea *Early Activation of New Communities Policy; Community Building Strategy 2019; Gender Equity in Employment 2019*

The importance of understanding the role of resilience in growth areas is timely and urgent in the context of the COVID 19 pandemic. Clearly COVID 19 represents an ‘acute shock’ for all communities, including those located in growth areas.

Aside from its calamitous impact on social interaction, community health and economic well-being COVID 19 is also opening a new and unexpected insight into a different structure, conduct and operation of city living and the re-emerging role and importance of the neighbourhood as a foundation of a resilient community.

In Melbourne, Victoria, in particular, lockdown, including severe limits on movement and a strongly encouraged direction to work from home where possible, has required a rethink on the perception of the world as a ‘global village’ and a move towards the richness and the importance of the local ‘5km’ neighbourhood.

The resilience of the community at these times is supported by locally available services, and local opportunities for contact with neighbours and others sharing similar activities such as exercise regimes. For those in emerging communities, however, where the sense and experience of a local community is incomplete the consequences of COVID 19 lockdown are more severe.

25



Recent research shows that the impact of COVID 19 in two of the municipalities undertaking this project includes: a loss of 18,848 local jobs in the City of Whittlesea; and a loss of 36,891 local jobs in the City of Hume during the September quarter of 2020, if Job Keeper recipients are included in the assessment.

This recent research focused on the opportunities and benefits of working from home in growth areas and highlights significant changes in worker trends and preferences pre and during COVID 19⁵.

The research has found that working from home, or near home such as in a co-work space, is likely to be an effective model for tackling some of the problems that arise from rapid population growth in the outer growth areas, including expensive commutes, personal and family stress, and poor health outcomes.

The research shows that, prior to COVID-19:

- 42% of respondents worked from home at least one day per week;

⁵ National Growth Areas Alliance (NGAA) 2020 *Close to Home: The opportunities and benefits of working from home in outer urban growth areas* Quantum Market Research, commissioned by NGAA and based on interviews with over 6,000 people, 1,889 of whom lived in growth areas.

- The number of people in growth areas who could work from home was around 10% lower than in other areas (57% in growth areas compared to 66% in other areas),
- Men were more likely to be able to work from home than women in growth areas (59% of men compared to 40% of women);
- People in growth areas who were not employed were more likely to be women (72%), aged between 29-49 (74%) with children (68%);
- 1.3 million workers from growth areas travelled more than 10km each way – some over 50km each way – to get to work, with the majority travelling by car;
- Workers in outer suburban growth areas spent \$5.4 billion a year just getting to work;
- The cost of commuting was \$8,380 each year for a full-time worker (not counting 4 weeks' leave);
- This accounts for over one tenth of the average annual income for a growth area resident (\$49,250).

The experience of the pandemic shows the following changes for growth area residents:

- 57% of workers in outer urban growth areas have been working at home at least one day per week since COVID-19 restrictions came into place;
- 46% of growth area workers now spend less time commuting and less money on commuting than before COVID-19;
- Almost half (46%) of respondents in growth areas found working from home had increased their job satisfaction;
- This result was greater than for people from other areas, by up to 10% more positive;
- The majority of respondents from growth areas who were working from home found that working from home had a positive impact on their productivity, team morale, quality of work, collaboration and company culture.

26

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According to this current research, most growth areas respondents preferred working locally:

- Two thirds of workers in growth areas would like to continue working from home after restrictions have eased, either full time or a blend of remote and office-based work;
- Among those in growth areas not currently in the workforce, more than half said they would seek part-time work if able to work from home;
- Of those not currently in the work force in growth areas, there was increased interest in using local businesses and services, taking up or increasing exercise, or taking up study or professional development if work was available close to home;
- 26% wanted to set up as a freelancer or start a home business;
- 65% of respondents said they would consider taking up employment if a local coworking hub was available. Young people in particular are keen on this option

This research supports the hypothesis that working from home provides benefits for growth area residents and while COVID-19 is a critical stress and shock for the community at large, in growth areas it might come with a 'silver lining' offering the prospect of earlier delivery of some aspects of more resilient local communities, including:

- Small business in growth areas would thrive if commuters converted to even one day a week of working from home or close to home;

- 76% of growth areas residents are more likely to use local businesses and services if they were working from or near home;
- Every commuter buying one coffee locally on one day would inject \$5.4 million into local economies - that adds up to \$1.4 billion retained in local economies each year;
- Supporting more growth area residents to work from home will enable families to redirect the thousands of dollars they would otherwise spend on 'Home duties' no longer a barrier to paid work or study;
- The unexpected result [is] how the social and physiological benefits gained by working from home compounded for those in growth areas compared to non-growth areas.

5. WHAT DEFINES A NEW AND EMERGING COMMUNITY?

5.1. Options

There are a range of spatial and time-based concepts around which new and emerging communities might be identified and defined.

Relying upon historical boundaries (such as post codes or municipal boundaries) is not particularly useful when considering the extent of new growth and emerging communities.

Precinct Structure Plans (PSP) provide a more useful spatial definition for new growth precincts, but even these boundaries should be treated with caution for two reasons:

- The extent of the emerging community will invariably transcend one PSP area; and,
- The catchment and sphere of influence of the potential source of harm, such as a gambling venue, will not be bound by PSP boundaries, rather by the location and sphere of influence of the established and competing gambling venues.

28

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An emerging community is a dynamic entity, changing in size and space with the passage of time. In defining an emerging community it is appropriate to take an expansive and strategic view of the community at large and seek to distinguish sub precincts applying the following attributes to determine the level and timing of maturity when a robust level of resilience might be established.

5.2. Stages in community development

Community development and establishment can be characterised as a series of stages including:

- A **planning** stage in which the vision and the preferred social, economic and environmental attributes and broad layout of land uses in the new community are agreed;
- An **early development** stage in which the framework or 'bare bones' of the new community are laid down;
- An **emerging** stage when some of the land is partially developed, some but not all of the facilities and intended services are in place, part but not all of the new resident community and workforce is established, and formal and informal associations and connections are beginning to be made. An emerging stage may be evident as quickly as a year or two depending on the demographic and economic drivers and will last until maturity is achieved;

- A **mature** stage is reached when the growth area land is fully developed, a full range of facilities and services are in place, a choice of modes of transport and attractions are available, community services are established, and opportunities for diverse social contact, relationships, networks and support are evident. The mature stage may take five or more years to attain and once reached will be measured in decades;
- A **decline** stage is when land uses, building stock and facilities become obsolete and approach the end of their functional life;
- A **renewal** stage is reached where strategic and structure changes commence within the established community reinvigorating prior plans, facilities and networks.

A genuinely resilient community is likely to be found at the threshold of the mature stage, with the preceding stages being the period of capacity building.

5.3. Progression towards the 20-minute neighbourhood

The consequences and conclusions from the above are that new and emerging communities may be spread over a series of land development fronts and over extensive areas with fruition of the mature stage coinciding with the progressive establishment of fully functional '20 minute neighbourhoods'.

29

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The 20-minute neighbourhood is a model of urban development and community organisation sought through [*Plan Melbourne 2017-2050*](#).

If the above perception of the resilient community is viewed as coinciding with the mature stage of community development, then the appropriate concurrent strategies for harm minimisation should also be respectful of similar attributes.

5.4. Application to gaming

Applied to the establishment and location of new gambling venues it is relevant to have regard to not only the immediate surrounds of the proposed venue and its likely resilience, but to also have regard to the extent of the emerging communities that, while distant and removed from the location of the venue, might find it the most convenient and accessible.

The underlying thesis is that if harm minimisation and the health and well-being of the community is valued, a gambling venue ought to be among the latter additions to the choice and offer of leisure facilities and services available to the emerging community and not among the first.

There is an accessible, established, body and choice of gambling venues available in established metropolitan locations and regional towns. These existing EGM venues are available to the growth area communities, but they are not as conveniently located, or attractive to the

opportunistic gambler. Those existing venues take on stronger attributes of the 'destination venue' requiring greater time and effort to access, which is a further harm minimisation strategy.

Table 4 provides indicators that should be discernible and capable of being objectively established to recognise that a mature stage of community development has been achieved. These indicators partially build on data commonly used in the development of Municipal Public Health and Wellbeing Plans.

Table 2: Indicators of a Mature Resilient Community

Category	Measure
Development: Facilities, Services and Infrastructure	<ul style="list-style-type: none"> • Almost fully developed residential neighbourhoods • Fully developed shopping centres including retail, business and community services • A range and diversity of leisure and entertainment facilities • Active and passive recreation spaces • A range of employment opportunities suited to a range of skills • Public transport services • Walking trails and bicycle networks • Access to a full range of educational opportunities from kindergarten to tertiary level • A range of local medical, physical and mental health and well-being services • Access to local help and support services • Aged care facilities, active and health ageing programs • Community hubs • Multi- purpose sports facilities
Relational: Social Connections	<ul style="list-style-type: none"> • Innovative ways to reduce social isolation • Positive ageing programs and events • Positive early childhood and education participation rates • Evidence of increased access to social support • Positive levels of childhood well-being (eg. Australian Early Development Census results) • Positive family/household wellbeing indicators • Evidence of community economy 'leaving no one behind', irrespective of race, gender, ethnicity, and so forth • Local cooperatives and community associations etc. • Facilitated relationships between developers and non-government organisations for the provision of services and the early activation of community spaces

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Category	Measure
Human Capital: Social Support, Learning	<ul style="list-style-type: none"> • Community businesses, social enterprises, co-operatives and hybrid ventures that create work and other types of social value • Percentage of people living and working locally; or percentage of locally owned business; or percentage of home-based business • Increased educational participation • Increased educational attainment • Increased labour market participation • Using community assets as outcomes: jobs, educational achievement/satisfaction • Average distance travelled from home to place of work • Local economy diverse enough to meet the basic needs of residents • Fostering of local innovation • Local and flexible jobs • Transport infrastructure • Education infrastructure • Closest distance of a train station with connection to CBD
Networks: Participation, Communication, Preparedness, Trust	<ul style="list-style-type: none"> • Opportunities for people to connect and participate (formal and informal) • Communities activating their own activities • Residents involved in decision-making and collective action not only through participation in committees • Volunteering rates • People, especially young people, feeling an increased sense of belonging, empowerment and ability to actively participate in the community • Programs bringing users, their families, practitioners, community experts and other stake holders together to design new facilities, services and systems • Participation in decision making processes (i.e. Council)
Cohesion: Community Building Initiatives, Shared Values, Community Outlook	<ul style="list-style-type: none"> • Local solutions, as communities solve challenges themselves • Improved community planning - less controversy and more support for implementation • Fostering of local innovation • Resident investment in local businesses, projects, and people • Increased connection to culture • Increased tolerance of diversity - community is more accepting of people from diverse backgrounds and values and upholds their human rights

31
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Source: K2 Planning 2020 based on RDV 2011, City of Whittlesea *Growth Area Social Planning Tool* and *Early Activation of New Communities Policy*, Mitchell Shire *Liveability Assessment* RMIT 2018, State Govt of Vic 2015, and Shuman, M. 2020 *Comparative Resilience: 8 Principles for Post-COVID Reconstruction*, <https://www.resilience.org/> April.

Evidence of the above resilience indicators within mature and resilient communities should be apparent through the following social trends:

Lower levels of: -	Higher levels of: -
<ul style="list-style-type: none"> • People living in poverty • Alcohol consumption • Illicit and prescriptive drug use • Domestic violence • Households running out of food • Children subject to child abuse and neglect • Disengaged young people 	<ul style="list-style-type: none"> • Life satisfaction • People feeling valued by their community • Individual and community safety • Someone to rely on in an emergency • Early childhood development • Young people in work, education and community • Volunteering and codesign opportunities • People engaged in Council, clubs and groups • People participating in arts and cultural events • People engaged in resident led initiatives • People engaged in the workforce • People working at home or in the local area • Locally owned businesses • Social enterprises and community-based businesses • Access to life-long learning • Local co-worker spaces

32
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6. RESILIENCE AND EGMS

6.1. EGM Gambling, Problem Gambling and Resilience

Gambling on electronic gambling machines (EGMs) is a lawful recreational activity in Victoria and carried out responsibly EGM gambling is a well patronised form of leisure pursued by many people.

However, gambling in general and particularly EGM gambling poses an unusual but a significant challenge and potential harm not only to established communities but particularly to new and emerging ones.

EGM gambling can be a form of leisure that can fill the void when there are limited existing social networks or connections such as in the early stages of growth area development.

EGM gambling can exasperate the social impacts of problem gambling. For some vulnerable members of the community, EGM gambling can be an addiction with serious financial losses and social consequences that extend beyond the 'problem gambler' to detrimentally impact upon family, friends, work colleagues and the wider community through:

- Erosion of trust when money is not available and lies are told to cover up;
- Basic family needs going unmet, food, clothes, bills, health care, etc.;
- Social networks being undermined by the borrowing of money which is not paid back;
- Family violence occurring when distress and anger over losses erupt in the home;
- Gambling leading to severe financial crisis such as bankruptcy or loss of the family home;
- Stress from gambling resulting in deterioration of mental health by the gambler and impacting on those around them⁶;
- Family violence being three times more likely to occur in families in which there is problem gambling than in families in which there are no gambling problems;
- Gambling increasing the frequency and severity of family violence⁷.

In comparison to 'all gamblers', which includes recreational gamblers, problem gamblers are more likely to:

- Have lower levels of satisfaction with life (an average score of 5.32 compared with 8.09 out of ten amongst all gamblers);

⁶ Productivity Commission (1999) *Australia's Gambling Industries Inquiry Report* Commonwealth of Australia. Melbourne, cited in BNPCA 2009, pp 11 - 14

⁷ N Dowling, A Suomi, A Jackson, T Lavis, J Patford, S Cockman, S Thomas, M Bellringer, J Koziol-Mclain, M Battersby, P Harvey & M Abbott. 'Problem gambling and intimate partner violence: A systematic review and meta-analysis', *Trauma, Violence, and Abuse*, vol. 17, no. 1, 2014, pp. 1-19.

- Be in a state of high distress (39.0% were categorised as being in a state of high distress compared with 5.0% overall);
- Drink alcohol while gambling (31.0% did often/always, compared with 11.5% of gamblers overall)
- Have an elevated risk of harm from alcohol (48.7% had a high risk, compared with 26.4% of Victorian adults overall);
- Smoke daily (39.4% compared with 11.5% overall)⁸.

The progression from non-problem gambling to 'at risk' gambling problem is associated with:

- Being male;
- Speaking a language other than English;
- Having a year 10 education or less;
- Showing signs of alcohol dependence;
- Having a lifetime problem or pathological gambling risk and having anxiety and / or obesity.

34

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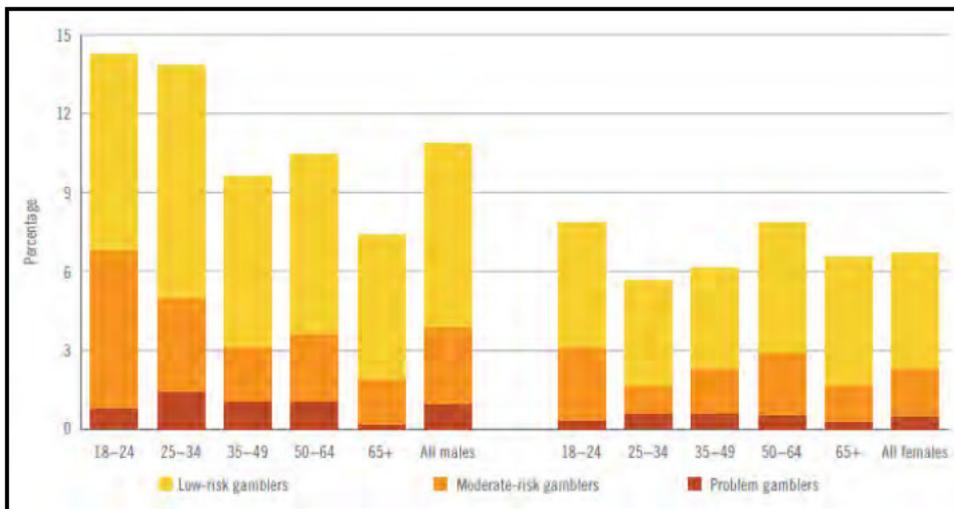


Figure 2: Prevalence of gambling risk in the Victorian population 2008, by age and gender (weighted, n = 15,000)

Source: Victorian Responsible Gambling Foundation 2014, *The Victorian Gambling Study – A Longitudinal Study of Gambling and Health in Victoria 2008 – 2012*, July, p. 18

Recent research sheds light on the importance of resilience amongst recreational gamblers and the characteristics that contribute to this resilience. This research has found that, unlike problem

⁸ The *Victorian Population Gambling and Health Study 2018-2019* © Victorian Responsible Gambling Foundation, March 2020

gamblers, recreational gamblers have strong social support networks that contribute to their ability to cope with the impacts of a significant life event and/or comorbidity.

Aligning with the earlier observations of Baird on the importance of social contact and relationship, many recreational gamblers belong to sporting and other community groups, participate in volunteer work, have close bonds to family and friends, and a sense of belonging within their community. They are engaged in volunteering and reflect a sense of social responsibility, purpose, and fulfilment.

Problem gamblers, on the other hand, spoke about being socially isolated and not having access to support networks. The social networks of moderate risk gamblers were found to be significantly denser (smaller and less diverse) than those of non-problem gamblers. The social networks of problem gamblers were denser than all other gambling and non-gambling groups involved in the research.⁹

Social participation and social support, in particular, were associated with a reduced risk of mental health problems and a better sense of well-being. Being socially isolated was clearly an important risk factor for deteriorating mental health and inability to cope with life stress.¹⁰

35



6.2. Gambling in the Northern Growth Area

The potential harms and risks associated with EGM gambling are evident across the northern growth area municipalities.

The municipalities in the northern metropolitan growth area are currently home to 1,731 EGM entitlements, this is 6.5% of all EGM entitlements across Victoria.

In June 2020 the total amount of losses on EGMs in the northern growth area was \$182.7 million. Most of this loss occurred in the municipalities of Hume (\$85.9 million) and Whittlesea (\$84 million).

⁹ *The relationship between gambling, significant life events, co-morbidity and associated social factors* © Copyright Southern Cross University, November 2013

¹⁰ Russell et al., 2018 *Social influences on gamblers by risk group* © Victorian Responsible Gambling Foundation, August 2018

LGA's in the northern metropolitan area experience higher EGM losses per adult per year, compared to Victoria overall (Hume \$-483.00; Whittlesea \$471.00; compared to \$378.00 for Victoria overall in 2017/18).

There are also significantly higher estimates of the per cent of adults experiencing severe problem gambling in these areas (Hume 3.34%, Whittlesea 2.81% and Mitchell 2.07%) compared to Victoria overall (2% 2017/18).

The amount of money spent on EGM gambling across the northern metropolitan area in 2018/19 (\$241,495,617) has been estimated as equating to the cost of feeding 96,869 children for one year (Please refer to Attachment 4 for full details).

Relevant data is provided below.

36

Table 3: EGM Statistics Northern Growth Area LGA's June 2020

EGM Statistic	Hume	Whittlesea	Mitchell	Total NMR
Attached EGMs June 2020 (1)	833	690	204	1,731
EGM's per 1,000 Adults 2019/2020	4.7	3.9	5.6	
EGM Gambling Losses 2019/2020	\$85.9million	\$84 million	\$12.8million	\$182.7 million
EGM Gambling Losses per day	\$235,439	\$229,398	\$35,043	499,880
Losses per Adult 2019/2020 (2)	\$483	\$471	\$353	1,307

Sources of data used here: Victorian Commission for Gambling & Liquor Regulation 2020 (EGM gambling losses and EGM numbers) and the Victorian of Environment, Land, Water and Planning 2020 (population).

1 From VCGLR, Gaming Expenditure by venue, featuring EGM numbers and venues as at March 2020. Accessed 21 July 2020, at Source: <https://www.vcglr.vic.gov.au/resources/data-and-research/gambling-data/gaming-expenditure-local-area> and <https://www.vcglr.vic.gov.au/resources/data-and-research/gambling-data/gaming-expenditure-venue>

2 Based on losses published by the VCGLR in July 2020, divided by the estimated adult populations for 2020, from Victoria in Future, published by the State Government

3 Calculated using the CPI indices for Melbourne, for 2019 and 2020

6.3. Harm minimisation strategies and EGMs

Mindful of the consequences of problem gambling, government has developed and applied a series of harm minimisation strategies associated with gambling including controls and guidance upon: the design of venues; operators and entitlements; limitations on signage; regional 'caps' (i.e. limits on EGM numbers based on a ratio to population in each municipality); codes of responsible behaviour for venue operators; and limits upon the amount of expenditure obtained at any time.

The effectiveness of such strategies is often limited in the implementation when:

- EGM caps are interpreted as 'targets' towards which the gambling industry can aim, rather than as maximum limits to avoid in order protect communities;

- EGM caps do not prohibit the relocation of gambling machines within a municipality, including relocations to areas of higher socio-economic disadvantage;
- Design standards that require gaming machine areas to be physically discrete also allow non-screened doorway access into the gaming room upon entry to a venue;
- Access to a facility is permitted through a gaming area if there is either an alternative means of accessing that facility which does not require passing through the gaming machine area; and,
- Design standards require a children's play area to be 'located as far away as practicable from the gaming machine area' and 'not have a line of sight from the play area into the gaming machine area'.¹¹

6.3.1. The appropriateness of regional caps and municipal limits

A conclusion to be drawn from this project is that the application of EGM caps should be reviewed, as a minimum in the growth areas. There is an inappropriate inference in the 'caps' model that establishment and growth of EGMs within the specified regional cap or municipal limit is an acceptable and appropriate community outcome.

37

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A 'cap' on EGMs is a municipal or region wide tool that expresses a relationship between population and the number of EGMs that might be established. This tool has a range of limitations including: the cap or limit does not have regard to the nuances and distinctions that differentiate the suitability of neighbourhoods and suburbs for the location of EGMs; nor does the cap factor in the concentration and location of gaming opportunities within smaller areas.

A ratio of 10 gaming machines per 1000 adults usually applies to the cap model, with the number of gaming machines permitted increasing according to population growth. This approach is particularly problematic in growth areas as the increase in caps and limits also infers that new machines should be facilitated in growth areas where the new population is establishing.

In this report it is recommended that gaming venues in emerging communities should preferably be among the last and not the first entertainment and recreation venues established. This recommendation reflects the fact that the emerging community has not fully established

¹¹ VCGLR Venue Operational Requirements 2.01 Location and 2.02 Children's play areas

and its resilience may be fragile. The caps and limitations are not aligned with this recommended policy provision.

In practice, all applications for new EGM venues and additional EG machines must be evaluated in the context of their potential harm and the degree of resilience in the local affected community. The implied message of the cap weakens the balanced assessments of the merits of a particular location and application in favour of responding to population growth as a 'trigger' for the provision of additional machines and venues.

6.3.2. The identification of appropriate locations

Within the above framework, land use planning has a role in minimising harm by: seeking to identify appropriate locations for gambling venues and the installation of electronic gaming machines; and considering the social and economic impacts of the location.

38

Historically the choice of an appropriate location has been informed and influenced by:

- The local context of existing venues and EGM densities;
- Minimising the convenience of access by residential communities;
- Prohibiting gambling in shopping complexes and strip shopping centres on the basis that it prevents a high level of exposure to the opportunist gambler;
- The proximity and availability of alternative leisure and recreation opportunities to gambling venues, which would serve as equally attractive choices to spend leisure or spare time;
- Encouraging gambling to be established in locations which would be destinations removed from frequently visited locations;
- The vulnerability of the proximate community, measured in social and economic indicators, to be able to withstand the negative consequences of a venue in their midst, when problem gambling behaviour negatively impacts upon the individual or household.

The strategic point of difference between gambling in established communities and emerging communities is the respective resilience and capacity of each community to absorb shocks and manage potential threats and harm.

In the new community the physical, social and economic attributes, networks and supports evident in the proposed location for gambling are only emerging and neither fully understood or in place.

Depending upon the stage of development, completeness and maturity of the new community, an emerging community is inherently likely to be more vulnerable to the opportunities and temptations presented by a new gambling venue within its midst and poorer in its ability to

respond proactively when gambling problems compound upon the stresses and new burdens of establishing a home, and community, from scratch in a growth area location.

The potential harms of new EGM venues in an emerging community might be characterised in the following terms. A gambling venue might be one of the early, or the only, passive leisure attraction in a neighbourhood in a new community:

- There may be no sports clubs or other social associations;
- Neighbour and broader community connections may not have been made; and
- Choices of other pastimes and attractions might be non-existent.

The social and economic strength and resilience of the new residents is partially unknown, but for all the reasons discussed earlier, they are likely to be under new pressures and additional stresses to those experienced by residents in established areas.

Residents of new growth areas are a sector of the community that is particularly vulnerable to the temptations of gambling as a possible way of countering new financial and emotional stresses, social isolation/lack of existing social networks and also a sector of the community least prepared to cope when gambling becomes problematic, or becomes an addiction.

39

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The above suggests that a contextually responsive and strategically distinct approach is needed to the management of gambling in emerging communities.

The health, well-being and safety of the community would be better served by limiting the latent threats posed by gambling venues until the new community has fully established and matured to the point that it has built an assured and measurable capacity and resilience to manage additional threats.

In this setting, the harm minimisation response ought not only to be to identify an appropriate location for gambling venues, but also a timing response that holds back on the establishment of new gambling venues until a resilience threshold: is established; can be objectively measured; and the community is mature enough to better manage the harm and threats associated with EGM gambling.

7. RECOGNITION OF RESILIENCE AND HARM MINIMISATION WITHIN THE PLANNING FRAMEWORK

7.1. The emerging references to resilience and harm minimisation

As noted earlier, it is only recently that the Victorian land use and development planning framework began to reference and recognise community resilience as an important attribute of *Settlement* planning. Attachment 2 provides a summary and analysis of how the Victoria Planning Provisions currently address resilience.

The term resilience has historically found expression in the planning policy framework but principally by reference to the natural and environmental context of planning rather than with reference to social and community planning and development.

Historically, settlement planning in Victoria has been weighted towards indirectly recognising the need and attainment of resilience by reference to: the built environment; the timely provision of zoned and serviced land; and the early delivery of housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning in Victoria has set clear expectations about contributing to the health, well-being and safety of the community, providing diversity of choice and opportunity, achieving high standard of urban design and amenity and provide accessibility to a range of facilities and services. It has not been as clear about what is expected by community capacity building or how to measure community resilience.

More recently the promotion, through planning policy, of sustainable growth and development in Victoria, has mentioned resilience for the first time and placed an emphasis upon settlements that have a strong identity, sense of place and support resilient communities in their ability to adapt and change.

The language and message of resilience is now appearing with greater frequency and emphasis in each of the Precinct Structure Plans for the growth areas.

For example, the current exhibited version of the *Beveridge North West Precinct Structure Plan* commences its *Vision* statement with the following paragraph:

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The Beveridge North West PSP provides a strong framework for the delivery of a resilient community through the early delivery of facilities, flexibility of planning, sensitive response to the landscape and an innovative approach to the delivery of services.

and

Beveridge North West will be home to resilient communities who will have access to a range of facilities, including health care, education, recreation and community infrastructure. This will be located adjacent to local town centres with precincts anchored by a viable mixed-use town centre.

The fact that resilience and resilient communities were not referenced in earlier Precinct Structure Plans is not to imply that those attributes of growth and emerging communities were not relevant or important to those neighbourhoods.

Within an expectation that many approved PSPs will not be delivered as quickly as anticipated in the face of population growth pre-Covid-19, it is important that when those plans are reviewed and revised, that the early attainment of resilience in those precincts is written in to the Vision of each community.

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7.2. Resilience and the early delivery of facilities and infrastructure

The Planning Policy Framework addresses growth areas planning under the headings of:

- Managing growth;
- Supply of urban land;
- Structure planning;
- The sequencing of development;
- Activity centres;
- Community facilities;
- Health facilities;
- Educational facilities;
- Open space;
- Development infrastructure;
- Integration of land use and transport infrastructure.

There are frequent references to the 'early delivery' of various services, 'sustainable transport connections' and 'managing the sequence of development' within growth areas to ensure that services are available from early in the life of new communities. However, there is an unstated association within these references about building community capability and resilience.

Outside the structure of the planning scheme the reference to and relevance of the Precinct Structure Plan guidelines for growth areas conveys a similar emphasis upon the early and integrated delivery of physical services and facilities, without drawing the direct link towards community resilience.

A further relevant policy reference is to the *Healthy Neighbourhoods of Metropolitan Melbourne*, derived from the metropolitan planning strategy, which seeks to create a city of 20-minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

The overarching impression of this review is that the authors of the planning policy framework have been aware of the importance of the early integrated delivery of the built environment as part of a contribution to community development. However, the scope and implications of community development, and community resilience, as an economic and social planning consideration has not yet fully embraced within the Victorian planning system.

42

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The planning policy framework is inclined to identify the supply of commercial and industrial land as a contribution to a local economy without emphasising the importance of early job creation, and a diversity of employment opportunities in a local area, as another means of enriching other local based social connection and relationships.

7.3. Incomplete connection between resilience, harm minimisation and gaming

There is a similar perceptible but incomplete connection between resilience, health / well-being, safety, harm minimisation and the planning scheme's role in managing potentially harmful land use considerations such as liquor and gambling.

For instance, the gambling provisions of the planning scheme include no reference to health, well-being, safety or the resilience of the community, nor do they have any stated purpose that references harm minimisation.

It might be understood by some, or said to be implied by others, but for most users of the planning scheme and framework the connection is not made and matters of harm minimisation and the degree of local community resilience are not called up in decision making guidelines.

The foregoing discussion highlights a threshold issue about the scope and objectives of planning in Victoria. There is a need to reframe the direction of legislation and subordinate legislation to recognise that the health, well-being and safety of all Victorians would be

enhanced by recognising the building of resilience and the minimisation of harm among the objectives of planning in Victoria.

The *Planning and Environment Act* (the **Act**) was drafted more than 30 years ago, at a time when social planning and community development considerations were not central to mainstream built environment planning considerations.

Some subsequent amendments to the legislation have broadened the scope from a predominant land use and development focus to have greater regard to a holistic view of social, health and economic considerations.

7.4. Recommendations for change

The following commentary and recommendations reflect the structure and tools of the Victorian planning framework and respond to the need outlined above to embed measure of community resilience within this framework.

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7.4.1. Legislation

It would be desirable in any rewrite or revision of the Act that an objective of planning, or the planning framework in Victoria, refer to building resilience in the Victorian community and minimising threats and harms to community well-being.

Influencing and changing legislation particularly on a non-essential subject is not necessarily easily or promptly achieved. It is also arguable that the balance of recommended reforms to the planning framework could be achieved without such an amendment and still have legislative and strategic justification.

The importance in pursuing acknowledgement of community resilience in the legislation is properly seen as part of a threshold shift that recognises in the legislature what is happening in planning practice. That is, the major, long-term environmental, economic and social issues and desirable outcomes confronting the Victorian community over the forthcoming decades need to be embraced and delivered, in part, through the land use and development framework and legislation.

7.4.2. The Planning Scheme and the Planning Policy Framework

The resilience building and harm minimisation issues raised by this project are not confined to new and emerging communities but are particularly relevant in that context.

The project's goal ought to be that *Neighbourhood Development and Harm Minimisation* be a specific subject or theme addressed under the suite of policies clustered under the heading of *Settlement*, within the Planning Policy Framework (**PPF**) that provides the opportunity for distinct and layered State, Regional and Local policy guidance.

It is within those policy provisions that a State policy objective and supporting strategies, to attain greater community resilience and minimise harm, should be set. Those strategies should include broad references to enabling improved resilience across the community, but also be explicit in requiring a different perspective to resilience building and harm minimisation in growth areas.

The outcomes of this project lead to a recommendation that a single metropolitan regional policy might apply to all growth areas, as a more detailed direction on State gambling policy. This regional approach would reduce the need for a series of different local gambling policies across growth area municipalities, as well as ensure a more efficient planning scheme and consistency of approach.

44
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A foreshadowed challenge in this recommendation is that the format and succinctness of the PPF does not lend itself to explanation of the basis of the policy or an explanation of the intent behind the policy.

This shortcoming might be addressed through the inclusion of definitions for a *Resilience Community* and *Harm Minimisation* in the definitional sections of the *Victorian Planning Provisions* and municipal planning schemes, at Clause 73.

7.4.3. A Planning Practice Note on building community resilience and harm minimisation

An additional recommendation is to develop and adopt a *Planning Practice Note* that has the purposes of addressing the definitional issues and the basis of policy in building community resilience and harm minimisation, and the application of such policy in practice.

The purpose of a *Community Development and Harm Minimisation* policy section would have wide application across a range of planning issues, policy and provisions including bushfire, flooding and inundation, climate change and the rise of sea level, growth areas, liquor licensing and gambling.

7.4.4. The Planning Scheme and the Urban Growth Zone

There is strategic justification that resilience building and harm minimisation should form part of the purposes, application requirements and decision making guidelines of the Urban Growth Zone (**UGZ**) particularly as this report has already noted Precinct Structure Plans already reference resilient communities and the schedule to the UGZ is the particular planning scheme tool that gives statutory effect to Precinct Structure Plans in growth areas.

7.4.5. Precinct Structure Plan Guidelines

It follows from the above that the Precinct Structure Plan guidelines ought to be a primary tool in setting objectives and requirements for both building resilience and minimising harm in growth areas.

The PSP guidelines are now 11 years old and have been an essential tool in delivering a quality and consistency of not only PSPs but also carefully planned communities across Victorian growth areas.

45
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PSP guidelines have had a primary purpose of visioning and setting out guidelines for the sustainable use and development of land, as well as seeking to ensure that new communities are comprehensively planned and integrated to provide high quality living environments.

The PSP guidelines have urged the early delivery of facilities and infrastructure without embracing the full intent, terminology and benefits of resilience and harm minimisation.

It is understood these guidelines are currently being rewritten. It is recommended therefore that action in this regard should be immediate with a view to the matters raised in this report forming a major new feature in the guidelines with practical steps advanced including an implementation plan that demonstrates how and when resilience targets and indicators of a mature community will be achieved.

As discussed earlier this new direction on PSP guidelines should be brought to bear on the review of previously approved PSPs and growth corridor plans.

7.4.6. Planning policy on gambling

There is a compelling case that while there is a need for a planning permit to establish a new gambling venue and install EGMs there ought to be state policy on the objective(s) to be achieved and the strategies to be pursued to attain that outcome. Those objectives and strategies are currently absent but should reference resilience and harm minimisation.

7.4.7. The purposes of gambling planning provisions

Presently there is a lack of clarity and a disconnection between the detailed State-wide purposes of the gambling provisions in the planning scheme at Clause 52.28, and the well-being and safety of the community. Those existing *Purpose* provide:

- To ensure that gambling is situated in appropriate locations and premises;
- To ensure the social and economic impacts of the location of gambling machines are considered;
- To prohibit gambling machines in specified shopping complexes and strip shopping centres.

The *Purpose* to the gambling policy provisions should be expanded, strengthened and be explicit in establishing:

- That a control is in place to minimise the potential harm of EGM gambling to the community;
- To identify that the approval of gambling venues and EGMs in new and emerging communities presents different issues and requirements to established areas;
- Which social and economic impacts need to be considered.

46

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7.4.8. A Planning Practice Note on gambling

The gambling provisions of the planning scheme are not easily or clearly understood by many planners and applicants. Some of the more useful advice is to be derived from case law and the decisions of Tribunals and Independent panels.

Gambling warrants the preparation of a subject specific Planning Practice Note that explains:

- The purposes of the control;
- The rationale behind the choice of appropriate locations for gambling;
- The importance of resilience and harm minimisation strategies generally and particularly in growth areas;
- The scope of potential harm minimisation strategies;
- How to research, develop and gain approval for local gambling planning policies;
- The key lessons to be drawn from recent and relevant case law and Panel Reports.

7.4.9. Improving Local Schedules addressing gambling

The most recent reforms to gambling planning provisions have included the creation of a series of schedules for local requirement addressing:

- Locations for gambling;
- Venues for gambling machine; and,
- Application Requirements.

For growth area councils the schedules are the place to develop policies regarding the thresholds to be met before approval of gambling venues should be contemplated.

7.4.10. Location for gambling

Within this schedule a detailed list of appropriate locational considerations should be addressed between attributes that are appropriate to the location or new gambling venues or the consolidation of additional EGMs in existing venues. These considerations should include:

Prohibit gambling venues in:

- Shopping complexes (nominated) and strip shopping centres (nominated)

Strongly discourage gambling venues in:

- Activity centres in growth areas that have not been fully redeveloped;
- Small country towns or villages.

47

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Discourage gambling venues in locations:

- In established or growth areas where it can be demonstrated that the local community is among the more socially and economically disadvantaged, or proximate to social housing developments of more than 25 dwellings;
- In a local and neighbourhood activity centres not otherwise nominated as prohibited;
- Where a primary school, child-care centre, station, bus terminus or stop is in the immediate locality;
- Where the locality of the proposed venue is served by more than two existing venues that are within a three-kilometre radius;
- In the midst of a residential area.

Encourage gambling venues in locations where:

- There would not be a clustering of two or more venues within 400 metres of each other;
- A choice and diversity of other leisure and recreation facilities are offered (additional to activities in the venue) in the immediate locality and which are open into the late evening;
- Industry, and other non-residential uses are established;
- They represent a destination location, requiring time and distance to access and where there are few other attractions;
- In fully established and mature precincts where it can be demonstrated that the local community demonstrates an appropriate level of community resilience;
- In locations with tourism potential and attractions.

7.4.11. Venues for gambling machines

Gambling venues should:

- Offer a choice of other leisure and recreation facilities other than a gambling room, and / or other rooms offering gambling or betting;
- Offer a choice of non-gambling offers that are open and available to the public during the hours in which gambling is offered;
- Be laid out and designed so that access to the gambling room requires passage by or through other non-gambling functions;
- Not be accessed directly from outside and adjacent to a carpark;
- Be designed so that the gambling room is:
 - Not visually open and evident from elsewhere within or external to the gambling room;
 - Provided with a high quality of natural light;
 - A minor component of the overall venue;
- Discreetly advertised as part of any outdoor advertising.

48

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7.4.12. Application requirements

It is recommended that in respect of the information to accompany a permit application for a venue, or the installation of additional machines in a growth area, an applicant should be required to research and document the maturity of the community against the indicators of resilience relevant to problem gambler as detailed in Table 4.

Table 4 is a refinement of the indicators of resilience presented previously in this report with a specific focus on the indicators of resilience exhibited by recreational, as opposed to problem, gamblers.

Table 4: Documentation to be submitted supporting applications for gambling venues in growth areas

Essential Indicators	Measures or Resilience and Maturity	Potential Source
Relational: Social Connections		
1. Family/ Household Well-being Indicators	a) Reduced rate of incidents of family violence recorded by police b) Decrease in excess alcohol consumption by adults and adolescents c) Reduced proportion of adults and children who ran out of food and could not afford to buy more	a) Municipal Public Health and Wellbeing Plans b) Family Violence Data Portal www.crimestatistics.vic.gov.au c) National Health Survey www.abs.gov.au/ausstats d) DET VCAMS data https://discover.data.vic.gov.au/dataset/vcams
2. Access to Social Support	a) Mix of social services and facilities suitable to support social needs available within 400mtr walking distance and 2.5km driving distance	a) www.mycommunitydirectory.com.au b) LGA Community Directory c) Google Map search
3. Innovative ways to reduce social isolation	a) Innovative pop-up services and social participation opportunities b) Positive ageing programs, intergenerational programs and events c) Innovative programs and events for young people (outreach services/bus etc)	a) Municipal Public Health and Wellbeing Plans b) Other LGA initiatives c) Other service organisations
Networks: Participation, Communication, Preparedness, Trust		
1. Proportion of adults who belong to an organised group	a) Number of local (within 2.5km) sport and/or community groups b) Participation numbers for relevant groups c) Proportion of adults who attended or participated in a cultural or arts activity	a) www.mycommunitydirectory.com.au b) Victorian Sports Industry Directory http://trade.vic.gov.au/ c) Sports Club Directory https://www.simssports.com.au/ d) LGA Recreation Strategy e) LGA Arts and Culture Strategy
2. Participati on in Council decision making processes	a) LGA Advisory Committee numbers b) LGA Planning Process participation records	a) Local Government Authority

Essential Indicators	Measures or Resilience and Maturity	Potential Source
3. Volunteering Rates	a) Data on levels of volunteering b) Local data on volunteering	a) www.abs.gov.au b) www.volunteeringaustralia.org
4. Proportion of adults who feel valued by society	a) High levels of life satisfaction of adults and adolescents b) Data by age group and suburb	a) Municipal Public Health and Wellbeing Plans
5. Proportion of young people feeling an increased sense of belonging, ability to actively participate in community	a) Youth engagement in education and employment b) Opportunities for young people to engage in planning processes, decision making and co-design opportunities	a) www.abs.gov.au b) LGA Youth Strategy c) www.vichealth.vic.gov.au
6. Proportion of adults connected to culture and country	a) Relevant local measures developed in Municipal Health and Wellbeing Plans	a) Municipal Public Health and Wellbeing Plans b) Australian Institute of Health and Welfare www.aihw.gov.au
Cohesion: Community Building Initiatives, Shared Values, Outlook		
1. Improved Community Planning	a) Evidence of community planning processes and participation levels b) Evidence of decrease in community opposition/ controversy c) Increased support for policy and planning implementation	a) Local Government Authority b) Other service organisations c) Development Companies
2. Collaborative partnerships across sectors for the provision of services and early activation of community spaces	a) Evidence of collaborations and outcomes	a) Local Government Authority b) Other service organisations c) Development Companies
3. Community co-design opportunities	a) Evidence of programs that bring users, their families, practitioners, community experts and other stakeholders together to design new services and systems b) Embedding of such opportunities in endorsed planning processes c) Local participation in events, locally led events, resident association formation	a) Local Government Authority b) Other service organisations c) Development Companies

8. CONCLUSION

This report addresses how the Victorian planning system can better support local councils to manage growth and build resilience in new growth areas by ensuring that key facilities, services and infrastructure are provided prior to the introduction of facilities that could negatively impact vulnerable communities.

The project has used the protection of new and emerging communities from the possible harms presented by Electronic Gaming Machines (**EGMs**) as a case study.

The report provides 'whole of government' recommendations regarding the various tools and levers that can be relied upon by State and local government to deliver greater community resilience and the potential impact of those initiatives.

9. ATTACHMENTS

Attachment 1 - Understanding Resilience

This section provides a high-level summary of key issues related to Community Resilience.

Resilience thinking has emerged as a **new paradigm in policy development** globally and has been embedded and adopted at a range of scales across the globe

Building community capacity through resilience thinking and practice is a means to **mitigate the impacts of economic shocks and protect against the need for costly and unnecessary government intervention**

Resilience thinking is **an enabler to bring community actors together with the tools they need to move from reactive to proactive**, from responding to crisis to preparing for the future and from being challenged by uncertainty to being open to the possibilities for change (Regional Development Victoria (RDV) *Discussion Paper: Strengthening Resilience in Regional Victoria, Framework for a productive, inclusive and resilient future* 2018, pp. 10 - 14)

Most cities face a combination of challenges, or **stresses**, which can contribute to further threatening a city's resilience:

- **Acute stress** = sudden, sharp events that threaten a city, including disasters such as fires, drought or sudden collapse of local industry; disease outbreaks; terrorist attacks
- **Chronic stress** = slow moving disasters that weaken the fabric of a city. They include: high unemployment; overtaxed or inefficient public transportation system; endemic violence; chronic food and water shortages. Chronic stresses create constantly negative pressure eg. inadequate welfare dependency, substance abuse, economic disadvantage, racial tension and conflict, exposure to hazards
- **Cumulative effects** of multiple stresses can cause communities and individuals to suffer through lack of opportunities and unfulfilled potential

The impacts of such **stresses are compounded** by patterns of intergenerational vulnerability, disadvantage and hardship (Adapted from Regional Development Victoria (RDV), 2018, p. 26 and <https://www.100resilientcities.org/resources/>)

Why focus on Community Resilience?

Communities with high resilience capacity are more likely to:

- On average, **require less external support** and have greater resources to co-invest when external investment is required
- **Self-organise** to more accurately identify specific needs when external investment is required
- **Utilise that investment more effectively** improving outcomes, including using any investment to leverage other opportunities
- **Learn and generate further resilience capacity** through an investment, reducing the likelihood of the need for external intervention in the future (RDV 2018 p. 54)

Building resilient communities is important because they are **more likely to adapt in positive and healthy ways** to changes or challenges in natural, economic and social circumstances (State Govt of Victoria *Strategic Framework to Strengthen Victoria's Social Cohesion and Resilience of its Communities* 2015, p. 2)

Key Objectives of Community Resilience initiatives include:

52

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- **Empower communities**, particularly young people, to address economic, social and cultural issues that may lead to individual or community isolation, anti-social behaviour, including violence, and to build community resilience to prevent violent extremism
- Develop our understanding of the **driving factors that strengthen or undermine social cohesion** and community resilience
- **Support a socially cohesive Victoria** underpinned by social justice and equity in which all its people have a sense of belonging, acceptance and worth, and have equal opportunity to participate meaningfully in all aspects of society
- **Increase inter-community and inter-cultural interaction and understanding**, building the recognition that shared values and the foundations of common humanity transcend cultural and religious different (State Govt of Victoria 2015, p. 5)

Resilience Dividend

Applying a resilience lens leads to **better designed projects and policies** that address multiple challenges at one time, improving services and saving resources

This is known as the **resilience dividend**—the net social, economic and physical benefits **achieved** when designing initiatives and projects in a forward looking, risk aware, inclusive and integrated way (<https://www.100resilientcities.org/resources/>)

53



Principles

State Government of Victoria, 2015, *Strategic Framework to Strengthen Victoria's Social Cohesion and Resilience of its Communities*, December identifies the following **Framework Principles**:

- Shared Responsibility – no one sector can solve these issues alone
- New Ways of Working Together – initiatives will be co-created
- Evidence Informed – research, data and community knowledge will enable existing and new initiatives
- Sustainability – considered from the outset given the long-term nature of change
- Governance – arrangements will ensure shared accountability, transparency and participation

Resilient Cities Principles for Urban Settings

- **Leadership & Strategy** - The processes that promote effective leadership, inclusive decision-making, empowered stakeholders, and integrated planning
- **Health & Wellbeing** - Everyone living and working in the city has access to what they need to survive and thrive.
- **Economy & Society**- The social & financial systems that enable urban populations to live peacefully, and act collectively.
- **Infrastructure & Environment** - The man-made and natural systems that provide critical services, protect, and connect urban assets enabling the flow of goods, services, and knowledge.

Definitions

The diverse origins of resilience science and practice (maths, engineering, psychology, social science etc.) mean there are **multiple definitions of resilience**

The 100 Resilient Cities program defines resilience as: the capacity of individuals, communities, institutions, businesses, and systems to survive, adapt and grow no matter what kinds of chronic stresses and acute shocks they experience

Building resilience means intentionally guiding a system's process of adaptation so as to preserve some qualities and allow others to fade away, all while retaining the essence — or *identity* — of the system. Therefore, the *people* who inhabit a community must be at the heart of the resilience-building process

Communities are the ideal level of focus for building resilience because the particular powers held at the state and local government levels in the United States make this kind of work possible.

(<https://www.resilience.org/what-is-community-resilience/>)

100 Resilient Cities Framework ¹²

Focus What are the characteristics and capacities of a city that can adapt and grow in the face of these challenges? What distinguishes a resilient city from one that collapses in the face of disruption and adversity?

Produced the City Resilience Framework (CRF), a **common set of factors and systems that enhance a city's ability to survive, adapt, and grow** in the face of adversity which describes the essential systems of a city in terms of four dimensions: Health & Wellbeing; Economy & Society; Infrastructure & Environment; and Leadership & Strategy

54

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Each dimension contains three 'drivers' which reflect the **actions cities can take to improve their resilience.**

Five development projects in inner, middle and outer Melbourne are now part of the Resilient Communities initiative, placing residents at the heart of the design and development decisions that shape where they live, in a range of settings.

¹² After more than six successful years of growing and catalyzing the urban resilience movement, the 100 Resilient Cities (100RC) program was concluded in July 2019. The Rockefeller Foundation continues to support the 100RC member cities and Chief Resilience Officers through a new grant to the Global Resilient Cities Network. See Rockefeller Foundation et al 2015. <http://www.100resilientcities.org/#section-2>.

Table 5: 100 Resilient Cities – City Resilience Framework

	Drivers	Indicators
Health & Wellbeing	1. Meets basic needs	<ul style="list-style-type: none"> Sufficient, robust and inclusive housing for all Clean, resourceful and inclusive water supply for all, both daily and during times of shock or stress Safe, robust and inclusive access to energy for all, both daily and during times of shock or stress Sufficient and affordable food supplies for all, both daily and during times of shock or stress
	2. Supports livelihoods and employment	<ul style="list-style-type: none"> Robust and inclusive labor policies and standards, as well as social security provision for the unemployed Resourceful and inclusive education systems, providing skills and training for all which are appropriate to the employment marketplace Robust and inclusive measures to support businesses and workers following a shock Robust, flexible, resourceful and inclusive local business activities and environment Inclusive mechanisms for access to finance, and flexible additional measures post-shock
	3. Ensures public health services	<ul style="list-style-type: none"> Adequate medical capacity (physical and human resources) with redundancy to manage emergencies Adequate and inclusive access to general healthcare for all Integrated, inclusive and flexible measures and capacity to manage public health risks and emergencies
Economy & Society	4. Promotes cohesive and engaged communities	<ul style="list-style-type: none"> Robust and inclusive social structures (from households to communities), integrated throughout the city Integrated local identity and culture, in which all citizens feel a sense of belonging in the city Resourceful, integrated and inclusive engagement of civil society within the city
	5. Ensures social stability, security and justice	<ul style="list-style-type: none"> Robust, inclusive and transparent measures and systems to deter crime Robust, inclusive and transparent measures and systems to deter corruption and promote trust of the government Robust, inclusive and transparent policing measures and systems to create a safe and secure city Robust, inclusive and transparent measures and systems to enforce the law
	6. Fosters economic prosperity	<ul style="list-style-type: none"> Resourceful, reflective and flexible business continuity planning Municipal access to and control of diverse and robust revenue streams, daily and during times of shock or stress Diverse and resourceful investments within the city, driven by a strong urban brand and economic and social Robust, flexible and diverse local economy Robust and integrated economic relationships/roles within wider economic systems
Infrastructure & Environment	7. Enhances and provides protective natural & man-made assets	<ul style="list-style-type: none"> Robust yet flexible policy/regulatory protection of ecosystems and natural resources Enforceable measures to ensure safety and security of critical assets, through promotion of redundancy, integration and resourcefulness Diversity and redundancy within services of provision (i.e. transport, energy, water, waste management etc.)
	8. Ensures continuity of critical services	<ul style="list-style-type: none"> Resourceful, reflective and flexible emergency response and recovery plans for critical services Resourceful and flexible use of critical infrastructure Robust and integrated asset monitoring, maintenance and renewal programmes Robust and flexible flood risk management mechanisms and infrastructure, with redundant capacity Reflective, flexible and resourceful management and restoration of ecosystems and environmental assets
	9. Provides reliable communication and mobility	<ul style="list-style-type: none"> Multi-modal integrated transport system with inclusive coverage of the city Safe, robust and inclusive public transport system with diverse modal options Robust, diverse and integrated transport links with other cities/regions Robust, diverse and inclusive communications accessible by all Inclusive and integrated emergency information systems
Leadership & Strategy	10. Promotes leadership and effective management	<ul style="list-style-type: none"> Inclusive and constructive collaboration between all actors involved in city decision-making Transparent, inclusive and integrated government decision-making and leadership Redundant capacity and flexibility in city leadership to resourcefully and effectively manage emergencies
	11. Empowers a broad range of stakeholders	<ul style="list-style-type: none"> Integrated and inclusive efforts to build public awareness of risks Timely and integrated monitoring of potential hazards, and issuing of inclusive and reliable alerts/hazard information Inclusive, integrated and transparent mechanisms for communication and coordination between local government and citizens Integrated and resourceful knowledge sharing practices, based on robust information, within city and between cities
	12. Fosters long-term and integrated planning	<ul style="list-style-type: none"> Reflective and integrated city planning and strategies informed by regular monitoring and analysis of relevant data Regularly updated, long-term reflective and integrated strategies and plans for urban development Integrated and flexible land use and development plans, which are developed through inclusive planning processes Robust and reflective enforced building codes and standards, which are appropriate to local risk profiles

55



Qualities of resilient systems

Reflective - Reflective systems are accepting of the inherent and ever-increasing uncertainty and change in today's world. They have mechanisms to continuously evolve, and will modify standards or norms based on emerging evidence, rather than seeking permanent solutions based on the status quo. As a result, people and institutions examine and systematically learn from their past experiences, and leverage this learning to inform future decision-making.

Robust - Robust systems include well-conceived, constructed and managed physical assets, so that they can withstand the impacts of hazard events without significant damage or loss of function. Robust design anticipates potential failures in systems, making provision to ensure failure is predictable, safe, and not disproportionate to the cause. Over-reliance on a single asset, cascading failure and design thresholds that might lead to catastrophic collapse if exceeded are actively avoided.

Redundant - Redundancy refers to spare capacity purposely created within systems so that they can accommodate disruption, extreme pressures or surges in demand. It includes diversity: the presence of multiple ways to achieve a given need or fulfil a particular function. Examples include distributed infrastructure networks and resource reserves. Redundancies should be intentional, cost-effective and prioritised at a city-wide scale, and should not be an externality of inefficient design.

Flexible - Flexibility implies that systems can change, evolve and adapt in response to changing circumstances. This may favour decentralised and modular approaches to infrastructure or ecosystem management. Flexibility can be achieved through the introduction of new knowledge and technologies, as needed. It also means considering and incorporating indigenous or traditional knowledge and practices in new ways.

Resourceful - Resourcefulness implies that people and institutions are able to rapidly find different ways to achieve their goals or meet their needs during a shock or when under stress. This may include investing in capacity to anticipate future conditions, set priorities, and respond, for example, by mobilising and coordinating wider human, financial and physical resources. Resourcefulness is instrumental to a city's ability to restore functionality of critical systems, potentially under severely constrained conditions.

Inclusive - Inclusion emphasises the need for broad consultation and engagement of communities, including the most vulnerable groups. Addressing the shocks or stresses faced by one sector, location, or community in isolation of others is an anathema to the notion of resilience. An inclusive approach contributes to a sense of shared ownership or a joint vision to build city resilience.

Integrated - Integration and alignment between city systems promotes consistency in decision making and ensures that all investments are mutually supportive to a common outcome. Integration is evident within and between resilient systems, and across different scales of their operation. Exchange of information between systems enables them to function collectively and respond rapidly through shorter feedback loops throughout the city.

(The Rockefeller Foundation et al. 2015, p. 5)

Attachment 2

Table 6: Gap Analysis – The Planning Policy Framework & Resilience

Planning & Environment Act		Key Words - Resilience or Associated
Part 1 - Preliminary, Section 4	Objective (1) The objectives of planning in Victoria are— (a) to provide for <u>the fair, orderly</u> economic and sustainable use, and development of land;	<i>Fair & Orderly</i>
Part 1A - Victoria Planning Provisions, Section 4	S. 4(1)(fa) inserted by No. 47/2017 s. 5. (g) to balance the present and future interests of all Victorians.	<i>Balance interests</i>
Part 4 - Permits, Section 60	S. 60(1)(f) inserted by No. 3/2013 s. 76(2). (f) any significant social effects and economic effects which the responsible authority considers the use or development may have.	<i>Social effects</i>



Planning Policy Framework (PPF) – Statewide Provisions		
<p>Clause 11.01 - Victoria</p>	<p>11.01-1S - Settlement</p> <p>Strategies:</p> <p>Developing settlements that will support resilient communities and their ability to adapt and change</p>	<p>Resilient communities</p>
<p>Clause 11.02 - Managing Growth</p>	<p>11.02-2S Structure Planning</p> <p>Strategies:</p> <p>Undertake comprehensive planning for new areas as <u>sustainable communities</u> that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.</p>	<p><i>Sustainable Communities</i></p>
<p>Clause 11.03 - Planning for Places</p>	<p>11.03-1S Activity Centres</p> <p>Strategies:</p> <p><u>Improve the social</u>, economic and environmental <u>performance and amenity</u> of activity centres.</p>	<p><i>Social performance & amenity</i></p>
<p>Clause 11.03 - Planning for Places</p>	<p>11.03-2 - Growth Areas</p> <p>Strategies:</p>	<p><i>Safe neighbourhoods</i></p>



BUILDING RESILIENCE IN NEW AND EMERGING COMMUNITIES / APRIL 2021

	Create well planned, easy to maintain and <u>safe streets and neighbourhoods</u> that reduce opportunities for crime, improve perceptions of safety and <u>increase levels of community participation</u> .	<i>Community participation</i>
Clause 11.03 - Planning for Places	<p>11.03-2 - Growth Areas</p> <p>Strategies:</p> <p>Create PSPs that-Establish a <u>sense of place and community</u></p>	<p><i>Sense of Place</i></p> <p><i>Sense of Community</i></p>
Clause 13 - Environmental Risks & Hazards	Planning should strengthen the <u>resilience</u> and safety of communities by adopting a best practice environmental management and risk management approach.	<i>Resilience as related to environmental risk and sustainable development.</i>
Clause 15 - Built Environment and Heritage	<p>15.01-3 Urban Design</p> <p>Strategies:</p> <p>Ensure development contributes to community and cultural life by <u>improving the quality of living</u> and working environments, facilitating accessibility and <u>providing for inclusiveness</u>.</p>	<p><i>QOL</i></p> <p><i>Inclusiveness</i></p>
Clause 15 - Built	<p>15.01-4 Healthy Neighbourhoods</p> <p>Objective:</p>	<i>Community wellbeing</i>



BUILDING RESILIENCE IN NEW AND EMERGING COMMUNITIES / APRIL 2021

	<p>Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:</p> <ul style="list-style-type: none"> - The Municipal Planning Strategy and the Planning Policy Framework. - The <u>compatibility of the proposal with adjoining and nearby land uses.</u> - The capability of the site to accommodate the proposal. - Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons. Any other matters specified in the schedule to this clause. 	
<p>52.28 - Schedule</p>	<p><i>No reference to community resilience or social impact</i></p>	



Local Provisions (MSS)			
Whittlesea	Mitchell	Hume	
<p>21.02-3 Key Issues - Community Wellbeing</p> <p>Many factors influence <u>community wellbeing</u> and make a location a place where people want to live, including <u>personal, social, physical, economic and environmental</u> factors. As a growth and interface municipality there are <u>wide-ranging liveability challenges</u> as a result of rapid population growth.</p> <p>Council is committed to <u>enhancing community wellbeing</u> through building social and physical infrastructure that facilitates community connections, generates <u>social capital</u> and enables residents of all ages to undertake daily activities. Council is committed to fostering partnerships with community services and business organisations to achieve the best possible health and wellbeing outcomes for the whole community.</p>	<p>21.01-3 Strategic Vision</p> <p>Mitchell 2020</p> <p>According to Mitchell 2020, the most valued assets in the community are the Shire’s country lifestyle, attractive rural landscapes, the <u>sense of community well-being</u>, relaxed style of living, access to trains and accessibility to Melbourne.</p>	<p>21.01-3 Vision and Strategic Framework Plan</p> <p>Council & Community Vision</p> <p>Mission: To enhance the social, economic and environmental <u>prosperity</u> of our community through vision, leadership, excellence and inclusion.</p> <p>Strategic Planning Aim</p> <p>...</p> <p>To ensure development in new and existing areas <u>creates a highly liveable City</u>, providing increased access and choice to a diverse range of housing, employment and regional facilities, and easy access</p>	<p><i>Community Wellbeing</i></p> <p><i>Liveability</i></p> <p><i>Social Capital</i></p> <p><i>Social Prosperity</i></p>



		<p>to local everyday services and facilities.</p> <p>To ensure growth occurs in a logical and timely manner, and is <u>supported by the necessary major and local infrastructure to maximise the benefits of change to the community.</u></p>	
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<p>Social 21.04-7 - Gaming</p> <p>The City has numerous electronic gaming machines (EGMs). While these are legitimate for recreation purposes, evidence has shown that they can lead to <u>adverse consequences for users, their families and friends, and for the community as a whole</u>. Many residents face <u>vulnerabilities</u>, including financial stress, social isolation, family violence and being time poor. This is accompanied by barriers to accessing services and support. Problem gambling <u>may cause or exacerbate circumstances</u>, resulting in significant personal and community harm.</p> <p>Careful and considered planning is required to ensure that any proposed new gaming venues or increase in EGMs takes these issues into account and recognises the possible health, <u>social and economic consequences for community wellbeing</u>.</p> <p>Objective 1 To <u>reduce the negative</u>, social, economic and health impacts of gambling. Consider the possible health, <u>social and economic implications</u> of gambling when</p>			<p><i>Adverse consequences for community as a whole</i></p> <p><i>Vulnerabilities</i></p> <p><i>Personal or Community harm</i></p> <p><i>Social consequences</i></p>
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BUILDING RESILIENCE IN NEW AND EMERGING COMMUNITIES / APRIL 2021

considering applications for electronic gaming machines.			
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Local Provisions (LPPF)			
Whittlesea	Mitchell	Hume	
N/A	<p>22.01 - Gaming</p> <p>This policy applies to all planning permit applications to install or use a gaming machine, or use land for the purpose of gaming.</p> <p>22.01-1 - Policy Basis</p> <p>....</p> <p>It is important to ensure that gaming machines are located in areas that are accessible but not convenient <u>taking into account local characteristics which make a community more vulnerable to the negative effects of gaming.</u></p> <p>22.01-2 - Objectives</p> <p>To discourage new gaming machines <u>in disadvantaged</u></p>	<p>22.17 - Gaming</p> <p>This policy applies to all applications which require a permit to install or use a gaming machine, or use land for the purpose of gaming.</p> <p>22.17-1 - Policy Basis</p> <p>It is recognised that whilst gaming is a legal form of recreational activity, for some it leads to <u>adverse consequences for the gambler, others and for the community.</u> Research has concluded that <u>there are links between social disadvantage, problem gambling and proximity to gaming venues.</u> Gaming machines should reasonably be accessible to the community as a</p>	<p><i>Community vulnerability</i></p> <p><i>Disadvantages areas / areas of relative disadvantage</i></p> <p><i>Adverse consequences for community</i></p> <p><i>Personal choice for non-gaming entertainment & recreation</i></p> <p><i>Social & Locational Appropriateness</i></p>



	<p><u>areas as defined by the SEIFA (Social-Economics Indexes for Areas) index of relative disadvantage.</u></p> <p>To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and <u>the incidence of problem gambling.</u></p> <p>To ensure that gaming machines are located where the community, <u>has a choice of non-gaming entertainment and recreational activities</u> within the venue and in the local area.</p> <p>To protect the amenity of areas surrounding gaming venues.</p> <p>22.01-2 Policy</p> <p>This section sets the assessment requirements for gaming machines, including location (appropriate areas), social vulnerability, choice (of</p>	<p>form of entertainment, but not be convenient.</p> <p>The <u>need for a fair and equitable distribution</u> of gaming machines throughout metropolitan Melbourne and Hume City is recognised. This ensures an average gaming machine density for the City being comparable to that of metropolitan Melbourne</p> <p>22.17-2 - Objectives</p> <p>To <u>discourage</u> the location of gaming machines in <u>disadvantaged areas.</u></p> <p>To ensure the location of gaming machines and the design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and</p>	<p><i>Net Community Benefit</i></p>
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	<p>other activities); and sets out clear application requirements and decision-making guidelines.</p>	<p>the incidence of problem gambling.</p> <p>To ensure that gaming machines are located <u>where the community has a choice</u> of non-gaming entertainment and recreation facilities and activities within the gaming venue and in the local area.</p> <p>To protect the operations and amenity of existing uses surrounding gaming venues</p> <p>22.01-2 Policy</p> <p>This section sets the assessment requirements for gaming machines, including location (appropriate areas), social vulnerability, choice (of other activities); and sets out clear application requirements and decision guidelines in particular related to social & financial</p>	
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BUILDING RESILIENCE IN NEW AND EMERGING COMMUNITIES / APRIL 2021

		vulnerability and net community benefit	
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Attachment 3

Table 7: Growth Area Councils – Social Challenges

Demographic Trends	Fragile Families	Poor Health Outcomes	At Risk Youth	Isolated Ageing
Issue	Families in Interface areas have poorer social outcomes and are more vulnerable to family crisis.	Persons residing in Interface Councils experience higher incidences of physical and mental health issues.	Youth in Interface Areas are at risk of disengagement from education and employment, and experience high social isolation and mental health problems	Ageing persons in Interface areas are more isolated and experience more complex barriers in accessing appropriate services and care
Contributing Factors	<ul style="list-style-type: none"> • Interface families tend to be younger and more socioeconomically disadvantaged. • Lack of local employment opportunities and car dependency impact on work-life balance and increase strain on family relationships. • Newly arrived migrant and refugee families settling in Interface areas are extremely socially isolated and without access to culturally and linguistically appropriate activities and services. • Greater numbers of single parent families, blended families and overcrowded homes. • Children of interface families are also at a greater risk of faring poorly on the AEDI as there is less access to kindergartens and preschools as well as other primary and secondary institutions 	<ul style="list-style-type: none"> • Social isolation • Lack of transport • Lack of social / recreational opportunities • Access and Mobility issues • Lack of employment and educational opportunities • Rental / Mortgage Stress • Low income • Lack of social support services (and access to) • Low levels of health literacy • Higher levels of chronic disease • Higher proportion of ATSI communities with many experiencing multiple, complex physical and mental health issues. <p>Essential service provision in the Interface Councils are lagging across</p>	<ul style="list-style-type: none"> • In general, Interface areas have poorer access to affordable learning opportunities including tertiary education, TAFE courses and non-school education opportunities. • Family crisis, blended families, housing instability and other relationship factors impact on young people’s mental health and wellbeing, and also influence risk taking behaviour and drug and alcohol abuse. 	<ul style="list-style-type: none"> • Due to geographic factors Interface areas have a population that is ageing in more socially and physically isolated locations. • Barriers to access such as car dependence, lack of public transport, mobility issues and high costs restrict the ability of ageing people in Interface areas to engage in social, recreational and other health and wellbeing activities. • Attracting and retaining a suitable workforce to support the elderly in interface areas is another contributing factor.



Demographic Trends	Fragile Families	Poor Health Outcomes	At Risk Youth	Isolated Ageing
	<ul style="list-style-type: none"> Interface families have less access to health services and social support services. 	major SEIFA determinants such as health, education, income, employment and transport options. Equity of access is not being upheld through planning of the built environment and funding for infrastructure.		
Evidence Base	High mortgage stress, food and fuel insecurity VAMPIRE Index: Calculates the level of household vulnerability (car dependence, mortgages, and incomes) at the local level based on ABS Census data. 2006 data shows that high and very high vulnerability is focused in Interface areas. Lower incomes and SEIFA results Average wages for Interface Council labour force participants are (\$45,230) approximately 13% lower than for non-Interface metropolitan labour force participants (\$51,910) and 10% lower than all Melbourne labour force participants (\$50,040). Longer commute times, single parent families and employment instability Victorian Community Indicators Victoria (CIV) shows that Interface Council labour force participants report lower work-life balance outcomes than their Metropolitan Melbourne counterparts. Higher rates of family violence Of the 10 Interface areas, eight have a family violence incident rate (per 100,000 head of	Public hospitals have less beds per head of population. Estimated number of public hospital beds per 10,000 population; Interface Councils 11; Metropolitan Melbourne (excl. Interface) 30; Melbourne Statistical Division 24 Lower provision of day procedure centres Day procedure centres per 100,000 residents in the Interface Councils are one tenth of Metropolitan Melbourne. Higher rates of obesity Department of Health Population Health Profile	A significantly higher level of youth disengagement from further education and training • 16% of 17 year olds in Interface Councils were not attending any educational institution compared to 9% for non-Interface Council areas and 11% for the Melbourne Statistical Division (MSD). • 18% of Interface Council residents aged 15-19 years were not engaged in either work or study, compared to 12% for non-Interface and 14% for the MSD. Interface Councils have lower provision of TAFE facilities and courses • 50 per 1,000 population in Interface areas compared to 120 per 1,000 in non-Interface and 100 in MSD . Workforce participation is lower and unemployment rates are higher	There is a lag in the provision of aged care residential places. Interface Councils have 523 residential aged care places per 10,000 persons aged 65+ which is lower than the non-Interface provision ratio of 621 places and the MSD provision ratio of 596. Higher dependence ratio and higher proportion of people of disability support pensions Higher proportion of aged pension recipients Public hospitals have less beds per head of population. Estimated number of public hospital beds per 10,000 population Interface Councils 11; Metropolitan Melbourne (excl. Interface) 30; Melbourne Statistical Division 24 Higher transport costs The cost of transporting users to Planned Activity Groups are high for



Demographic Trends	Fragile Families	Poor Health Outcomes	At Risk Youth	Isolated Ageing
	<p>population) significantly above the Victorian and Metropolitan Melbourne averages.</p> <p>Lower access to local Kindergarten facilities Interface Council areas have approximately 25 Kindergarten facilities per 10,000 persons aged 0-4, lower than the ratio for non-Interface which has 36 and the MSD which has 32.</p> <p>Lower local job provision ratio The job provision ratio in the Interface Councils is 0.55 per resident labour force participant. This is approximately half of the Metropolitan Melbourne (excluding Interface) which is 1.04 jobs per resident labour force participant.</p>			<p>Interface Costs due to distances and these costs are not funded as part of the agreement for the delivery of these services.</p>
	<p>Poorer early childhood outcomes. Growth areas recorded:</p> <ul style="list-style-type: none"> • Higher rates of low birth weights amongst infants • A lower likelihood of infants being breastfed • Higher rates of post natal depression • Higher rates of child protection notifications (Marston et al 2003) <p>Barriers to service delivery to early years</p> <ul style="list-style-type: none"> • Waiting lists 80% • Transport to services 90% • Inadequate infrastructure 100% • Lack of specialist support to facilitate access to services for vulnerable families and children 80% 	<p>High unemployment rate Pop Health profiles Lower life expectancy Higher rates of drug and alcohol use and less rehabilitation facilities Higher incidences of post-natal depression (Marston et al 2003)</p> <p>Other data: Vic Population Health Survey Department of Health - Regional Health Status profiles Vichealth indicators Survey Victoria Police Crime Statistics</p>	<p>Higher proportion of young people with mental health issues Young people in Interface demonstrate higher levels of self-harming behaviours and higher levels of depressive symptoms (nlt consulting 2006). Based on the nlt consulting report 'From Gaps to Equity', young people in Interface:</p> <ul style="list-style-type: none"> • Have lower educational achievements, with a greater chance of leaving school earlier • Are less likely to attend post-secondary education • Are more likely to engage in risky behaviours such as binge drinking 	



Demographic Trends	Fragile Families	Poor Health Outcomes	At Risk Youth	Isolated Ageing
	<ul style="list-style-type: none"> • High cost of services 50% (Survey of Interface Councils, 2011) 			
Interface Difference	<ul style="list-style-type: none"> * Car dependency (83% private car use) • Lack of local employment • Service and infrastructure deficit • Barriers to access – affordability, accessibility, knowledge • Social isolation • Socio-economic disadvantage • Diverse family structures. 	<ul style="list-style-type: none"> • Isolation and distance to services • Less employment / educational opportunities • Lack of affordable recreation opportunities • Car dependency (83% private car use) • Service and infrastructure deficit • Low immunisation rates • Lack of access to open space and walkable neighbourhoods. 	<ul style="list-style-type: none"> * Service and infrastructure deficit • Physical and social isolation • Less access to local employment, education and training opportunities • Health illiteracy • Family relationship issues. 	<ul style="list-style-type: none"> • Service and infrastructure deficit • Extreme physical and social isolation • Car dependence and limited access to public transport • Low community participation and volunteering • Socioeconomic disadvantage • Interface areas are a less attractive alternative for professionals who may work in the aged care industry.

Source: Adapted from Interface Councils, no date, *Creating Liveable Communities in the Interface*, pp. 8 – 15.

Attachment 4

Table 8: Losses to EGM's 2017/18 and estimated losses to other forms of Gambling Regulated by the State Government (\$M)

Area	EGM losses 17/18 (\$Million)	Estimated losses to other legal gambling 17/18 (\$Million)	Estimated all legal gambling - regulated by State Government (\$Million)	Adult population 2017	Estimated annual gambling losses per adult
Hume	109.6	120.4	230.0	155,524	1,478.8
Mitchell	18.8	20.6	39.4	32,089	1,227.3
Whittlesea	109.5	120.2	229.7	163,057	1,408.6
Victoria	2,695.3	2,959.4	5,655	4,898,631	1,154.3
Melbourne metro.	2,112.5	2,319.5	4,432	3,713,243	1,193.6

74

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Table 9: Estimated Prevalence of Severe EGM Gambling Related Problems

Area	Losses per adult 2015/16	Median income 2016	Losses/Median income	Est per cent of Adults Experiencing Severe Gambling-related Problems	Adult Population, 2017	Est. Number of Adults Experiencing Severe Gambling-related Problems
Hume	\$ 720.39	\$ 529.62	1.36	3.34	151,364	5,049
Mitchell	\$ 549.07	\$ 649.00	0.85	2.07	30,974	643
Whittlesea	\$ 678.56	\$ 591.76	1.15	2.81	157,719	4,435
Victoria	\$ 526.00	\$ 645.00	0.82	2.0		

Higher than Victoria Overall

* Based on the prevalence estimates arising from "A study of Gambling in Victoria: problem gambling from a public health perspective." Hare (2009), Dept. Justice, Melbourne, and from the Productivity Commission finding that as two of three problem gamblers may be unwilling to reveal their gambling problems in a survey) *Source: www.socialstatistics.com.au*

Table 10: Annual EGM Losses Expressed as the Number of Children Who Could be Fed for A Year

Area	Losses 2018/19	Children Fed
Hume	111,695,894	44,804
Mitchell	18,943,555	7,599
Whittlesea	110,856,168	44,467
Total Northern Metro Area	241,495,617	96,869
Melbourne	84,505,932	33,897
Victoria	2,699,710,143	1,082,916
Melbourne metro.	2,102,467,839	843,349

Based on the findings of the Food Basket Survey*, which concluded that in 2014 the cost of providing a balanced, nutritious diet to an adult was \$126 per fortnight - which has been adjusted here by the Melbourne CPI to \$137 in 2019 - equal to \$69 per week. The weekly cost for a child has then been estimated at \$48 p.w, or \$2,493 per annum - based on the proposition that the cost of living for a child is 70% that of an adult - in accord with the OECD equivalence scales used to estimate the prevalence of poverty. *Source: www.socialstatistics.com.au*



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CLIMATE CHANGE & PLANNING IN VICTORIA

Ensuring Victoria's planning system effectively tackles climate change

EXECUTIVE SUMMARY

This project has arisen as a result of the disconnect between high level policy positions on climate change, both by State and local government, and the day-to-day decisions that are being made. In practice, local government decision-makers routinely report that the adoption of a zero emission target and commitments to adaptation have not yet 'trickled down' to inform decision-making within the built environment, and more particularly, to decisions made through Victoria's planning system. This project seeks to explore some of the key reasons for this, in order to inform and facilitate change.

Given the urgency with which climate change must be addressed at local and state level, and the need for transformational adaptation, there is a clear imperative to elevate climate change within the planning system to a position that is commensurate with the threat it poses.

This report also examines influences which inform planning decisions, in order to provide recommendations for change. The following key findings are highlighted:

- The influence of the *Planning & Environment Act 1987* on day-to-day decision-making is largely felt through Victoria's municipal based Planning Schemes (Planning Policy Framework and other Victorian Planning Provisions), which act as the key implementation tool. The inclusion of content in the Planning Scheme is a critical step in allowing matters to be considered by decision-makers. Its application is frequently the primary influence on outcomes, particularly at lot and subdivision scale.

- For strategic planning, the role of the State in authorising and leading plays a more pivotal role, including through 'non-statutory' documents such as the *Practitioners Guide*. The approach taken by Department of Environment, Land, Water and Planning (DELWP) staff to any proposed changes to the schemes is highly influential and DELWP also drives reform to the planning system (seen most recently by the SMART planning program) and is therefore critical to reforms to drive climate responsive planning.
- The Victorian Planning Authority (VPA) is the key authority in the delivery of Precinct Structure Plans (PSPs) and Urban Renewal Precinct Plans, both of which set the urban structure and key parameters relating to precincts. The VPA is guided by its own legislation. Increasingly, there are other actors in the precinct planning space who also need to be considered, for example the Department of Transport and the Department of Jobs, Precincts and Regions.

FOCUS AREAS FOR CHANGE

While the broader focus of this report has been on changes that are relevant to the environment in which decision-makers operate, with a particular focus on decision-makers at local government level, a number of more specific focus areas have been identified to guide the recommendations of this report. They represent the link between the initiatives recommended and the barriers identified and encapsulate the findings of both the analysis and engagement, as follows:

- **Shifting the balance of decision-making**

'High level' legislative obligations are important in driving change at the more fine-grained level. Planning is structured to flow from legislative requirements to objectives, which are then supported by the application of zones and overlays and the articulation of strategies. In turn, these are implemented by standards and guidelines. Failing to include, as part of legislative obligations, robust and comprehensive references to climate change, and to highlight the key role decisions made within the planning system play can compromise support for climate action. How we live our lives is strongly influenced by the places we inhabit and these are the remit of planning. Ensuring that these places are focused on the twin goals of adaptation and mitigation has the potential to make a significant contribution to global objectives in responding to climate change.

- **Supporting statutory decision-making**

Statutory planners and other decision-makers need specific content in Planning Schemes to support them in delivering climate responsive outcomes. If there is no reference in the scheme, the ability to deliver particular

outcomes is compromised and inconsistent, and relies more heavily on individual decision-making and capacity. In addition, planning relies heavily on the presence of a permit trigger for there to be any relevant assessment of the appropriateness of an application. If there is not a permit trigger which relates to the issue within the Planning Scheme, there is no opportunity for a decision to be made on the matter through the planning system.

- **Making climate change considerations explicit**

In responding to climate change, planning needs to look to the longer-term impacts and requires greater consideration of the impacts on future generations. This is sometimes incompatible with other objectives of planning and with the interests and obligations of some decision-makers. Climate change considerations must be made explicit, or they will continue to be overlooked in favour of policy considerations that are more explicitly spelled out within Planning Schemes.

- **Aligning planning with best practice and science**

Planning Schemes currently speak to the need to identify at-risk areas using the best available data and climate change science. Specific policy benchmarks stated in the schemes therefore need to be consistent with the “best available data and climate change science.” These benchmarks and standards need to be kept up to date to provide clear guidance for decision-makers.

- **Supporting strategic decisions**

Climate change needs to be more strongly integrated into the documents and frameworks. As a result, in some

cases, work can be undertaken to plan for places like activity centres and land can be rezoned, without paying particular attention to the impact on either mitigation and / or adaptation goals. Improving the robustness of the integration with strategic planning sets the groundwork for long term responses.

- **Planning for climate resilient communities**

Current planning practices at precinct scale, including huge areas of greenfield development, as well as more standard subdivisions, are failing to take into consideration the scale of change needed to standard practice. This is a key barrier, as once these foundations are set through the subdivision and precinct planning stages, they are very difficult to change or to retrofit. Many of these areas will still be developing when a net zero target is envisaged to be met.

- **Integrating climate change actions**

Adopting integrated responses and avoiding ‘siloeing’ is critical to addressing climate change. A current lack of integration between planning and other areas of government addressing adaptation planning, across various portfolios and departments, has been identified as a barrier. In addition, the current practice of including references to large and complex Policy Documents to “consider as relevant”, without explicitly extracting content relevant to planning and including this within Planning Schemes, means many key parts of government policy are being poorly applied through the planning system. Explicit attention is needed to integrate policy content on climate action into the planning system.

KEY RECOMMENDATIONS

This report contains a total of 42 Initiatives across a number of different areas. However, the overarching recommendations are as follows:

- **Recognise the fundamental role the Planning Scheme plays in guiding decision-makers, and its weight as statutory law.** Focus attention on ensuring the planning scheme is reformed in a number of key areas:
 - Making the importance of considering climate change in decision-making explicit, rather than relying on generic references to sustainability.
 - Filling gaps where there is a policy void in key areas.
 - Introducing mandatory development standards in targeted areas.

Initiatives 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24, 25, 27, 28, 29, 30, 31, 32 and 33.

- **Ensure that the scheme and its application of controls is consistent with the scientific evidence base and best practice.** This includes updating relevant datasets / benchmarks to reflect current scientific understanding of hazards , delivering best practice adaptation, and recognising required urgency in emission reductions.

Initiatives 9, 14, 27, 29, 34, 35, 37, 38, 39.

- **Focus on changes that will assist in getting the fundamentals of future development areas right.** This includes changes to planning for precincts and for subdivisions, both in ensuring appropriate urban structure is delivered but also in a much stronger focus on net zero and climate resilient communities

Initiatives 1, 2, 4, 5, 6, 10, 11, 12, 20, 21, 22, 25, 26, 32, 34, 35, 36.

Despite the identification of key areas of focus, the scale of the challenge and the immediacy of action required to reflect scientific consensus means that there is actually an urgent need to pull all available levers.

The application of the precautionary principle points to a need to not make minor changes, but to review all facets of the system and to activate requirements for climate change responsive outcomes at all levels. The underlying premise of the precautionary principle, particularly considering the latest scientific guidance (IPCC 2021) on the speed at which mitigation must occur, suggests that it is better to have an over-abundance of requirements to consider

climate impacts than to continue to deliver buildings, neighbourhoods and infrastructure which do not align with a sustainable future.

It is important to also recognise that the changes recommended in this report, which relate more specifically to the authorising environment for decisions made in the built environment, only represent a small part of the picture in any advocacy campaign. While some associated initiatives are identified as complementary initiatives these are by no means comprehensive, and this document should not be seen as the whole picture in terms of advocacy priorities.

Nonetheless, planning's role as a crucial determinant of what occurs during change and renewal in the built environment cannot be overlooked. There is a very strong case to be made that, as a system only activated when a change is proposed (either to land use or to built form), this change must be aligned with responses to climate change. Initiatives outlined in this report point to what that change might look like.

CONTENTS

- 1.0 INTRODUCTION..... 6**
 - 1.1. Project Rationale and Aims 6
 - 1.2. Process 7
- 2.0 BACKGROUND AND CONTEXT 8**
 - 2.1. Current Processes 8
 - 2.2. The Decision-making Framework 11
 - 2.3. Key Issues 14
 - 2.4. Who are the decision-makers? 17
- 3.0 INTERSECTIONS AND BARRIERS..... 30**
 - 3.1. Intersections 25
 - 3.2. Barriers 30
- 4.0 RECOMMENDATIONS 40**
 - 4.1. Focus areas for Change 40
 - 4.2. All Recommendations 41
 - 4.3. Complementary Initiatives 55
 - 4.4. Prioritisation 58
 - 4.5. Overarching priorities 59
 - 4.6. Early action priorities 60
- 5.0 CONCLUSION 61**

APPENDIX ONE: Glossary

Date	Version	Issue	For
12.10.2021	A	Draft	Client Review
14.10.2021	B	Draft	With exec summary and conclusion
19.10.21	C	Draft	Client Review
29.10.21	D	Final Draft	
12.11.21	E	FINAL	

1.0 INTRODUCTION

'Ensuring Victoria's planning system effectively tackles climate change' is a project led by the Climate Change and Planning Advocacy Group. This group was established to explore, consider, develop and advocate for solutions to address climate change. It also seeks to support Victoria's commitment to net zero greenhouse gas emissions through the authorising environment of the planning, and associated building, system. The group is a collaboration between the following organisations:

- Council Alliance for Sustainable Built Environment (CASBE)
- Central Victorian Greenhouse Alliance (CVGA)
- Eastern Alliance for Greenhouse Action (EAGA)
- Goulburn Murray Climate Alliance (GMCA)
- Northern Alliance for Greenhouse Action (NAGA)
- South East Councils Climate Change Alliance (SECCA)
- Western Alliance for Greenhouse Action (WAGA)

This report has been prepared for a wide audience. It is intended to provide background on current barriers impacting the contribution the planning system can make in mitigating emissions and adapting our built environment to climate change. Importantly, it also seeks to identify the opportunities to address these.

1.1 PROJECT RATIONALE AND AIMS

For any decision there are always a range of factors which affect the outcome. In the context of planning, decisions are made within a complex system of legislation, policy and other external influences. All of these influences, but in particular the legislative and regulatory context, create what can be referred to as the 'authorising environment'.

Within the authorising environment for Victoria's planning and building system, a relatively limited level of consideration is currently given to climate change (mitigation and adaptation) in decision-making related to permitting use or development and to the protection of land. While certain opportunities for consideration of climate change are available within the current planning system, feedback and review of decisions indicates they are not being utilised either widely or effectively. This is at odds with the Victorian Government's legislated target of net zero emissions by 2050, and to deliver sustainable and resilient communities. Ultimately, this disadvantages the Victorian community.

Given the urgency with which climate change must be addressed at Local and State level, and the need for transformational adaptation, there is a clear imperative to elevate climate change within the planning system to a position that is commensurate with the threat it poses. This is acknowledged in Victoria's *Climate Change Strategy*. A misalignment between the *Local Government Act 2020*, the *Climate Change Act 2017*, and the *Planning and Environment Act 1987* in relation to the level of consideration given to climate change has also been identified and is discussed further in this report. Also identified in Section 2.3 Key Issues of this report is the potential misalignment between the State

target outlined in the *Climate Change Act 2017* and the most recent scientific evidence presented in the *Sixth Assessment Report* (Intergovernmental Panel on Climate Change, 2021), which highlighted a critical need for urgent action to have any possibility of limiting global heating to 1.5 degrees.

The project seeks to:

- Investigate barriers and opportunities within the current authorising environment for the planning and building systems, to ensure all relevant decision-makers are mandated to incorporate climate change action in their decisions.
- Identify and rank options for change to the authorising environment which will be most effective to ensure that climate change is an overarching consideration in planning and building decisions, and consider the potential for these changes to be enacted.

The ambition of the Climate Change and Planning Advocacy Group is that the authorising environment will:

- *Deliver land use and development that provides for Victorian communities to be resilient, equitable and safe in a changing climate;*
- *Assist state and local government and other relevant decision makers, such as private developers and building surveyors, to adequately consider the economic, environmental and social risks to their communities from climate change when making decisions around future development;*
- *Enable local government and other relevant organisations to deliver on commitments and pledges to reduce greenhouse gas emissions in line with what the science tells us we need to do to keep the temperature rise below 1.5 degrees C.; and*

- *Enable key industry stakeholders who interact with planning and building regulation to adopt practices that build resilience to climate change and reduce greenhouse gas emissions.*

It is important to note that this document focuses primarily on the planning system. Within the built environment, the planning and building systems both play an important role, particularly in the case of single dwellings. However, the focus on planning as a first priority has been framed with the following considerations:

- Planning has a much wider role than building and impacts on a much wider range of responses to climate change.
- The key interface that the building system has with climate change relates to energy and water efficiency. Many of these standards are set nationally and while they can be set at a State level, they generally represent minimum standards and, in many cases, cascade from planning requirements.
- Where the building system fills a gap in the planning system it is identified through this report, and the relationship and potential tensions between the two systems are also highlighted.

1.2 PROCESS AND METHODOLOGY

In order to usefully identify the barriers, opportunities and options, this report seeks to define a number of key elements by framing the following questions:

- Who are the people making decisions and how do they relate to, and use, the current authorising environment?
- What are some of the key issues impacting on decision-making?
- What are the types of barriers preventing effective climate change responses within the planning system?
- What specific issues does the planning system have the ability to influence?
- What are the barriers that arise in providing responses to those specific issues?
- What changes might assist in improving the ability for more climate responsive decision-making?
- Which of those changes will be of most benefit, overall and in the short term?

These questions were investigated through a review of relevant legislation, policy and literature, followed by a series of workshops and interviews with key stakeholders, experts and practitioners.

Work on this project can be summarised as comprising five key components, as follows:

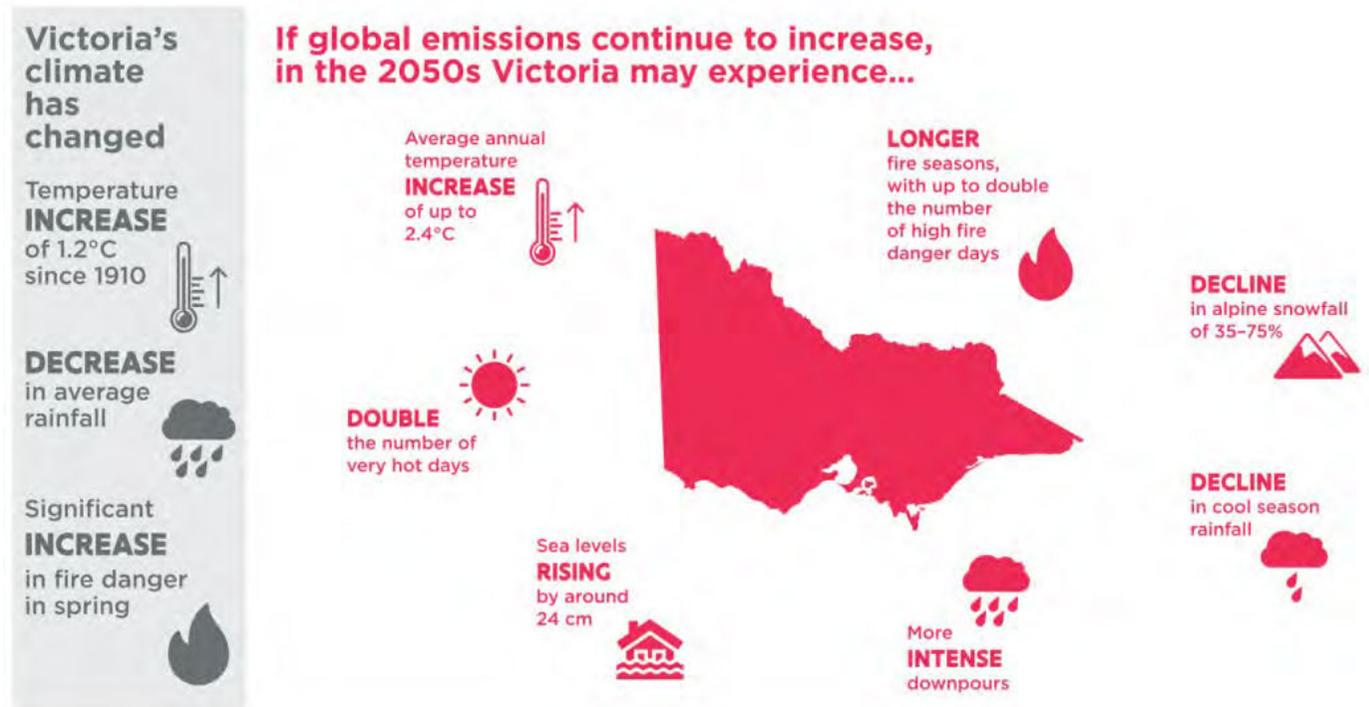
- **Decision-making framework:** An assessment was undertaken around decision-making pathways in order to establish the role that relevant legislation and other influencing factors play in the planning process. This assessment considered the varying influences at different scales of planning, in response to the significant difference in levers which are available.
- **Current Context:** A parallel assessment was also undertaken of the various intersections between matters addressed by the planning system and matters which may be considered in response to climate change mitigation and adaptation.
- **Key Barriers:** The barriers to delivery of outcomes under each of the key 'intersection' themes were identified, and then refined, to reflect the key barriers relating to the authorising environment for decision-makers.
- **Options analysis:** Potential options (Initiatives) for addressing these key barriers were identified and tested with a range of experts and stakeholders through a series of engagement exercises which included group discussions, one-on-one interviews and other mechanisms.
- **Recommendations:** The refined initiatives were then assessed against a range of criteria to inform, along with the input from experts and stakeholders, the recommendations contained within this document.

1.3 MITIGATION AND ADAPTATION

This report addresses both Adaptation and Mitigation.

At a basic level, Adaptation refers to the changes we need to make to live with the impacts that occur as a result of climate change. In a Victorian context these include impacts identified in Figure 1.

Mitigation refers to the steps we need to take to reduce the amount of greenhouse gas emissions which are released into the atmosphere, causing global heating. In the context of planning, these are generally carbon emissions.



Under high emissions, compared to 1986-2005. Updated from Victoria's Climate Science Report 2019

Figure 1: Climate change impacts in Victoria (source: draft DELWP Built Environment Adaptation Action Plan, 2021)

2.0 BACKGROUND AND CONTEXT

In assessing the ways in which Victoria’s planning system can be improved to address climate change it is important to understand the current context. This Section of the report provides an overview of some key elements of this context.

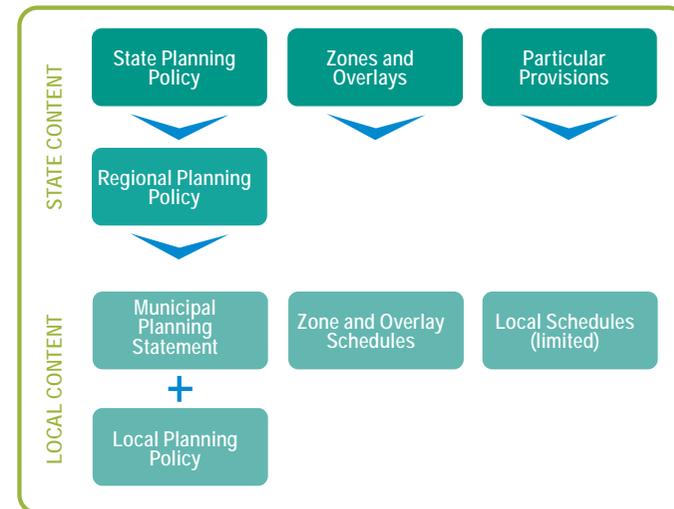
2.1 CURRENT PROCESSES

Victoria’s built environment is largely guided by the *Planning and Environment Act 1987 (P&E Act)* and the *Building Act 1993*. At a very high level, planning guides the spatial distribution of land uses and management of conflict and provides the framework within which development occurs. It is increasingly detailed in its scope, but the building system remains the part of the system which addresses more technical details and sets minimum standards related to human safety and amenity (see Figure 1).

The legislated objectives of planning in Victoria which are identified in the *P&E Act* (see highlight box Page 6) refer to “sustainability” but do not explicitly refer to climate change. The *P&E Act* establishes a system which primarily relies on municipal based Planning Schemes (i.e each Local Government Area has their own set of statutory rules which guide planning decisions). These rules are set in a variety of ways outlined further below. Each council’s Planning Scheme contains State, Regional and Local policy, the applicable zoning and overlay controls relevant to each municipality and a series of Statewide Particular Provisions which relate to specific aspects of use or development. Clauses 54, 55, 56 and 58 set in place key discretionary standards for the development of single dwellings, multi-residential development, subdivision and apartment development.



Figure 2: Key components of the planning / building system



THE PLANNING SCHEME

Figure 3: Key components of Victoria’s planning schemes

It is important to understand that Victoria's planning system is *performance* based. This requires that (generally) high level objectives must be met, but specific standards or strategies to meet those objectives are generally discretionary, meaning the decision-maker considers the particular context of each development and then decides on whether the application of a particular strategy or standard is appropriate. In practise, this means decision-makers are required to consider a range of matters, many of which may be contradictory, and then make a decision on balance.

Plan Melbourne (and associated implementation actions) and the various Regional Growth Plans give spatial and policy effect to the principles of planning outlined in the *P&E Act*, and in turn inform the Planning Schemes of relevant municipalities. While *Plan Melbourne* has a strong focus on climate change and overarching environmental sustainability, the older Regional Growth Plans are much more focused on growth and development, with only passing reference to climate change, and exhibit little evidence of decisions based around an understanding of this key issue.

The planning system in Victoria has recently, and is currently, subject to a wide-ranging program of reforms. This includes the SMART planning program which has informed a new Planning Policy Framework (PPF), whereby all Planning Schemes are in the process of being translated to a simplified format, with matters that are considered to duplicate or contradict State policy being stripped from schemes. Other changes included the 2017 introduction of the *Better Apartments Design Standards* (BADS), and their proposed update, which introduced various requirements related to energy efficiency, waste and recycling, noise impact objectives, and integrated water and stormwater management which represented a step change in the delivery of quality apartments.

More specifically relating to climate change, Victoria has the *Climate Change Act 2017 (CC Act)*, which sets in place current legislative requirements to plan for adaptation to climate change through five yearly sector-based adaptation action plans and to achieve net zero emissions by 2050. However, there has been no associated holistic review of the planning system and its alignment to mitigation and adaptation outcomes. Rather, there are a series of reviews and individual actions / programs underway, including:

- The *Climate Change Strategy* (Department of Environment, Land, Water and Planning (DELWP), 2021)
- *Recycling Victoria: A new economy* (DELWP, 2020)
- *Victoria's Zero Emissions Vehicle Roadmap* (DELWP, 2021)
- *Gas Substitution Roadmap* (DELWP, 2021)
- *Victorian Renewable Energy Zones Development Plan* (DELWP, 2021)

The objectives of planning in Victoria are—

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (d) 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;*
- (e) 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;*
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
- (fa) to facilitate the provision of affordable housing in Victoria;*
- (g) to balance the present and future interests of all Victorians.*

- Integrated Water management forums (and strategic directions) (ongoing)
- Victoria’s Resilient Coasts 2100+ (place based coastal adaptation) (ongoing)
- Local Coastal Hazard Assessments (four pilots plus the unreleased Port Phillip Bay CHA) (various)
- Cooling and Greening (Melbourne) (ongoing)
- Review of the Building Code (aligned with updates to the National Construction Code) (ongoing)
- *Victoria’s ESD Roadmap* (ongoing)
- *Built Environment Adaptation Action Plan* (draft, DELWP 2021)

The State approach to climate change articulated in the *Climate Change Strategy* is comprehensive and identifies a number of relevant priorities, as follows (emphasis added):

- *Support place-based adaptation including effective and inclusive community participation and empowerment, with special emphasis on vulnerable communities.*
- *Adopt best-practice climate risk management across all portfolios, including all funded agencies and service operations.*
- **Ensure relevant legislation, standards and codes support the use of best available climate change data and adaptive planning principles as part of decision-making, particularly as it relates to infrastructure, development and land use changes.**

This document looks in more detail at how these matters are currently influencing planning policy and decision-making.

The ESD Roadmap

In the context of this work it is important to highlight that the State Government is currently progressing an Environmentally Sustainable Design (ESD) Roadmap which has two key stages – changes to the PPF, followed by changes to existing Particular Provisions and the introduction of a new Particular Provision relating to ESD for commercial and industrial development. As acknowledged in the Roadmap, *“existing state ESD policies and standards do not apply to all land uses, and in some cases are insufficient to address existing and future planning and environmental challenges such as waste management and climate change.”* (*Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria’s planning system*, DELWP 2021)

However, the scope of the ESD Roadmap does not consider climate change responses specifically, rather, it focuses on incremental updates around a number of key areas:

- Making it easier to recycle by introducing spatial requirement for waste similar to those introduced through BADS;
- Cooling and greening new developments and our urban environment, although this work is being undertaken separately and does not look holistically at green infrastructure delivery;
- Facilitating active and sustainable transport choices, through new bicycle standards and the consideration of electric vehicle requirements;
- Reducing exposure to air and noise pollution;
- Improving building energy efficiency and supporting the transition to a low emission future (noting proposed changes are focused only on building siting and orientation and encouraging the use of renewable energy);

- Enhancing the role of planning in stormwater management and efficient water usage (although limited changes proposed); and
- Introducing Statewide ESD considerations for commercial and industrial developments.

The Roadmap also talks to the need to ensure standardisation which, based on the proposed updates, may have perverse outcomes. One of these may be the removal of existing local ESD policy developed by CASBE (and applied across a quarter of Victorian municipalities) which set higher benchmarks in many areas. In addition, updates to ESD standards currently being pursued by CASBE, in partnership with over 30 of Victoria’s municipalities, seek to elevate standards of ESD beyond those proposed through the Roadmap, which may widen the gap between the aspirations at state and local levels. In other words, standardisation has the potential to reduce planning provisions addressing climate change related matters to the lowest common denominator, rather than encouraging best practice.

2.2 THE DECISION-MAKING FRAMEWORK

The decision-making framework for the built environment can generally be summarised as follows:

- A piece of Legislation is enacted which identifies specific Objectives or Objects.
- A series of implementation measures are then complemented – sometimes these are specifically identified in the relevant legislation (such as the preparation of Adaptation Action Plans under Division 2 of the CC Act).
- The implementation tools have different weight depending on whether they are enacted through a statutory mechanism (for example, a Planning Scheme) or were just an endorsed strategy which then informs other measures which may or may not be implemented.
- While the *process* for implementing legislative objectives is often clearly articulated, the specific content is generally not.
- The process of developing *specific content* to give effect to legislated objectives is guided by a range of external documents, which may take the form of Ministerial Directions, Strategy Plans or other.

Key legislation in relation to the built environment includes the *P&E Act* and the *Building and Plumbing Acts 1993*. Other important legislation includes the *Climate Change Act 2017*, *Subdivision Act 1988* and the *Water Act 1989*.

While the legislative basis represents the foundation for any relevant policy or initiatives, it is often of less relevance to the day-to-day practice of planning and is usually general in nature, relying on other instruments to interpret or implement relevant objectives.

Climate Change Act 2017

The *Climate Change Act 2017 (CC Act)* is logically the key guiding legislation to deliver responses to climate change. It does so in a number of ways. Mitigation is addressed by way of a rolling series of five yearly documents:

- The *Climate Change Strategy (2021)*, which identifies the strategies for responding to climate change, around five key pillars:
 - A clean energy economy - including “*Transformation of the electricity system with renewable energy*” and “*Building greener homes and buildings*”.
 - Innovation for the future - including “*Next-generation energy, including batteries and offshore wind power*”, “*Decarbonising gas use – including switching to electricity and developing the renewable hydrogen industry*” and “*Transitioning to more zero emissions vehicles*”.
 - Resilient farms and forests - including “*Revitalising and protecting our lands and forests*”.
 - Climate smart businesses and communities - including “*Lower emissions from waste and the creation of a circular economy*” and “*Improvements to public transport and cycling and walking paths*”.
 - A climate resilient Victoria - including “*Efforts to address current climate change impacts*”, “*Reduced barriers to adaptation*” and “*The laying of foundations for transformational adaptation*”.
- The Emission Reduction Target, which tracks emissions against a net zero target for 2050 and outlines how the State proposes to meet the relevant target set for the next five years.
- Requirements for pledges aligned with a 5 yearly Emissions Reduction Target. For some, these pledges are mandatory, while others are voluntary (see below).

The Act also requires (on the same 5 yearly cycle) a series of sector based Adaptation Action Plans (AAPs) which outline the adaptation measures proposed for specific areas. Of most relevance is the Built Environment AAP, but there are clearly intersections with other sectors such as Transport, Agriculture, Infrastructure, etc.

Some concern has been raised in relation to the Emission Reduction targets and the potential for those to not support earlier action (and therefore alignment with the latest scientific evidence). In addition, a number of Local Governments have made pledges using this framework and are concerned as to their ability to deliver on those pledges under the current planning framework.

Climate change responses and requirements of various sectors to integrate planning for climate change into their everyday operations is strengthened through their identification at Schedule One of the *CC Act*. Crucially at Part 3 ‘Climate Change considerations’ explicitly requires that “*decision-makers must have regard to climate change*”. This applies to any decision made or action taken that is authorised by— (a) the provision of an Act specified in Schedule One. For each Act referenced at Schedule One, relevant actions under each Act which require consideration of climate change are identified. The absence of the decisions made under the relevant parts of the *P&E Act* is noted.

Planning & Environment Act (1987)

While the *P&E Act* remains a notable absence from Schedule One of the *CC Act*, the Act nonetheless identifies the purpose of setting in place a framework “for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians”. The evidence clearly identifies that the long term interests of Victorians is served by applying mitigation and adaptation actions in any application of the Act. In combination with the stated objectives for planning in Victoria (see highlight box Page 6) there is a strong legislative basis for embedding mitigation and adaptation measures through the Planning Scheme.

Importantly in delivering climate change responses, if regulation is in the planning system as part of the relevant statutory framework (the Planning Scheme) it becomes law. That law can be mandatory or discretionary. Where a Planning Scheme identifies that a development, for example, *must* meet a particular Standard, there is (generally) no legal opportunity to consider another option for meeting a specified objective. Where it is discretionary (i.e. something is not explicitly stated as a *must*), any person making a decision under the Act must balance the various objectives in making their decision. For the purpose of this report, that would require the decision-maker to be able to consider the ‘right’ matters to deliver a decision which responds to climate change.

Building Act (1993)

The building system to a large degree follows the planning system, and is framed around minimum standards primarily related to specific aspects of human safety and amenity. This includes key aspects of energy efficiency such as insulation and glazing standards and overall energy efficiency, including fixed equipment. Proposed updates to the way energy efficiency is measured through the *Building Act* would see energy efficiency addressed by a ‘whole of house’ budget, representing a very

different approach. The building system continues to address certain aspects of the built environment, particularly related to technical details or standards. Planning, for example does not generally consider the internal fit-out of buildings, and so detailed design considerations which relate to these aspects of a design are generally addressed through the building, rather than the planning, stage of any development. It also provides the primary mechanism for control of development that does not trigger a planning permit, such as single dwellings within most parts of the Victoria.

The *Building Act* in Victoria generally applies the *National Construction Code* (NCC) through incorporation by reference in the *Building Regulations 2018* and *Plumbing Regulations 2018*, but has the ability to be tailored at a State level. The NCC sets standards for new buildings and major renovations and includes the *Building Code of Australia* (BCA) and the *Plumbing Code of Australia* (PCA).

Relevant Objectives of the *Building Act* include:

- (b) to enhance the amenity of buildings;
- (c) to promote plumbing practices which protect the safety and health of people and the integrity of water supply and waste water systems;
- (f) to facilitate the construction of environmentally and energy efficient buildings.

The NCC currently sets a requirement for all new homes to achieve a 6 star energy rating, with an increase to 7 stars proposed through updates to the NCC. Victoria has confirmed that a 7 star rating will be pursued regardless of the where updates to the NCC land. In Victoria all new Class 1 dwellings (stand alone or semi-detached houses) are also obliged to install either a rainwater tank for toilet flushing or a solar hot water system. This is set through a Victorian variation to requirements in the NCC, with supporting provisions in the *Plumbing Regulations*.

Local Government Act (2020)

The *Local Government Act* (*LG Act*) has recently been updated and changes to this Act underpin some of the concern held by local councils that they may not be able to discharge their new responsibilities under the *LG Act* to address climate change through the existing planning system. Under the *LG Act* the role of local government is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Among the overarching governance principles are the following:

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (c) the economic, social and environmental sustainability of the municipal district, **including mitigation and planning for climate change risks**, is to be promoted;
- (d) the municipal community is to be engaged in strategic planning and strategic decision making;
- (e) innovation and continuous improvement is to be pursued.

The explicit reference to mitigation and planning for climate risks, as well as references to the best outcomes for future generations, clearly establishes an expectation under this legislation that councils will act to deliver both mitigation and adaptation outcomes within their municipality.

Under the *LG Act* and *CC Act*, councils have a ‘duty of care’ to manage foreseeable risks. The Victorian Government’s review of the obligations of councils (*Local Government Climate Change Adaptation Roles and Responsibilities under Victorian Legislation*, DELWP 2020) identified that failure to act on known risks may leave councils open to claims of negligence. “*Development Approvals*” are specifically referenced as an area where there may be council liability if climate change impacts are not considered.

Under the *LG Act*, planning within a municipality is to be driven by a Community Vision, developed with the local community to identify aspirations for the area over a 10 year period. This Vision should inform strategic planning in the municipality across council's various functions. This emphasis on community input highlights the critical role that local communities will play in driving climate change response, in particular those related to place-based adaptation. Where a council has a Community Vision which talks to climate change responses or the environmental sustainability of the municipality, there is an additional obligation on council under the *LG Act* to plan for specific adaptation and mitigation measures that can be enacted within their municipality. These key council documents also inform Planning Schemes prepared under the *P&E Act*.

There are also a number of other legislative Acts which are relevant to planning for climate change including:

- The *Water Act 1989* which covers general water management and the functions relevant to matters such as flooding and drought. It guides the actions of the relevant Water Authorities and Floodplain Management Authorities and is referenced in Schedule One of the *CC Act*.
- The *Emergency Management Act 2013* sets the framework for emergency service coordination and responses in terms of Victoria's *Critical Infrastructure Resilience Strategy*.
- Legislation such as the *Transfer of Land Act 1958* and *Sale of Land Act 1962* set parameters relating to disclosure during these processes.
- The *Subdivision Act 1988* addresses the requirements for the certification of plans of subdivision and owners' corporations.
- The *Environment Protection Act 2017* and the *Environment*

Effects Act 1978 set out processes and requirements to ensure the protection of the environment. The *EPA Act* was updated recently and is currently subject to legal challenges regarding the control of greenhouse gas emissions under that legislation. This follows a notable judgment in NSW.

- The *Victorian Renewable Energy Act 2006* and the *Major Transport Projects Facilitation Act 2009* set out the legal processes required to deliver specific, State significant development.
- *Victorian Planning Authority Act 2017* outlines the roles and responsibilities of the Victorian Planning Authority (VPA) in relation to greenfield and urban renewal precincts, including scope and mechanisms for this.



2.3 KEY ISSUES

This project has arisen as a result of the disconnect between the stated intentions and high level policy positions in relation to climate change, and the day-to-day decisions that are being made in relation to planning in Victoria. In practice, local government decision-makers routinely report that the adoption of a net zero emission target and commitments to adaptation at state level have not yet 'trickled down' to inform decision-making within the built environment, and more particularly, to decisions made through Victoria's planning system. This project seeks to explore some of the key reasons for this, in order to inform advocacy to facilitate change.

A number of key issues have been identified through the literature review and engagement with stakeholders, practitioners and decision-makers within this system. Some of these key issues are addressed within this section.

Climate change considerations and the 'balancing' of decisions

While there is policy around general sustainability, energy efficiency and adaptation within the Planning Policy Framework, and some more specific Standards, planning in Victoria is based around a discretionary system which requires anyone utilising a Victorian Planning Scheme to make a decision to balance a range of matters. This is articulated at Clause 71.02-3 Integrated decision-making (see highlight box).

The result is that varying degrees of weight are given to matters relating to climate change, and there is little consistency or rigour in how climate change is addressed. Some aspects of climate change response (such as responses to bushfire risk) are framed as overriding considerations within the planning system (see highlight box). This has been embedded as a result of the devastating impacts of the Black Saturday bushfires.

One of the key issues raised is that the principle was applied as a 'reaction' to severe impacts, but the same principle is not being applied to decisions which influence broader climate change impacts, even when these impacts are contributing to an increase in the risks such policy seeks to manage. This is despite the severity of these impacts on current and future communities. For example, a failure to take all appropriate action to support mitigation in the built environment contributes to an increase in bushfire risk.

Supporting transformational change

Another issue which underpins this work is a lack of clarity in the role that the planning system plays in delivering transformational, as opposed to incremental, change in response to climate change. The planning system has traditionally adopted a process of incremental changes, with a strong emphasis on ensuring that changes are underpinned by a robust evidence base. The scientific evidence all points

Clause 71.02-3 Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations. Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources. (emphasis added)

to a need for transformational change in the near future and it will be important that the foundations of this are laid within the planning system. While this need for transformational change is notably acknowledged within key government documents such as the *Climate Change Strategy*, it is not yet influencing proposed changes to the planning system and many changes which would support this are being resisted due to anticipated opposition from some stakeholders.

There has also been a strong emphasis on the cost implication of planning controls given both existing issues related to housing affordability and the heavy reliance on construction in generating the State's economic growth. The traditional emphasis on the economic considerations in planning decisions have traditionally been framed around the economic impacts on a development proponent at a lot scale rather than the broader economic cost to society of the cumulative costs of not delivering development which mitigates emissions and adapts to climate change. However, the cumulative economic benefits of a city which is more resilient to extreme heat may significantly outweigh any lot scale costs of integrating green infrastructure within a development.

Available tools and inconsistent application of policy

A related but distinct challenge facing those using the planning system to respond to climate change is a lack of clarity and certainty in how specific aspects of policy should be applied. While this issue stems in part from the overarching authorising environment discussed above, it speaks more directly to the tools, standards and other mechanisms that are available to users of the system, and their understanding of the scope and parameters of their application.

In some areas, specific mechanisms (or permit triggers) to enable planners to assess known climate risks are lacking. A key example of this is the absence of flood overlays, despite the extent of coastal inundation being established. Inconsistent

application of policy that does exist exacerbates this further. For example, a dual occupancy can be refused due to climate change risks associated with sea level rise impacts on accessways without an overlay applying to the land itself, but a multi-residential development with basement car parking in a dune system prone to erosion may be approved.

Organisational consideration of climate change

Delivery of climate responsive outcomes requires an understanding and embedding of this at all levels of decision-making. While CASBE and other organisations, such as the Planning Institute of Australia (PIA), have undertaken significant work in delivering training and resources to local government planners, if the prioritisation of climate change considerations is not embedded in the mindsets of management levels, and ultimately at councillor level, the required changes to practice can be undermined.

While some councils have a strong focus on climate action, and an increasing number have declared climate emergencies, this is certainly not the case across the board. And while some decision-makers feel empowered to argue their case and that this will be supported by more senior council staff, others can be hesitant to push beyond common practice to advance climate change responsive outcomes. There are a number of reasons for this, but they include concern that decisions will be overturned, affecting their career progression or the cost and expense borne by councils in pursuing outcomes that may be challenged.

Not all councils have the resources to pursue matters which may be subject to criticism, legal challenges, added expense, etc. While more recently the work undertaken by CASBE has seen increasing support for ESD where permit conditions have been challenged at the Victorian Civil and Administrative Tribunal (VCAT), a lack of confidence in support for climate

related decision-making more broadly can be a significant barrier to action. Lack of capacity and ESD experience in smaller councils can understandably also lead to an aversion to chasing compliance and enforcement in many cases.

Alignment with scientific evidence

The release of the recent Intergovernmental Panel of Climate Change *Sixth Assessment Report* was accompanied by a 'code red' warning from the United Nations that very significant change to business as usual was needed within the next decade to avoid catastrophic climate change. However, despite broad policy statements that planning should be aligned with the best available data and science, it is clear that planning is not currently doing this. Research from key bodies such as the CSIRO and the Grattan Institute all point to the significant challenges in reducing emissions from a variety of sectors. Conversely, reducing emissions, and in particular operational emissions, from the built environment is frequently identified as one of the easiest ways of reducing emissions. In the context of the scientific evidence, there is therefore a clear case for strong policy to maximise these 'easy wins' in emission reduction. Failure to reflect this evidence within planning policy risks the system not being aligned with the delivery of ambitions to keep warming below 1.5 degrees.

Current ambitions outlined in the State's emission reduction targets and in the Trajectory for Low Energy Buildings (which informs governmental policy on building efficiency standards) are based on net zero by 2050. It is clear from the latest IPCC report that deeper cuts in greenhouse gas emissions are needed in advance of 2050 to avoid 1.5 degrees being reached. On release of the Sixth Assessment Report (IPCC 2021), United Nations secretary-general Antonio Guterres said "*We are at imminent risk of hitting 1.5 degrees in the near term. The only way to prevent exceeding this threshold is by urgently stepping up our efforts, and pursuing the most ambitious path. We must act decisively now to keep 1.5 alive.*"

Misalignment of scope and ambition

There is also an emerging but significant potential for misalignment between State and Local ambitions. Many of Victoria's councils (31 at the time of writing) have declared a 'Climate Emergency' and recognised the need for urgent action. This can lead to a policy misalignment between local government ambitions to limit global heating to below 1.5 degrees and State or National targets which can underpin higher order policy. It creates further issues where councils seek to maximise the available levers to deliver on local climate action plans or community ambitions, given development approvals are a key opportunity for many councils to drive change within their municipality. The delivery of adaptive communities is, in many areas, intrinsically linked to net zero carbon outcomes and so is important to many councils. A misalignment between the ambition of Local and State government, is problematic on a number of levels, including:

- Increasing risk of refusal by the State to authorise amendments to the Planning Scheme put forward by local government. The overarching principle (which remains sound) of local policy not contradicting State policy becomes problematic where these are not aligned. It is therefore critical that the authorising environment, particularly in relation to the structure of Planning Schemes, be sufficiently flexible.
- Increasing risk of the introduction of State policy which constrains local government commitments to their communities. There is a real risk in this misalignment that current programs such as the State-led ESD Roadmap will bring in policy which prevents councils from delivering on commitments to their communities. For example, the City of Melbourne has a stated ambition to reach net zero emissions by 2040, 10 years ahead of State targets. To reach this target, the City needs to be able to deliver new buildings which are net zero carbon in a shorter timeframe than would be required to deliver existing State policy.

Zero carbon vs energy efficiency

A comprehensive response to climate change requires a system which delivers net zero carbon outcomes. There is however, significant complexity in how this is achieved, and the role that the planning system has to play in delivering this.

While the role of the planning system in relation to ESD more broadly, and in relation to energy efficiency specifically has been considered and endorsed through the earlier round of ESD policy implementation, requirements for net zero carbon emissions remain untested.

The mandating of net zero carbon outcomes at a planning stage requires not only energy efficiency outcomes as currently addressed by the planning system, but also an understanding and early identification of matters usually addressed at the building stage (i.e. what R value insulation is proposed, etc.) and a mechanism for providing certainty as to the management of any additional offsets to deliver net zero. In addition, there is not a consistent understanding of whether this net zero should relate to Scope 1 (operational) or Scope 1 and 2 (operational and indirect) emissions. While changes to planning policy to reference net zero emission targets are an important step, without explicit acknowledgement of the role of new development being net zero carbon in the bigger picture of a net zero future and the right processes and mechanisms in place to address overlap with building systems and delivery of offsets, implementation will remain challenging. In flagging the need for mandatory energy efficiency standards, Infrastructure Victoria stated:

The energy efficiency of homes and buildings can lock in future energy demand, as they are long-lasting and can be difficult to change. More than half of Australia's 2050 building stock will be constructed during the next 30 years, at prevailing energy efficiency standards. The rest may need retrofitting to help prevent escalating energy costs and demand. (Victoria's infrastructure strategy 2021-2051)

While it could be argued that any mandatory controls should be contained within the building system (and indeed, they should be), including these as mandatory requirements within the planning system is likely to facilitate improved outcomes as planning can ensure that the widely accepted best practice hierarchy of energy efficiency (where siting and design is top of the list) is implemented.

Siloing of built environment systems

In general, the integration of planning and building systems, and even the integration of different sectors of decision-making within the planning system itself, remain far too siloed. It is widely acknowledged that addressing climate change will require a whole-of-system approach. Within the current planning system, which seeks to avoid planning permit triggers unless a strong case can be articulated, there is an unavoidable reliance on the building system to deliver appropriate outcomes. This creates issues as identified above in the misalignment of ambitions, given the *Building Code of Australia* (BCA) is generally framed around minimum standards, and has yet to seriously address the efficiency improvements needed to support best practice responses to climate change. This means any advocacy or change within the planning system must be supported by corresponding changes to the building system.

It must also, however, be supported by appropriately integrated consideration of climate change responses through the various 'fast track' or streamlined reforms that are currently being contemplated to facilitate economic recovery post-COVID and to improve overall system functionality.

2.4 WHO ARE THE DECISION-MAKERS?

This section of the report seeks to understand who makes decisions within the planning system, and what influences their decision-making. Unpacking these influences is important in understanding what elements of the system are the most influential, allowing reforms to be targeted to the areas most likely to influence decisions. This stems from the stated project objective that:

All relevant decision-makers are mandated to incorporate climate change action in their decisions.

The following sections identify the key decision-makers, as well as others who play a role in influencing decision-making. The influences on these decision-makers (having regard to the focus of this project on the authorising environment) are then summarised in four diagrams (Figures 3 – 6). These diagrams represent the most common decision-making pathways across the planning system. It is readily acknowledged that there are infinite varieties and nuances to approval processes; the intention here is not to represent all pathways, but the most common, in order to assess areas of influence.

2.4.1 Key Decision-makers

Statutory Planners

Statutory planners make decisions on use and development applications lodged at council. These can range from single dwellings to large subdivisions, from a car parking waiver to a change of use. Most council statutory planners will make an assessment which will then be reviewed by their team leader or manager before being signed off for either referral to councillors, or for a decision to be made under delegation. The ability for statutory planners to make decisions under delegation varies widely across the State, and is often linked to matters such as the number of objections received to a given application.

Statutory planners are guided in their work by the Planning Scheme, and any other relevant local laws enacted by the council. While other internal council policies will also influence decisions, they must be linked to the Planning Scheme to have statutory weight. As well as the Planning Scheme, the *Subdivision Act 1988* also provides the framework for statutory planners approving new subdivisions, on top of the relevant policy in their Planning Scheme. In addition, statutory planners are responsible for drafting permit conditions which can require further technical reports to support policy objectives and for integrating internal referrals received from other council staff, such as ESD officers. They play a pivotal role in the approval process.

For some applications which are called in by the Minister, the assessment is undertaken by a DELWP statutory planner, rather than a council employee. The Minister has the power to 'call in' any application by making himself the Responsible Authority, and for some applications, the Minister is automatically the Responsible Authority (i.e. development of more than 25,000sqm in the City of Melbourne). The decisions are still made using the same controls, just not by the local council, who assumes the role of a referral authority.

Strategic planners

Strategic planners make recommendations and/or decisions on 'bigger picture' planning matters, including amendments to the Planning Scheme and the preparation of place-based plans which give spatial effect to policy. Generally, these changes are subject to councillor approval via a council meeting, community engagement and require both DELWP and Ministerial approval. Many regional and rural councils will have limited or no internal strategic planning capacity, and will contract consultancy staff to assist on a project-by-project basis. Assistance in strategic planning for rural and regional councils is periodically provided by the State through various programs (the 'rural flying squad', regional planning hubs, etc). While the Planning Scheme provides some input for strategic planners, often they are involved in changing the Planning Scheme and are therefore guided by key documents such as the *Ministerial Direction on Form and Content of Planning Schemes*, as well as the *Practitioners Guide*. To a lesser degree, strategic planners also have regard to the *Planning & Environment Act 1987 (P&E Act)* itself and the *Transport Integration Act 2010*.

Building Surveyors

For development approvals which do not trigger a planning permit under the relevant scheme, approval will generally be gained via a building surveyor, having regard to the *Building Act* and the *Subdivision Act*. Developments for which a planning permit is granted still need to be signed off by a building surveyor, which addresses the subsequent stage of approvals. While the majority of councils employ building surveyors, the role of these surveyors is generally to provide a Report and Consent, where a variation to specific buildings standards is sought. It is at the building stage that the 'nuts and bolts' of energy efficiency are generally currently addressed with matters like the provision of solar panels / water tanks and insulation and glazing standards identified through the *Building Act*. The *Building Act* generally follows the *National Construction Code* and imposes minimum standards, rather than identifying strategic objectives or best practice.

Council Senior Management

In order for recommendations on planning applications and strategic planning matters to proceed, there is generally a need for sign-off by some form of senior management / council executive. In some cases, such as some classes of development approvals, this may be a planning team leader but this will regularly be someone without specific training in planning or other relevant matters. There are two distinct groups of management who influence decision-making, those who manage staff (who have responsibility for the delivery of particular internal goals or programs) and the council executive, who have broader organisational responsibilities. The culture created by these two groups can be influential.

Councillors

Councillors have the final say on both statutory and strategic decisions made at a local government level. There can be significant issues in this decision-making. While many councillors support and respond to the specific expertise of the planners making recommendations, there are a number of issues which may arise as a result of some councillors not having a full appreciation or experience in executing their obligations under relevant legislation. In addition to this, the realities of being a democratically elected representative with the associated pressure to represent the interests of the current (as opposed to future) communities must be acknowledged. There are a wide range of issues which inform councillor decision-making and elected representatives tend to be inherently conservative, particularly in relation to matters relevant to climate change. More recently, community pressure and explicit commitments to improving climate policy (e.g. statements in their Climate Emergency Plan) have increased councillor focus on related matters in decision-making

VCAT Tribunal members

Planning in Victoria has an established system of appeal rights, and many developments end up at the Victorian Civil and Administrative Tribunal (VCAT), challenging not only council decisions, but also the Conditions that they may place on permits. Under the Planning & Environment List, VCAT members consider appeals against decisions made under the *P&E Act*. The members have all the powers of a decision-maker under the enabling legislation (i.e. the *P&E Act* in relation to planning matters). There is also the potential for additional functions to be granted under that legislation. Tribunal members have a range of skills and the allocation of members is made by the VCAT administration having regard to the pertinent matters of each appeal. Decisions in relation to climate change have not been consistent in this forum.

Ministers

Ultimately, the Minister for Planning has the final authority to change any part of the planning and building system. Generally the Minister's involvement is limited to having the final sign off of amendments which have been through DELWP and community review, been reviewed by a Panel and been finalised by a council. Ministers often rely heavily on the advice of DELWP officers (see below) in approving or refusing applications or amendments. It is noted that a range of other Ministers are increasingly being delegated Planning Authority or Responsible Authority status under reform pathways (e.g. under Clause 72.01 the Minister for Energy, Environment and Climate Change is identified as the responsible Authority for certain matters.)

2.4.2 Associated Decision-makers

Other council staff

Engineers, ESD officers, arborists and others all form part of a cohort of council staff who both advise statutory planners but who also make decisions which inform council investment across a multitude of relevant matters – bike paths vs road upgrades, integration or not of passive watering systems etc. These staff members both feed into the overarching strategic decision-making, but in many cases also drive development approval outcomes. A good example of this are council traffic engineers. Consideration of other relevant legislation such as the *Water Act*, and the *Transport Integration Act* varies.

Planning Panels Victoria / Ministerial Advisory Committees

These groups essentially represent the strategic planning gate-keepers. While not all amendments require referral to a panel, councils have the opportunity to refer matters on which they receive submissions to independent experts for review. Similarly, the Minister can seek advice from an independent panel of experts. The opinion of these panels is given significant weight. They operate under their own processes and legislation. Importantly, in the case of Planning Panels, the Panels' role is to consider *only* matters upon which submissions are made. This often results in a missed opportunity to consider the strategic integrity of a proposed amendment, with only isolated issues addressed. In some cases, it is clear that the Panel had significant concern about particular aspects of an amendment but felt constrained in their ability to comment.

DELWP Planning officers

In enacting changes to Planning Schemes, current process requires that DELWP Planning Systems undertakes a review of the proposed amendment and then advises the council if the amendment is consistent with State policy and direction. Only then can council seek feedback from the community through a public exhibition process. As such, any attempt to change any existing approach to the application of policy must first be approved by DELWP before it is referred to the Planning Minister who performs the authorising role in the vast majority of cases. DELWP has the opportunity to refuse to authorise any amendment or change that is not felt to align with State policy (explicit or implied), even prior to the public exhibition of any proposed changes.



Page 110 of 161

2.4.3 Pathways

The following flow charts identify the influences that are enacted at each stage of the decision-making process across four key planning pathways:

- Lot scale approvals
- Subdivision approvals
- Precinct planning
- Strategic planning and Planning Scheme amendments

For each of the pathways, the key players in the process are identified, along with legislation and key documents which influence these decisions. Also included are other influences such as the community or referral authorities. It must be acknowledged that planning is a system with infinite variation in how these processes play out, but these charts seek to identify the most common patterns. It is these most common patterns where the most influential change can be enacted and so they are the most important to understand.

Reviewing these flow charts allows for an understanding of the most effective levers in addressing parts of the decision-making processes. It is also noted that some of these influences fall outside the scope of this exercise, but are nonetheless important to acknowledge and are addressed in some of the 'Complementary Initiatives' outlined later in this report. These include things like community influence on councillors or the role of education in ensuring that the application designed and lodged in the system are informed by best practice.

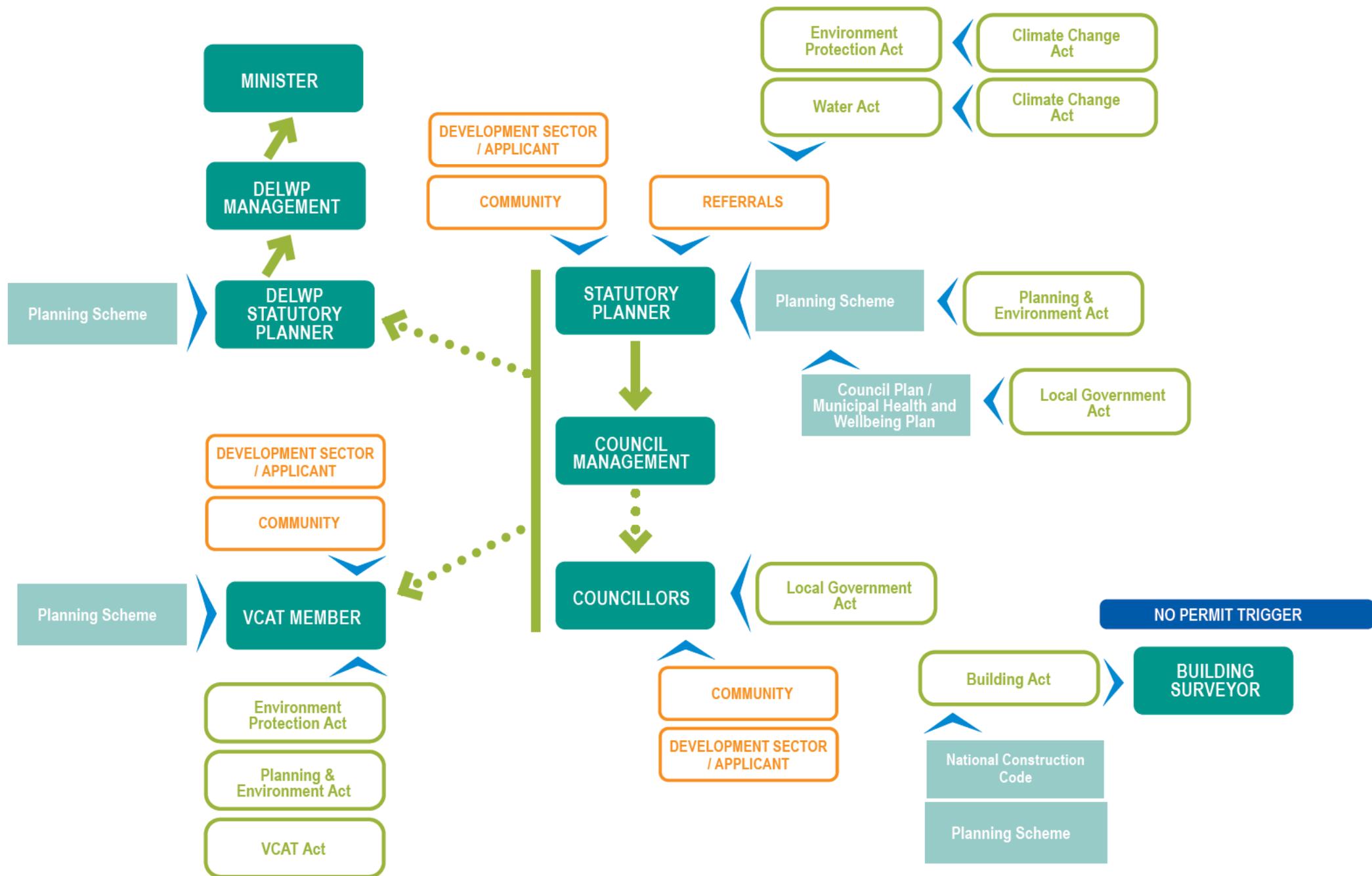


Figure 3: Influences on decision-makers - Land use and development approvals (lot scale)

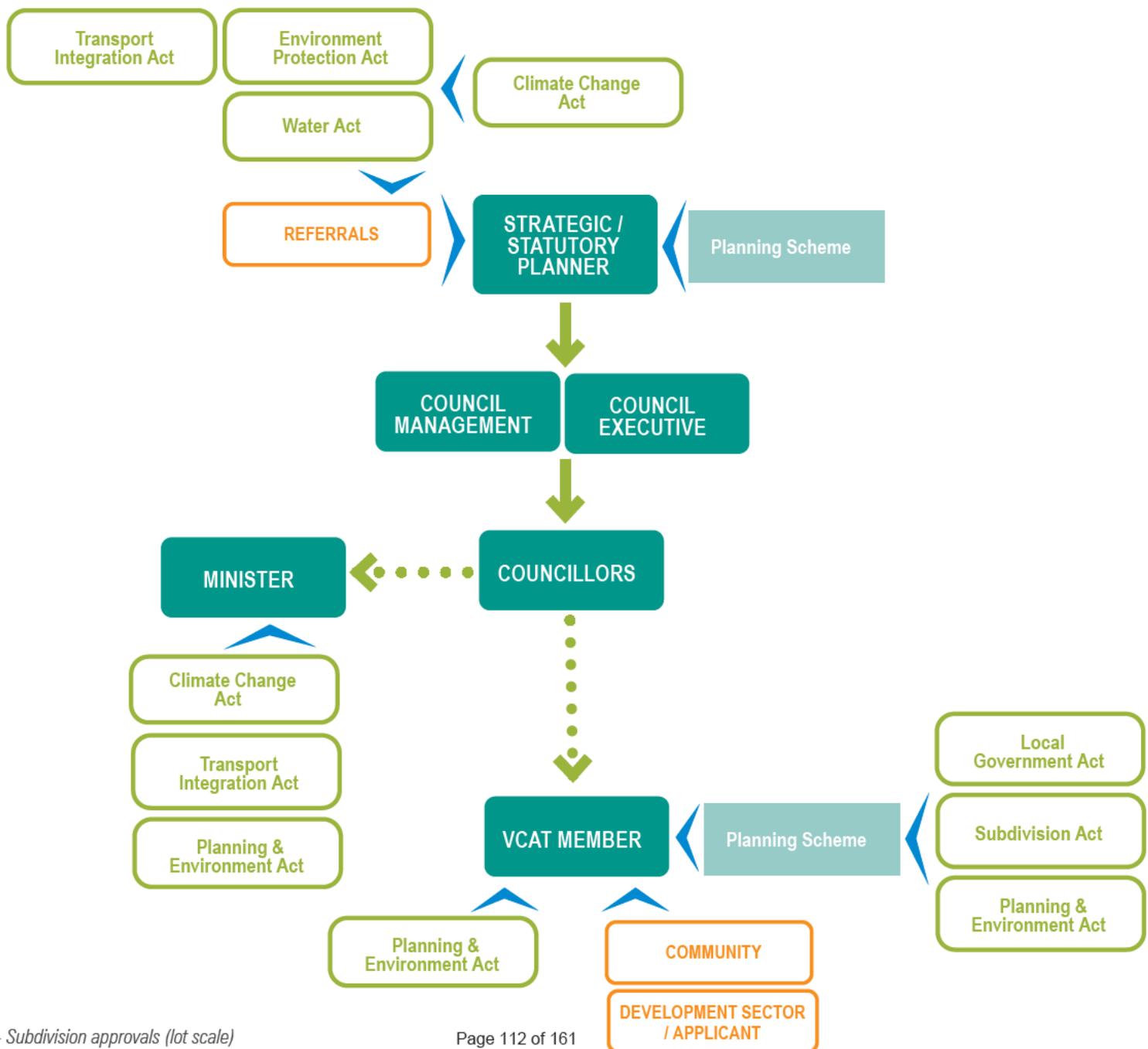


Figure 4: Influences on decision-makers - Subdivision approvals (lot scale)

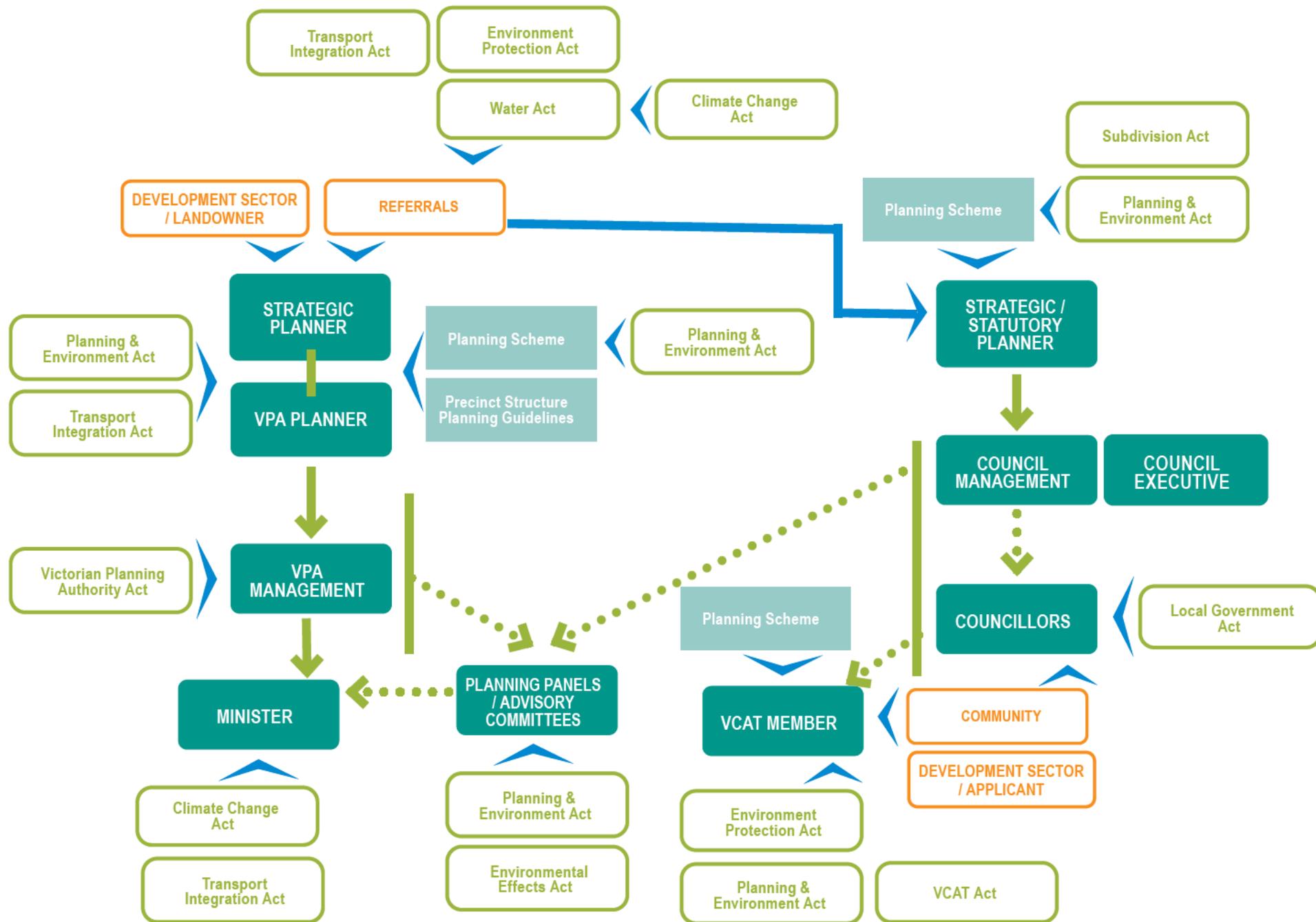


Figure 5: Influences on decision-makers - Precinct and structure planning

CLIMATE CHANGE & PLANNING IN VICTORIA

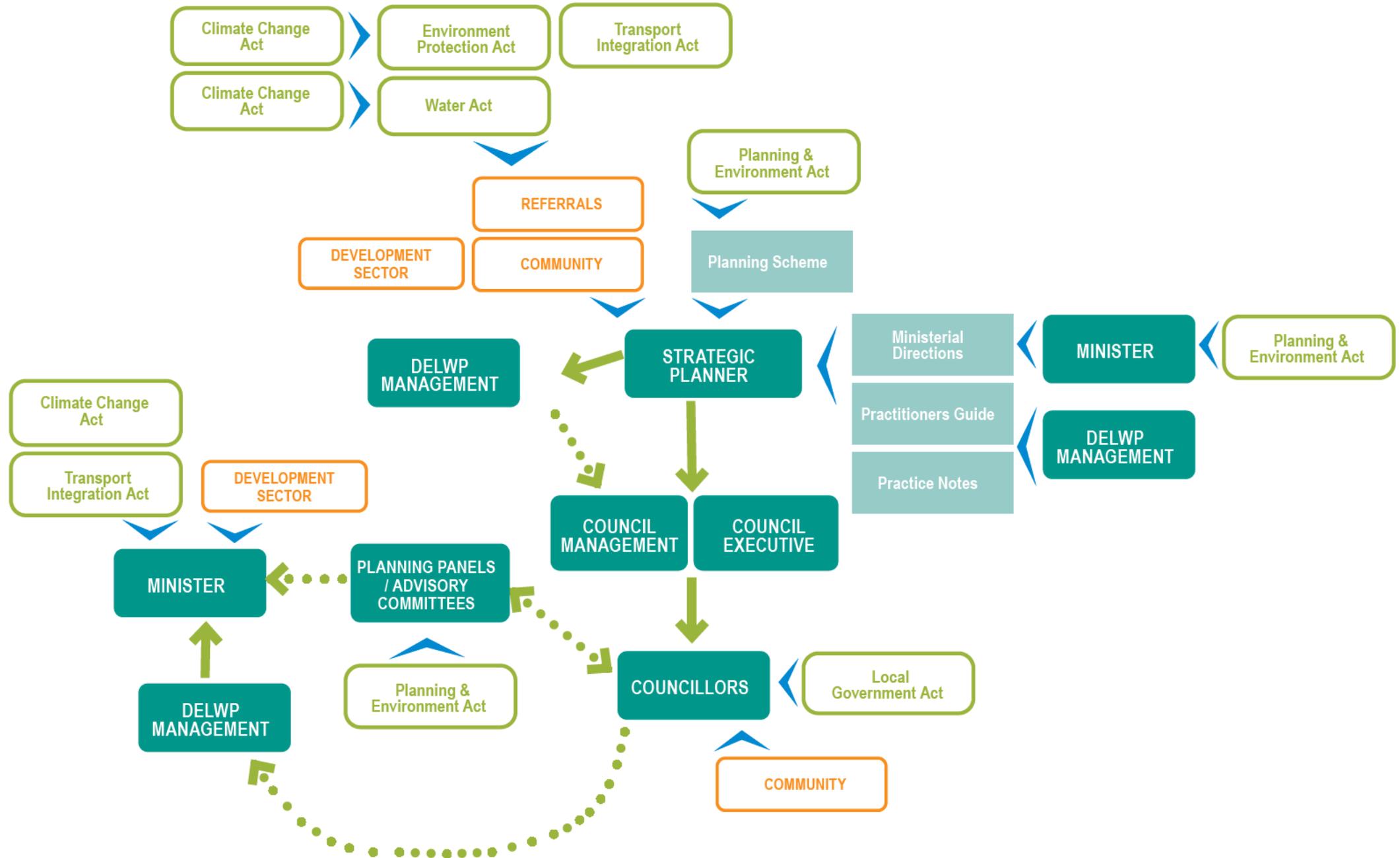


Figure 6: Influences on decision-makers - Policy and planning scheme amendments (strategic planning) Page 114 of 161

In reviewing the pathways and the influences, and considering feedback provided through industry engagement, key implications are noted as follows:

- The inclusion of content in the Planning Scheme is a critical step in allowing matters to be considered by decision-makers. It is often the key influence, particularly in lot scale and subdivision decisions.
- The influence of the *P&E Act* on decision-making is largely felt through Planning Schemes (Planning Policy Framework and other Victorian Planning Provisions), which are the key implementation tools.
- For strategic planning, the role of the State in authorising and leading plays a much more pivotal role, including through non-statutory documents such as the *Practitioners Guide* and the approach taken by DELWP staff to any proposed changes to the schemes. DELWP also drives reforms to the planning system (seen most recently by the SMART planning program) and so are critical to reforms to drive climate responsive planning.
- The Victorian Planning Authority (VPA) is the key players in the area of Precinct Structure Plans (PSPs) and Urban Renewal Precinct Plans which set the urban structure and key parameters relating to precincts, and are guided by their own legislation. Increasingly, there are other actors in the precinct planning space who also need to be considered, for example the Department of Transport and the Department of Jobs, Precincts and Regions.



3.0 INTERSECTIONS AND BARRIERS

While the previous section of this report looked at the influences on decision-makers, this section looks to what potential matters planners and other decision-makers could address in responding to climate change.

One of the key barriers highlighted in this report is that often, responses to climate change are not pursued as the overwhelming scale of the challenge can make it difficult for practitioners to know where to start. While this is exacerbated by a lack of clear policy and strategic direction, the scale of the challenge is an issue in itself, along with a lack of clarity as to planning's role in addressing these challenges.

This section of the report identifies the areas where planning intersects with the changes and outcomes that best practice suggests we need to address to respond to climate change, and then explores the barriers decision-makers may face in their practise.

3.1 INTERSECTIONS

Essentially, there is no explicit limit to what matters the planning system could consider as relevant to decisions related to land use and development (i.e. the *Planning & Environment Act* does not set a specific scope for what matters are addressed through the planning system). Legislative restrictions generally relate to the processes by which actions are undertaken rather than the specific actions themselves.

As noted above, climate change will impact almost every aspect of the built environment, and can often be overwhelming in its scope of interactions. This section of the report therefore seeks to articulate the key intersections between the broadly accepted climate change considerations and the planning system. This report is not seeking to re-prosecute these intersections, which are drawn from a wide array of background documents, including Victoria's Climate Change Strategy.

Intersections addressed are:

- Energy efficiency (passive)
- Energy efficiency (active)
- Construction Materials
- Sustainable settlement patterns / density
- Sustainable Transport
- Renewable energy generation and distribution systems
- Waste minimisation
- Coastal hazards
- Bushfire hazards

- Heat impacts
- Water security
- Flooding
- Food security
- Biodiversity protection

Within each of these overarching themes, there are a number of aspects or elements which are applied through current systems. These are outlined on the following pages. Some cut across multiple themes. For each of these it is important to understand the scale at which this aspect is most fully addressed in the current system. Broadly, they are as identified in the highlight box.

Energy efficiency (passive)

- Thermal performance of buildings
- Ventilation
- Solar Orientation
- Daylight access
- Shading

Renewable energy generation and distribution systems

- Protection / delivery of solar power
- Energy sources

Energy efficiency (active)

- Efficiency of building systems (ie HWS etc)
- Efficiency of appliances / lighting
- Energy management

Construction Materials

- Delivery of net zero carbon
- Sustainable Materials

Sustainable settlement patterns / density

- Sea level rise impact on settlement patterns

Sustainable Transport

- Electric Vehicle readiness
- Car parking rates / adaptable car spaces
- Ventilation of car parking spaces
- Car share opportunities

- Bicycle parking
- Motorcycle parking
- Ease and amenity of access to Public Transport
- Bike routes
- Pedestrian environments

Waste minimisation

Flooding

- Flood management (coastal)
- Flooding (rainfall & runoff)
- Salinity / ground water incursion

Coastal erosion

Bushfire hazard

Heat Impacts

- Green infrastructure and Canopy vegetation

Water security

- Retention and reuse of water
- Stormwater management

Biodiversity protection

Food security

- Agricultural production / protection of future opportunities
- Urban food production



INTERSECTING LEGISLATION

PLANNING / BUILT ENVIRONMENT CLIMATE CHANGE INTERSECTIONS

INTERSECTING PLANS / DOCUMENTS

SCALE: REGIONAL

Generally addressed at State Government level through Regional Growth Plans and other regional plans and strategies. Regions are established and have the potential to influence 'regional' objectives and strategies in the Planning Policy Framework
 Some aspects of regional scale decision-making occurs based on environmental characteristics (i.e. coastal areas via the Marine & Coastal Policy)

INTERSECTIONS	ADAPTATION	MITIGATION	PLANNING?
Sustainable settlement patterns / density	X	X	X
Provision and scheduling of public transport / Zero emissions public transport		X	
Timing of delivery of public transport		X	
Renewable energy generation and distribution systems approval processes		X	X
Grid infrastructure facilitation		X	X
Bushfire hazard Settlement patterns / retreat	X		X
Green infrastructure (Canopy vegetation / Green cover / Parks)	X	X	X
Stormwater management (Permeability / OSDR / Stormwater quality)	X		X

Vertical bars representing intersecting legislation:

- TRANSPORT INTEGRATION ACT
- MARINE & COASTAL ACT
- WATER ACT
- CLIMATE CHANGE ACT
- PLANNING & ENVIRONMENT ACT

Vertical bars representing intersecting plans/documents:

- Regional Growth Plans
- Sectorial Adaptation Action Plans
- Marine & Coastal Policy / Strategy / Resilient Coasts 2100+
- Transport Plan (various documents)
- Metro Open Space Strategy
- Plan Melbourne
- Metro Land use Framework Plans
- Climate Change Strategy

Table 1: Planning intersections

CLIMATE CHANGE & PLANNING IN VICTORIA

INTERSECTING LEGISLATION



PLANNING / BUILT ENVIRONMENT CLIMATE CHANGE INTERSECTIONS

SCALE: MUNICIPAL

Generally addressed at Local Government level, through strategies plans and policies which inform changes to 'objectives' and 'strategies' at local level within the Planning Policy framework. They also inform application of zones and overlays. Mostly subject to Planning Panel review and Ministerial authorisation and approval.

INTERSECTIONS	ADAPTATION	MITIGATION	PLANNING?
Sustainable settlement patterns / density	X		X
Net zero municipality		X	
Coastal hazards settlement patterns / retreat	X		X
Flood management (coastal)	X		X
Public open space / foreshores / beaches	X		X
Coastal biodiversity	X		X
Green infrastructure (Canopy vegetation / Green cover / Parks)	X	X	X
Stormwater management (Permeability / OSDR / Stormwater quality)	X		X
Flooding (rainfall & runoff)	X		X
Biodiversity protection	X	X	X
Agricultural production / protection of future opportunities	X		X

SCALE: PRECINCT OR SUBDIVISION

Larger growth areas are subject to Precinct Structure Plan which must follow the Precinct Structure Plan Guidelines prepared by the VPA. Following that and in other areas, subdivisions are guided by content in the PPF and the Subdivision Act. Generally addressed at local level through permits for subdivision.

INTERSECTIONS	ADAPTATION	MITIGATION	PLANNING?
Energy sources (ie gas)		X	X
Net zero carbon requirements		X	Potential
EV readiness (commercial / industrial / residential / on street / charging of E-bikes etc)		X	Potential
Bicycle parking (rates / on street / facilities)		X	X
Access and ease of public transport usage, urban design to support		X	X
Bike routes		X	X
Pedestrian environments / Streets for People / cool corridors	X	X	X
Micro-grids, embedded networks etc		X	Potential
Precinct scale waste management (Access and special req to support)		X	X
Blue infrastructure / third piped	X		X
Urban farming	X		X

INTERSECTING PLANS / DOCUMENTS

- Regional Growth Plans
- Adaptation Action Plans
- Marine & Coastal Policy / Strategy / Resilient Coasts
- Green Wedge Management Plans
- Integrated Water Management Plans (proposed)
- Precinct Structure Plan Guidelines
- Metro Urban Forest
- ZEV Roadmap
- Gas Transition Plan

INTERSECTING LEGISLATION

PLANNING / BUILT ENVIRONMENT CLIMATE CHANGE INTERSECTIONS

INTERSECTING PLANS

SCALE: LOT

Generally addressed at Local Government level through the assessment of development applications considering the PPF. Some applications addressed through VicSmart which often excludes local policy, others through Particular Provisions. Some decisions made by Ministerial call-ins or by VCAT.

INTERSECTIONS	ADAPTATION	MITIGATION	PLANNING?
Thermal performance (insulation / glazing standards / thermal bridges and lagging / airtightness)	X	X	
Ventilation	X	X	X
Orientation (Lots / Dwellings / Rooms)	X	X	X
Daylight access		X	X
Shading (Eaves / Trees / external structures)		X	
Protection / delivery of solar (Provision / Optimisation / Usage)		X	X
Efficiency of systems (ie HWS etc)		X	
Efficiency of appliances / lighting / space for efficient systems		X	
Energy management (Smart meters / batteries / space for batteries)		X	
Construction Material production emissions		X	
Construction Material Transportation emissions		X	
Car parking rates / adaptable car spaces / ventilation of car parking spaces		X	X
Car share		X	
EV readiness (commercial / industrial / residential / on street / charging of E-bikes etc)		X	
Bicycle parking (rates / on street / facilities)		X	X
Motorcycle parking		X	
Net zero carbon requirements		X	
Building adaptation and material reuse (design for disassembly / recyclable materials / recycled materials)		X	
Recycling and reuse facilitation / landfill diversion		X	
Appropriate provision of facilities / space for waste management		X	X
Construction waste management		X	X
Robust, low maintenance materials		X	
Building design for coastal inundation	X		
SLR implications for access	X		X
Salinity / ground water incursion (Building foundations / Contamination impacts)	X		
Coastal erosion Development / design	X		X
Building design for fire / veg removal	X		X
Green infrastructure (Canopy vegetation / Green cover / Parks / irrigation)	X	X	X
*Protection of existing canopy vegetation	X		X
Landscape species selection / Materials to reduce heat	X		X
Water retention and reuse (Fire protection systems / Tanks: garden / Greywater / Blackwater)	X		
Stormwater management (Permeability / OSDR / Stormwater quality)	X		X
Efficiency of appliances (WELS)	X		

BUILDING ACT

VCAT ACT

WATER ACT

PLANNING & ENVIRONMENT ACT

Planning Schemes

Building Regulations

Plumbing Regulations

Climate Change Strategy

ZEV Roadmap

Parking Overlays

BADS

Floodplain Management Authority Guidelines

3.2 BARRIERS

The identification of barriers is a key objective of this project. It is important to understand the barriers that:

- Prevent, or create confusion about, consideration of an aspect of built environment response to climate change.
- Prevent the necessary scale or scope of response to meet the objective of limiting heating to 1.5 degrees.
- Lead to inconsistency in the outcomes delivered under relevant policy.

This section of the report identifies the various barriers which have been identified through literature reviews and stakeholder engagement. The key intersections identified at Section 3.1 are broken down further to relevant elements addressed by planning and for each, the touch point in relation to scale and the primary control is identified. Potential barriers identified through this process are then documented.

In order to ensure that the identification of barriers was comprehensive, all potential barriers were identified under each of the 'Intersections'. This documentation includes matters which may be of varying degrees of relevance to the outputs of this report. However, the process of identifying a wide range of barriers allowed the team to then ensure that the scope of barriers appropriately addressed the relevant issues.

While there were a number of 'intersection specific' barriers identified, there are a number of 'bigger picture' barriers which emerged through the process. These are discussed in the Recommendations section as 'Focus areas for recommendations.'



CURRENT BARRIERS (MITIGATION) BY INTERSECTION			
ENERGY EFFICIENCY (PASSIVE)	SCALE	ADDRESSED BY	BARRIERS
Thermal performance			<u>General:</u>
Insulation	LOT	BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Perceptions that building regulations will deliver appropriately high levels of energy efficiency Monitoring of insulation outcomes 'on the ground' has been questioned (<i>note recent study?</i>) Lack of clarity about what is appropriate to specify at what stage of the development process, i.e. what requirements should be specified at planning stage and how to avoid duplication of requirements under Building Act
Glazing standards	LOT	BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Existing ESD policies do not prescribe specific performance standards. New changes through the PPF may impact ability to obtain information required to assess against objectives (i.e. no statutory Application Requirements).
Thermal bridges / lagging etc	LOT	BUILDING STANDARDS (Building Act) / PLUMBING STANDARDS (Plumbing Act)	<ul style="list-style-type: none"> Objectives in current policy in relation to energy efficiency are being interpreted in a range of ways across different Councils leading to inconsistent requirements for applicants
Airtightness	LOT	NOT	<ul style="list-style-type: none"> Planning does not generally play a role in enforcement of building standards so objectives to see whole of lifecycle efficiency through construction stage can be compromised
Ventilation	LOT	PLANNING STANDARDS - Planning Scheme (Planning & Environment Act) BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Higher standards of energy efficiency identified through the planning scheme only apply when a permit is triggered Current policy only requires the demonstration of 'potential' for energy efficiency
Orientation			<u>Specific:</u>
Lots	LOT/PRECINCT OR SUBDIVISION	PLANNING STANDARDS - Planning Scheme (Planning & Environment Act) / PSPs - PSP Guidelines (Victorian Planning Authority Act)	<ul style="list-style-type: none"> Insulation standards lower than may be required to deliver appropriate levels of energy efficiency to assist in forthcoming energy transition Performance of existing dwellings is very poor and there is a significant need for retrofitting, just the 'new' build not whole house energy efficiency considered in case of renovations Lagging and pipe penetrations often not implemented according to Code (R0.6) Insulation often not implemented according to Code (ie some internal walls) Thermal bridges presumed addressed but not explicitly required to be by standards No consistent process or measurement requirements to establish airtightness Potential associated issues as a result of 'airtight' buildings re ventilation / air quality Ventilation requirements only applied through planning to residential buildings, and are discretionary. Only specific standard are for apartments with only 40% required to have cross ventilation Relationship to site coverage and lot size / density not being recognised in delivery of new subdivision meaning lots are too small / orientated poorly so difficult to put a 'standard' home on the lot in an efficient manner
Dwellings	LOT/PRECINCT OR SUBDIVISION	PLANNING STANDARDS - Planning Scheme (Planning & Environment Act)	<ul style="list-style-type: none"> Standard 'budget' models of housing are not always adaptable to different lot configurations and not all lots can be optimised for solar access
Rooms	LOT	PLANNING STANDARDS BUILDING STANDARDS - Part 5 siting (res)	<ul style="list-style-type: none"> Balancing of planning outcomes can compromise orientation (ie amenity considerations relating to noise or overlooking / access to open space may override orientation of living areas to the north) Shading not generally incorporated into planning process. Trees not considered by building and therefore hard to integrate. Lot sizes and configurations can compromise eaves.
Daylight access			
Shading			
Eaves	LOT	NOT (req to be shown)	
Trees / external structures	LOT	NOT (req to be shown)	

Table 2: Potential barriers to climate change response

BARRIERS (MITIGATION)			
ENERGY EFFICIENCY (ACTIVE)	SCALE	ADDRESSED BY	BARRIERS
Protection/ delivery of solar			
Delivery/ provision requirements	LOT	BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Provisions to consider the impact of new development on adjoining rooftop solar, and direction on solar energy facilities in heritage areas inserted into planning schemes via Amendment VC149. Unlikely for there to be immediate appetite for further reform by DELWP. Roof pitch tends to be guided by neighbourhood character/ built form character considerations within the planning scheme, and this is given precedence over capacity to allow for optimal siting of photovoltaics.
Optimisation (shading, roof pitch/ orientation)	LOT	BUILDING STANDARDS (Building Act)/ Planning Schemes (Planning & Environment Act)	
Usage	LOT	BUILDING STANDARDS (Building Act) / PLUMBING STANDARDS (Plumbing Act)	
Energy sources (ie gas)	FREEDOM OF SUBDIVISION	PLANNING STANDARDS - Planning Scheme (Planning & Environment Act) BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Some safety concerns and uncertainty around regulation of household batteries. Unclear whether the planning system has a role in regulating batteries/ space for batteries.
Efficiency of systems (ie HWS etc)	LOT	BUILDING STANDARDS (Building Act) / PLUMBING STANDARDS (Plumbing Act)	<ul style="list-style-type: none"> Enforcement/ monitoring of appliances/lighting over the course of the life of a building would be beyond the role of planning system.
Efficiency of appliances/ lighting		BUILDING STANDARDS (Building Act)	<ul style="list-style-type: none"> Unclear whether regulating the efficiency of appliances/lighting is a role for the planning system.
Space for outdoor drying	LOT	PLANNING STANDARDS - Planning Scheme (Planning & Environment Act) / PSPs - PSP Guidelines (Victorian Planning Authority Act)	<ul style="list-style-type: none"> Lack of certainty in the planning process means that there is a reluctance to commit to the full documentation of detailed design aspects (ie HWS etc) at planning stage. Gas industry opposition to phasing out gas. The Gas industry remains a determining referral authority in the subdivision provisions within planning schemes - a contradictory level of influence in the context of the Victorian Government launching consultation recently on Gas substitution.
Energy Management			
smart meters	LOT	NOT	<ul style="list-style-type: none"> In relation to offsets, there is a need to work through the legal mechanisms / precedents to require carbon offsets, and the certification / monitoring of such offsets.
batteries/ space for batteries	LOT	NOT	<ul style="list-style-type: none"> Concern that a reliance on offsets enables/ sets up a pathway of deferring stronger requirements in relation to on-site emissions reductions.
Purchases of offsets to deliver net zero carbon	REGIONAL	NOT	

BARRIERS (MITIGATION)			
CONSTRUCTION MATERIALS	SCALE	ADDRESSED BY	BARRIERS
Production emissions	LOT	NOT	<p><u>General:</u></p> <ul style="list-style-type: none"> Costs/ Affordability of the use of lower emissions construction materials for the lower and middle segments of the housing market. Suppliers of standard construction materials are embedded in the construction sector/ high volume housing market, and may advocate to retain status quo, and not set standards. Question of current availability/supply of low emissions materials to meet the overall market demand - Market may require lead up time to prepare for new standards/ requirements The regulation of materials within the planning system has been typically limited to aesthetic dimensions, and regulating construction materials has been more the domain of the building regulations. Unclear whether planning system has role or regulation of carbon intensity of materials could come through Building Act.
Transportation emissions	LOT	NOT	<ul style="list-style-type: none"> Materials selection is often changed/varied through the planning process after a permit is issued, and a challenge would be ensuring permit conditions are written to ensure outcomes not compromised via changes. <p><u>Specific:</u></p> <ul style="list-style-type: none"> Potentially a lack of a consistent approach to documenting and rating the embodied emissions of different types of building materials. Need for an accepted and consistent framework/rating approach. Capacity to accurately measure and verify transportation emissions associated with construction materials.
SUSTAINABLE SETTLEMENT PATTERNS / DENSITY	SCALE	ADDRESSED BY	BARRIERS
Settlement patterns	MUNICIPAL/ REGIONAL	Planning Scheme (Planning & Environment Act)	<ul style="list-style-type: none"> Unsustainable settlement patterns have been locked-in in a number of growth areas. In this respect, PSPs for largely car dependent and still relatively low density greenfield suburbs have already been completed for many areas, and these will be built out over the coming years. This greenfield settlement typology is heavily backed by large land developers who will resist dramatic changes to the product. The VPA may utilise the need to provide for 'housing diversity' to continue to justify current density levels in growth areas, and they will be lobbied heavily by Greenfield developers to ensure as much flexibility as possible in terms of requirements for the design of growth areas.
Density	MUNICIPAL/ REGIONAL	Planning Scheme (Planning & Environment Act)	<ul style="list-style-type: none"> Increasing density in inner and middle ring areas continues to face backlash from community groups and a number of Councils (via Councillors). Some negative community perceptions of density can stem from examples of poor design.

BARRIERS (MITIGATION)			
SUSTAINABLE TRANSPORT	SCALE	ADDRESSED BY	BARRIERS
EV Readiness			<u>General:</u>
Commercial/ Industrial	LOT/ PRECINCT OR SUBDIVISION	NOT	<ul style="list-style-type: none"> • Unsustainable transport systems are partly a result of past decisions which have locked in car-dependent settlement patterns, and allowed for continual under-investment in sustainable transport infrastructure. Significant shifts in mode-share are consequently difficult to now realise given the car dependent layout of Melbourne. • Major Transport Planning Decisions are highly politicised and in reality are not significantly influenced by the planning system. • Density requirements to support public transport provision not being delivered. • Electric Vehicles (EVs) appear as the most likely path to lower emissions transport at scale, but uptake/ rate of change appears to be largely tied to affordability and whether a future Government policy to ban fossil fuel cars emerges.
Residential	LOT/ PRECINCT OR SUBDIVISION	NOT	
On-street	LOT/ PRECINCT OR SUBDIVISION	NOT	
Charging of E-Bikes etc	LOT/ PRECINCT OR SUBDIVISION	NOT	
Car parking			<u>Specific:</u>
Car parking rates	LOT	Planning Scheme (Planning & Environment Act)	<ul style="list-style-type: none"> • Minimum car parking rates act to undermine greater prospect of mode-shift. • Although some inner metropolitan municipalities have supported reducing car parking rates, for a majority of metropolitan councils there is often a reluctance to reduce rates, noting the potential to impact on-street parking availability (as often raised in objections from the community). • Bicycle parking and associated facilities (eg end-of-trip) are now accepted elements of multi-level residential and commercial building development, however the rate at which they must be provided is relatively low. • Motorcycle Parking is not addressed at State Level • Timing of Delivery of public transport/ Zero emissions public transport/ Provision and Scheduling of Public Transport are matters considered beyond the domain of the planning system. • Rezoning of land often occurs prior to firm commitments regarding delivery of public transport infrastructure. • Further understanding is required about how EV will be used, such as in G2V and V2G. • Different positions on role of street vs private development in relation to EV charging infrastructure, differing view of dispersed / consolidated provision of charging facilities / high speed charging. Unclear what amount of facilities will be necessary and what will be the optimal locations to provide the facilities. There will also be a need to determine at what scale of development they could be required under the planning scheme. • Further guidance is required around the technical specifications for EV charging facilities
Adoptable car spaces	LOT	NOT	
Ventilation of car parking spaces	LOT	Planning Scheme (Planning & Environment Act)	
Car Share	LOT/ PRECINCT OR SUBDIVISION	NOT	
Bicycle Parking			
Commercial/ Industrial	LOT/ PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	
Residential	LOT/ PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	
Other uses (education, PoA)	LOT/ PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	
On street	LOT/ PRECINCT OR SUBDIVISION	NOT	
Supporting facilities	LOT	Planning Scheme (Planning & Environment Act)	
Motorcycle Parking	LOT	NOT	
Bigger Strategic Issues	REGIONAL	Transport Integration Act	
Provision and Scheduling of Public Transport	REGIONAL	Transport Integration Act	

BARRIERS (MITIGATION)			
SUSTAINABLE TRANSPORT (CONTINUED)	SCALE	ADDRESSED BY	BARRIERS
Zero Emissions Public Transport	REGIONAL	NOT	
Access and ease of PT use, urban design to support	PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act) Transport Integration Act	
Timing of Delivery	REGIONAL	NOT	
Bike Routes	PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	(REFER TO SUSTAINABLE TRANSPORT BARRIERS ON ABOVE PAGE)
Pedestrian environments / Streets for People / cool corridors	PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	
Crossover widths / public realm interfaces / CPTED	LOT/ PRECINCT OR SUBDIVISION	Planning Scheme (Planning & Environment Act)	
RENEWABLE ENERGY GENERATION AND DISTRIBUTION SYSTEMS	SCALE	ADDRESSED BY	BARRIERS
Approval Processes	REGIONAL	Planning Scheme (Planning & Environment Act)	
Supporting Grid Infrastructure Facilitation	REGIONAL	Planning Scheme (Planning & Environment Act) - in so far as Infrastructure related approvals	<ul style="list-style-type: none"> Approval for large scale renewable energy generation currently follows typical planning approval processes, with two particular provisions (wind energy facilities, and renewable energy facilities other than wind facilities) in Victorian Planning Schemes guiding assessment. Refining these guiding provisions to potentially facilitate expedited approvals/ reduced third party review rights, may face opposition from some rural communities (in particular with respect to wind energy facilities). The Victorian Government is looking to create a new agency 'VicGrid' to facilitate the expansion of grid infrastructure required to support the new renewable energy facilities. Ideally, new grid infrastructure will be deemed to be "critical infrastructure" and streamlined approval processes of new grid power lines adopted. Again, some rural communities may seek to ensure third party rights in this expansion process, to appeal perceived negative impacts (i.e. visual amenity).
Micro Grids	PRECINCT OR SUBDIVISION	NOT	<ul style="list-style-type: none"> Technical and legislative / regulatory complexity in the delivery of embedded networks and micro grids. Significant scalar differences in embedded networks and micro grids complicates drafting of any controls

BARRIERS (MITIGATION)				
WASTE MINIMISATION	SCALE	ADDRESSED BY	BARRIERS	
Building adaptation and material reuse				
Retention and adaptation	LOT	In relation to heritage - Planning Scheme (Planning and Environment Act)	<ul style="list-style-type: none"> • Current lack of policy within the planning system to require building retention and adaptation beyond when retention/adaptation is required on heritage grounds. Likely limited political appetite currently for expanding the situations in which building retention and adaptation would be required. • Relative cost of design for disassembly and use of recycled materials may see incorporating these responses into the planning scheme attract opposition on affordability grounds. • Sustainable Subdivisions Framework (which includes circular economy considerations) remains at trial stage and there is likely to be some resistance to implement the framework in a manner that includes mandatory standards. • Waste management standards for apartments and development of two or more dwellings on a lot recently updated to ensure WMPs are prepared in accordance with better practice guidelines. It is unclear however whether Future DELWP ESD reforms however will go beyond just encouraging the assessment of opportunities for small-scale recycling and resource recovery infrastructure in development, as opposed to mandating infrastructure. • Capacity/resourcing constraints for Councils/other authorities to monitor and enforce how construction waste management policies are adhered to in practice. • A current lack of legislation in Victoria specifically relating to waste may undermine the capacity to drive reforms across various sectors, including the built environment. The planned development of the Victorian Waste Act and Waste Authority will likely provided greater impetus for reforms to be implemented. 	
Design for disassembly	LOT	NOT		
Recyclable/ Recycled	LOT	NOT		
Recycling and reuse facilitation/ landfill diversion				
Precinct scale waste management	PRECINCT OR SUBDIVISION	Planning Scheme (Planning and Environment Act)		
Access and spatial req to support	PRECINCT OR SUBDIVISION	Planning Scheme (Planning and Environment Act)		
Appropriate provision of facilities/space	LOT	Planning Scheme (Planning and Environment Act)		
Construction waste management	LOT	Planning Scheme (Planning and Environment Act)		
Robust, low maintenance materials	LOT	Building Standards (Building Act)		

BARRIERS (ADAPTATION)				
COASTAL HAZARDS	SCALE	ADDRESSED BY	BARRIERS	
Sea level rise				
Settlement patterns/ retreat	REGIONAL	Planning Scheme (Planning & Environment Act)	<p>General:</p> <ul style="list-style-type: none"> Perception that engineering solutions will address sea level rise issues undermines an understanding of the importance of planning measures as an adaptation response. Rate of change means some community members see sea-level rise as a far-away problem that doesn't warrant pre-emptive planning actions. <p>Specific:</p> <ul style="list-style-type: none"> Complex governance context of for Coastal flood management. Public Open Space and coastal biodiversity are not priorities in adaptation context relative to property and human life. Unclear if addressing salinity/ground water intrusion is a policy priority at the present moment. Clause 13.01-2S Coastal Inundation and Erosion was very recently updated via Amendment VC171 in September 2021, with Siting and Design Guidelines for Structures on the Victorian Coast 2020 and Marine and Coastal Policy (2020) being implemented into the scheme. It is potentially unlikely that DELWP will be looking to entertain further reforms in the immediate future. 	
Flood management (coastal)	REGIONAL	Planning Scheme (Planning & Environment Act)		
Public open space	REGIONAL	Planning Scheme (Planning & Environment Act)		
Coastal Biodiversity	REGIONAL	Planning Scheme (Planning & Environment Act)/ Marine & Coastal Act		
Building design for coastal inundation	LOT	Marine & Coastal Act, associated guidelines		
Access	LOT	Marine & Coastal Act, associated guidelines		
Salinity/ ground water intrusion				
Building foundations	LOT	NOT		
Contamination	LOT	NOT		
Coastal Erosion				
Settlement patterns/ retreat	MUNICIPAL	Planning Scheme (Planning and Environment Act)		
Development/ design	LOT	Planning Scheme (Planning and Environment Act)		
BUSHFIRE HAZARDS	SCALE	ADDRESSED BY	BARRIERS	
Settlement patterns/ retreat				
	REGIONAL	Planning Scheme (Planning and Environment Act)	<ul style="list-style-type: none"> Lack of political appetite to entertain changes to settlement patterns/ enforce retreat in relation to bushfire hazards. Build-back-better ethos still popular. Current approach of managing risk via assessment (BAL) which directs construction requirements, and also defendable space, is now well embedded, and there is an established process whereby current reqs are assessed against agreed criteria and automatically updated every 6 months Human life and property is considered the priority within the planning system in relation to bushfires, and there appears to be limited policy activity on incorporating biodiversity concern into bushfire related planning policy. 	
Building design for fire/ vegetation removal				
	LOT	Building Act Planning Scheme (Planning and Environment Act)		
Biodiversity Management				
	REGIONAL			

BARRIERS (ADAPTATION)			
HEAT	SCALE	ADDRESSED BY	BARRIERS
Green Infrastructure			
Canopy vegetation	LOT/ MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	<ul style="list-style-type: none"> Tension between greater infill development and protection of existing canopy vegetation on a lot (or at subdivision/precinct level), can result in existing canopy being compromised, even with explicit local planning policy and overlays that seek to protect canopy in place. Requiring a certain number of canopy trees per residential lot in new development has been implemented by some individual Councils (via varying cl 54/55 landscaping requirements in zone schedules). Potentially slow process of other Councils individually amending schemes to update these requirements. Overall net loss of canopy may still result due to infill development even with canopy tree requirements for new development. Limited inclusion of standards related to urban heat in the planning scheme, and the question of quantifying standards relating to urban heat responses beyond canopy tree no's. Willingness of DELWP to implement standards relating to canopy cover and response to heat in the planned particular provision ESD updates, and the strength of those standards. Sustainable Subdivisions Framework (which includes urban heat considerations) remains at trial stage and there is likely to be some resistance to implement the framework in a manner that sets mandatory standards. Limited evidence of State level support for future integration of Green Infrastructure into planning scheme as single concept, and more indication of policy being oriented around individual components of water, heat, landscaping and biodiversity. Species selection in landscape plans for development can be addressed through the permit process, with landscape plans being subject to Council approval. Potential problem of other factors/achievement of other outcomes influencing species selection rather than shading/canopy/cooling potential.
Green Cover	LOT/ MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	
Parks	LOT/ MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	
Blue Infrastructure	PRECINCT OR SUBDIVISION	NOT	
Protection of existing canopy vegetation	LOT	Planning Scheme (Planning and Environment Act)	
Landscape species selection	LOT	Planning Scheme (Planning and Environment Act)	
Materials	LOT		
WATER SHORTAGES			
Retention and Reuse	SCALE	ADDRESSED BY	BARRIERS
Fire protection systems	LOT	Building Act	<ul style="list-style-type: none"> Regulation of the provision of garden tanks and fire protection systems is the role of Building regulations, and potential for duplication if addressed further by planning. No willingness yet to require alternative water sources in planning schemes - policy currently seeks to facilitate/ encourage. For the subdivision scale, Clause 56.07-2 seek to provide for the use of recycle water sources, however in practice this source needs to be first available for proposed subdivisions to utilise. Precinct scale third pipe is to be provided at some precincts of note (ie Fishermans Bend) however potential lack of political will to mandate for all precinct scale development. Lack of technical understanding of irrigation of green infrastructure. Irrigation of green infrastructure requires ongoing monitoring and enforcement. WELS provides current system of rating efficiency of appliances, and it is questionable as to whether the planning system should be responsible for specifically regulating efficiency of water appliances.
Tanks: garden	LOT	Building Act	
Greywater	LOT	Some Planning Schemes (Planning and Environment Act)	
Blackwater	LOT	Some Planning Schemes (Planning and Environment Act)	
Precinct scale third pipe	PRECINCT OR SUBDIVISION	Some Planning Schemes (Planning and Environment Act)	
Efficiency of appliances	LOT	Plumbing Standards (Plumbing Act)	
Irrigation of green infrastructure	LOT/ PRECINCT OR SUBDIVISION	Not	

BARRIERS (ADAPTATION)

FLOODING

	SCALE	ADDRESSED BY	BARRIERS
Settlement Patterns	SUBDIVISION/ MUNICIPAL	Planning Scheme (Planning and Environment Act)	<ul style="list-style-type: none"> Resistance to equitable responses in catchment wide approaches to flooding. Various planning tools (LSIO, SBO, UFZ, FO) identify areas of flood risk, with the overlays requiring proposed development to provide design responses to address the level of flood risk identified. Not all areas of current and future flood risk are however likely to be mapped within planning schemes. New subdivision and growth area planning factors in flood risk into settlement patterns, however there is no mechanism within planning relating to retreat. Uncertainty around drainage capacity in some areas. Some council and developer resistance to WSUD due to ongoing maintenance costs and management burden. Tension between on-site permeability provision and development in inner-urban areas where lot sizes are relatively smaller. Seen as a constraint on development and achievement of increased densities. Permeability is a potentially crude tool in planning to achieving stormwater flow and stormwater quality outcomes Existing permeability requirements relate to Clause 54/55 which do not capture many development typologies, and also non-residential development. OSDR and 'permeability equivalence' emerging as responses, however not within planning systems currently. Unclear if review of Stormwater compliance requirements by State Government will result in broader application of standards currently in 56.07, to more development types. Achieving best practice outcomes on In-lieu stormwater quality off-site contributions schemes emerging as an alternative mechanism for developers unable to comply on-site.
Flood management (Rainfall and runoff)	MUNICIPAL	Planning Scheme (Planning and Environment Act)	
Stormwater management			
Permeability	LOT/ MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	
Onsite Stormwater Detention and Retention	LOT/ MUNICIPAL/ REGIONAL	Plumbing Regulations	
Stormwater Quality	LOT/ MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	

FOOD SECURITY

	SCALE	ADDRESSED BY	BARRIERS
Urban Farming	PRECINCT OR SUBDIVISION	NOT	<ul style="list-style-type: none"> The provision of urban farming or community garden areas as part of new precincts or subdivisions requires consideration be given to the ongoing maintenance and management of these areas - which is a cost developers or councils may not be keen to take on. Viable urban farming appears to occur where there are committed community members or appropriately funded organisations/businesses. Requiring urban farming as part of the open space component of development may not be suitable to all development projects. Protection of future agricultural activities at the urban fringe and in green wedge areas is currently being considered as part of DELWP's 'Planning for Melbourne's Green Wedges and Agricultural Land' project, and there may be unwillingness within DELWP to immediately consider reform outside the processes of that project.
Agricultural production / protection of future opportunities	MUNICIPAL/ REGIONAL	Planning Scheme (Planning and Environment Act)	

BIODIVERSITY PROTECTION

	SCALE	ADDRESSED BY	BARRIERS
Biodiversity Protection	MUNICIPAL	EPBC Act (Federal) FFG Act (State) Planning Scheme (Planning and Environment Act)	<ul style="list-style-type: none"> Political barrier of unwillingness for Government to acquire further land or require a further amount of land to be set aside in greenfield development to provide additional range/habitat for species as an adaptation to the impacts of a changing climate compromising existing habitat. Also a question of which species to be prioritised and need for landscape ecology based technical modelling.

4.0 RECOMMENDATIONS

This Section of the report identifies a range of Initiatives which may be of assistance in responding to the barriers identified. As noted previously within this report, the focus has been on changes that are relevant to the environment in which decision-makers operate, with a particular focus on decision-makers at local government level.

It is important to acknowledge, however, that these options are likely to be only one part of the solution and that barriers exist across a range of areas as outlined. While the recommendations have focused primarily on the changes to legislation and policy which underpin decision-making and the tools available to practitioners, there are a number of other matters which are also relevant considerations in the delivery of an 'authorising environment' which support climate change responsive decisions. These are less easily defined or require additional consideration as to what the appropriate initiatives would be. Nonetheless, they are important to capture. Where these other barriers have a strong influence on aspects of the planning framework which drive decisions, these have been included as Complementary Initiatives, and include matters such as enforcement and education.

Table 3 below includes all Initiatives identified through this process. The inclusion of all Initiatives is important as there may be different priorities across different sectors of the planning community and stakeholder groups. A brief explanation as to the rationale for each Initiatives inclusion is also outlined.

Following the table are further recommendations for priority initiatives based on various factors. They provide the thread between the recommendations and reflect the feedback received during engagement. The Recommendations outlined below have been generated on the basis of both analysis and feedback through the engagement phase. The prioritisation of these has been informed by assessment criteria developed through this project (and outlined in the relevant section below) and engagement.

4.1 FOCUS AREAS FOR CHANGE

Table 3 below has been framed with reference to a number of focus areas which have been identified to guide the recommendations of this report. They represent the link between the initiatives recommended and the barriers identified in the previous section of this report and encapsulate the findings of both the analysis and engagement.

- **Shifting the balance of decision-making**

'High level' legislative obligations are important in driving change at the more fine-grained level. Planning is structured to flow from legislative requirements to objectives, which are then supported by the application of zones and overlays and the articulation of strategies. In turn, these are implemented by standards and guidelines. Failing to include, as part of legislative obligations, robust and comprehensive references to climate change, and to highlight the key role decisions made within the planning system play can compromise support for climate action. How we live our lives is strongly influenced by the places we inhabit and these are the remit of planning. Ensuring that these places are focused on the twin goals of adaptation and mitigation has the potential to make a significant contribution to global objectives in responding to climate change.

- **Supporting statutory decision-making**

Statutory planners and other decision-makers need specific content in Planning Schemes to support them in delivering climate responsive outcomes. If there is no reference in the scheme, the ability to deliver particular outcomes is compromised and inconsistent, and relies more heavily on individual decision-making and capacity. In addition, planning relies heavily on the presence of a permit trigger for there to be any relevant assessment of the appropriateness of an application. If there is not a permit trigger which relates to the issue within the Planning Scheme, there is no opportunity for a decision to be made on the matter through the planning system.

- **Making climate change considerations explicit**

In responding to climate change, planning needs to look to the longer-term impacts and requires greater consideration of the impacts on future generations. This is sometimes incompatible with other objectives of planning and with the interests and obligations of some decision-makers. Climate change considerations must be made explicit, or they will continue to be overlooked in favour of policy considerations that are more explicitly spelled out within Planning Schemes.

- **Aligning planning with best practice and science**

Planning Schemes currently speak to the need to identify at-risk areas using the best available data and climate change science. Specific policy benchmarks stated in the schemes therefore need to be consistent with the *"best available data and climate change science."* These benchmarks and standards need to be kept up to date to provide clear guidance for decision-makers.

- **Supporting strategic decisions**

Climate change needs to be more strongly integrated into the documents and frameworks. As a result, in some cases, work can be undertaken to plan for places like activity centres and land can be rezoned, without paying particular attention to the impact on either mitigation and / or adaptation goals. Improving the robustness of the integration with strategic planning sets the groundwork for long term responses.

- **Planning for climate resilient communities**

Current planning practices at precinct scale, including huge areas of greenfield development, as well as more standard subdivisions, are failing to take into consideration the scale of change needed to standard practice. This is a key barrier, as once these foundations are set through the subdivision and precinct planning stages, they are very difficult to change or to retrofit. Many of these areas will still be developing when a net zero target is envisaged to be met.

- **Integrating climate change actions**

Adopting integrated responses and avoiding 'siloiing' is critical to addressing climate change. A current lack of integration between planning and other areas of government addressing adaptation planning, across various portfolios and departments, has been identified as a barrier. In addition, the current practice of including references to large and complex Policy Documents to *"consider as relevant"*, without explicitly extracting content relevant to planning and including this within Planning Schemes, means many key parts of government policy are being poorly applied through the planning system. Explicit attention is needed to integrate policy content on climate action into the planning system.

4.2 ALL RECOMMENDATIONS

The following initiatives are proposed to support Victoria's commitment to net zero greenhouse gas emissions and climate resilient communities, through the authorising environment of the planning and building systems. The initiatives are also intended to support councils in delivering their obligations in relation to supporting the adaptation of their communities to the existing and future impacts of climate change. Issues that may require further consideration or investigation are flagged and the barrier and initiative 'type' are identified. The initiatives are in no specific order.

INITIATIVE		FOCUS	COMMENTS
LEGISLATIVE CHANGE			
1	Seek an amendment to Schedule One of the <i>Climate Change Act 2017</i> to include reference to decisions made in regard to amendments or the issue of permits under the <i>Planning & Environment Act 1987</i> .	Shifting the balance of decision-making	<p>Updates to the <i>Climate Change Act 2017 (CC Act)</i> are needed to impose a legislative obligation to consider climate change in planning decisions to establish the high level support for net zero emissions and climate resilient outcomes.</p> <p>Amendments to Planning Schemes (PSAs) under the <i>Planning & Environment Act 1987 (P&E Act)</i> represent (generally) strategic decisions which should be aligned with responses to climate change. It therefore follows that amendments under the <i>P&E Act</i> should be referenced in Schedule One of the <i>CC Act</i>. Exceptions may be needed for administrative amendments.</p> <p>Further investigations would be required to establish whether there are specific types of planning permit applications that may also benefit from reference in Schedule One, or whether PSAs are sufficient. One issue may be that without reference to specific development applications the nexus with the <i>CC Act</i> would only be established where a PSA is proposed and not to any development under current schemes.</p>
2	Seek an amendment to the <i>Planning & Environment Act 1987</i> to provide clearer direction on the consideration of climate change in assessment and decision-making.	Shifting the balance of decision-making	<p>The key mechanism for implementing change under the <i>P&E Act</i> are Planning Schemes and updates to these remain the priority. However, the inclusion of a specific reference to climate change within the <i>P&E Act</i> could provide additional strength to any policy contained within Planning Schemes. Updates could include an additional, and specific, reference to climate change considerations within the Objectives of the Act, similar to the recent change relating to affordable housing. If affordable housing required a specific reference, then it is logical that climate change would also benefit from an explicit reference. In addition, clarity on the duties required under the <i>P&E Act</i> could be referenced under Section 12 (duties and responsibilities) to confirm that a Planning Authority must provide appropriate responses to climate change. Further changes could be made to Section 46AZL to ensure that the principles guiding decision-making in declared areas also have consideration for appropriate mitigation and adaptation responses. This would support changes to require consideration of net zero carbon precincts referenced at Initiative 36.</p>

Table 3: Recommended initiatives to enable planning responses to climate change

INITIATIVE	FOCUS	COMMENTS
LEGISLATIVE CHANGE		
<p>3 Promote opportunities for additional ‘greening’ in established urban areas through broadening definitions of Public Open Space under the <i>Subdivision Act 1988</i>.</p>	<p>Supporting strategic decisions</p>	<p>Urban greening is widely recognised as a key response to increasing temperature and as critical to maintaining liveability. Throughout COVID-19 the importance of open spaces and access to nature has been highlighted – and these open spaces take many forms. For most councils, the majority of funding for green infrastructure is acquired through developer contributions to open space. This is a requirement of the <i>Subdivision Act</i> and can be in the form of land or a monetary contribution. The amount is set within the Planning Scheme of each council at CI 63.01 Public Open Space Contributions. However, the definition of open space within the <i>Subdivision Act</i> is quite narrow (i.e land has to be zoned or put aside for public recreation in order for funds to be utilised). This restricts the ability of councils, in particular those who may have trouble acquiring the large parcels of land needed to deliver traditional parks, from increasing the amount of green space. This is frequently the case in densely settled urban areas where the need is greatest. Broadening the definition of what can be funded using public open space contributions contained within the <i>Subdivision Act</i> would assist in urban cooling.</p>
<p>4 Seek an amendment to the ‘Objects’ of the <i>Victorian Planning Authority Act 2017</i> to reference need to deliver net zero and climate resilient communities .</p>	<p>Planning for climate resilient communities</p>	<p>The Victorian Planning Authority (VPA) is the main decision-maker in relation to the urban structure and overarching principles of development in both greenfield areas, and increasingly, in renewal precincts. They are guided by a separate piece of legislation which outlines their obligations to the State Government. While their primary object is to provide advice and assistance to the government in line with the Objectives of planning in Victoria (see page 6), there are six further specific responsibilities outlined. One of these is “to encourage land development that is sustainable and that takes into account natural and other hazards” but there is no specific reference to the role that growth and renewal area planning can, and should, play in delivering net zero emission and climate resilient neighbourhoods. Precincts are a key focus in the delivery of net zero outcomes worldwide and an explicit reference to this in the objects of this Act would remove any ambiguity in the organisations role in delivering the State’s legislated target of net zero emissions and in ensuring that the liveability of these areas is based on the anticipated environment at the time of development.</p>

INITIATIVE	FOCUS	COMMENTS
STATE GOVERNMENT PROCESSES		
<p>5 Update <i>Minister’s Direction No. 11 – Strategic Assessment of Amendments</i> and <i>Practice Note 46: Strategic Assessment Guidelines</i> for Planning Scheme amendments to ensure that Explanatory Reports prepared for every amendment include an explicit assessment against relevant climate change considerations including consistency with emission reduction targets over the life of any potential development, and any relevant adaptation measures.</p>	<p>Making climate change considerations explicit</p>	<p>When a Planning Scheme Amendment is proposed, there is a requirement to assess this against a range of measures outlined in a Ministerial Direction. In a practical sense, updating this to require assessment against current climate policy or legislated emissions targets provides a clear signal that changes to Planning Schemes in Victoria should all be working towards the delivery of climate change responses.</p>
<p>6 Document preferred practice for the delivery of climate responsive planning through new or amended Practice Notes.</p>	<p>Supporting strategic decisions</p>	<p>In undertaking both strategic planning, and in the assessment of developments, planners rely heavily on Practice Notes produced by the State Government. The integration of climate change consideration into these Practice Notes is currently poor, and in many cases, non-existent. Key areas that could benefit from new or updated Practice Notes include:</p> <ul style="list-style-type: none"> • How to manage coastal hazards, with regard to relevant benchmarks. • The consideration of climate change in the application of rural zones. • The integration of climate change responses in the preparation of Structure Plans. • How to prepare Climate Change Response Plans (see Initiative 36). • How to apply ESD policy in practice, with particular reference to the role of external tools in demonstrating delivery of best practice.
<p>7 Establish principles, processes and the most appropriate mechanisms (i.e Public Acquisition Overlay, land swap) to ensure there is a sound basis for equitable and strategic relocation in areas of unmitigated risk, and to allow this process to begin early.</p>	<p>Supporting statutory decision-making</p> <p>Supporting strategic decisions</p>	<p>The recent <i>draft Built Environment Adaptation Action Plan</i> touched on the need to begin consideration of areas which may be identified under adaptation planning as being susceptible to unacceptably high unmitigated risks under climate change scenarios. This is a very sensitive and emotional issue and the failure to see any meaningful change in settlement patterns following the Black Saturday tragedy speaks to this. Nonetheless it is a critical issue that should be highlighted as the retreat or transition of these at-risk areas and settlements will be a long process, and one which must be undertaken in a robust, equitable and strategic manner. Central to any process is avoiding any further development of areas where transition or retreat is a strong possibility to avoid the associated financial and other burdens. Without a robust, State-led framework for managing these areas, it is impossible for individual decision-makers to address this aspect of any climate change response.</p>

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
8	Update definitions at Clause 72 to include relevant climate change or ESD related definition to ensure consistent application of policy. Of note are definitions around net zero emissions, electric vehicle (EV) readiness, green infrastructure and permeability.	<p>Supporting statutory decision-making</p> <p>In introducing climate related policy there are a number of new concepts that are likely to be introduced. It will be important that relevant aspects are included in definitions in the scheme to ensure that there is certainty as to what terminology means and that resources are not diverted to arguing about definitions.</p> <p>Ideally these definitions should be derived at a State level and included at Clause 72. Alternatively, if there is no appetite for this, an Incorporated Document containing a glossary could be included into relevant Planning Schemes. While there is some suggestion that definitions should be included in the body of any control, for the most part definitions are generally accepted and so their inclusion in a Planning Scheme is only necessary if they are challenged by an applicant, in which case statutory weight becomes important. In addition, many of these definitions are relevant to multiple Clauses or standards in Planning Schemes. Further to this, consideration could be given, while existing ESD Local Policies remain, to including the CASBE endorsed definition of best practice.</p>
9	In addition to proposed updates to the Planning Policy Framework to embed emission reduction targets, include the explicit target of net zero emissions by 2050 as State policy at Clauses 15 and 19.	<p>Shifting the balance of decision-making</p> <p>Aligning planning with best practice and science</p> <p>While the State Government’s ESD Roadmap proposes to include the emissions reduction target within the Planning Policy Framework, including the longer-term ambition of net zero emissions is important having regard to the lifecycle of buildings and the fact that decisions made through Planning Schemes will significantly outlast the interim emissions targets, making the long-term goal a more appropriate benchmark for consideration.</p>
10	Review all Decision Guidelines to ensure that, where relevant, appropriate references to matters related to climate change adaptation or mitigation are included.	<p>Supporting statutory decision-making</p> <p>Making climate change considerations explicit</p> <p>Decision Guidelines play a key role in Victoria’s planning system, which is generally discretionary. Greater clarity and more effective use of Decision Guidelines can increase the effectiveness of existing policy or requirements that support climate responsive outcomes. A review of current intersections which are currently addressed in Planning Schemes to update any associated Decision Guidelines to explicitly reference climate change could assist in supporting further consideration of climate change through existing policy and statutory approval processes.</p>
11	Replace references at Clause 11 to require that planning is to contribute to ‘net zero emissions outcomes’ rather than “energy efficiency”.	<p>Supporting statutory decision-making</p> <p>Making climate change considerations explicit</p> <p>While planning is not the key driver of net zero emissions outcomes, acknowledging planning’s important contribution to that end goal is important in embedding this concept in statutory decision-making. Planning currently talks clearly to the delivery of energy efficiency, with the levels of efficiency currently undefined through the building system. There is potential benefit in clearly identifying that the outcome being sought is not energy efficiency but net zero emissions, of which energy efficiency is a core component. This further supports a position acknowledging that planning as a system is involved when change and renewal is proposed and that, given the lifecycles of development and the required emission reduction, an objective of delivering net zero emissions is a more appropriate benchmark within the system.</p>

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
12	Amend the Objective of Clause 11.02-2S Structure planning to reference climate change resilience and to add a new objective to Clause 11.03-2S Growth areas to reference net zero and climate resilient neighbourhoods.	Supporting strategic decisions
		These parts of the scheme talk to the outcomes sought in planning for precincts and growth areas. These areas should be looking to the delivery of net zero emissions neighbourhoods and the embedding of climate resilience in the planning for new spaces. Note also relevant comments above regarding Practice Notes which would provide guidance as to the implementation of these objectives. More ambitious or innovative precincts may look towards climate positive outcomes and this may also have benefit in reference.
13	Include a specific strategy to avoid new development in areas subject to coastal hazards at Clause 11.03-4S Coastal settlement (as per Clause 13.02)	Making climate change considerations explicit
		While the relevant clause dealing with coastal hazards references avoiding new development, there is not a corresponding reference in the associated settlement policy. At the moment this policy suggests “limiting” development in areas subject to coastal hazards, as opposed to CI 13.02 which seek to “avoid” development, creating ambiguity as to expectations in these areas.
14	Update all references to benchmarks to reflect a 100 year cycle (e.g. rather than plan for 2100, plan for 2125) and update relevant interim benchmarks (2040 to 2070).	Supporting statutory decision-making
		Planning and flood management generally uses a 100 year cycle (the 1% AEP) for considering flood impacts. While more broadly, climate change may require a reassessment of this benchmark, more specifically within Planning Schemes, the timescale is out of date. A 100 year consideration would require planning to 2121 (at the time of writing) rather than 2100 as currently referenced. Associated with this is the need to update relevant interim benchmarks which are significantly out-of-date. Further, distinctions between greenfield and urban areas is problematic and should be removed – floodwaters do not distinguish between these areas and there is no scientific rationale for setting a different benchmark. Policy should instead talk to the different planning or design responses that may be appropriate in these two areas.
15	Identify and protect agricultural land that will remain highly productive under climate change scenarios in relevant regional plans and associated policy and mapping at Clause 14.01.	Supporting statutory decision-making
		While agricultural productivity is a complex matter, and highly reliant on the skills and knowledge of individual farmers, it is clear that some parts of the State will be more resilient in terms of the scope of agricultural production than others. CI 14.01-1S currently has no reference to climate change. Policy supporting the transition of agricultural uses (at CI 14-01-2S) is not the same as prioritising protection of this land. Identifying climate resilient areas, which in many cases will overlap with existing strategic agricultural areas will be important. References to these areas at CI 14-01-2R and requiring them to be shown spatially on relevant maps within the PPF, rather than in external documents may assist planners in protecting these areas.
16	Support updates to the Purpose of the Planning Policy Framework but require inclusion of specific reference to sustainability, ‘having regard to climate change’, or similar.	Making climate change considerations explicit
		While it is acknowledged that responding to climate change is an integral part of delivering “sustainable” outcomes as currently required by the <i>P&E Act</i> and proposed as part of the Purpose of Planning Schemes through the ESD Roadmap, sustainability is a complex matter that is open to a wide variety of interpretations. Without explicit reference to climate change, broad brush references to sustainability may not support appropriate longer-term outcomes.

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
17	Support an alignment between protection of agricultural land and the availability of alternate water sources as proposed through the <i>Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper (2020)</i> and extend this consideration beyond peri-urban areas.	Supporting statutory decision-making
18	Establish a policy basis for decisions relating to land uses such as carbon storage and their relationship to the protection of agricultural land.	Supporting statutory decision-making
19	Apply relevant Overlays (Land Subject to Inundation and Floodway Overlay) to land affected by coastal inundation to provide permit trigger.	Supporting statutory decision-making
		<p>Recent proposed changes to planning controls in peri-urban and green wedge areas (not yet implemented) drew a much clearer link between areas where alternate water sources were available and the encouragement of agricultural uses which could utilise this resource. Similar policy would be useful across all agricultural areas, as climate change impacts reduce water availability.</p> <p>As net zero carbon ambitions become more entrenched, development applications for carbon storage / sequestration are increasing. Currently there is no State level policy providing guidance for how such applications should be assessed and/or balanced with a potential reduction in productive agricultural land. Policy would assist planners in assessing such proposals in a balanced manner</p> <p>While policy identifies that development should be avoided in areas subject to coastal hazards, currently there is no permit trigger in place to allow most councils to assess this.</p> <p>While it is appreciated that Local Coastal Hazard Assessments (LCHAs) can provide a more nuanced understanding to guide assessment, it has been established through Planning Panel findings that the use of 'Second Pass' data is sufficient to inform a PSA. A permit trigger to identify the need to consider potential impacts is important in supporting planners to implement State policy. In addition, it avoids potentially significant issues which arise when such impacts are then identified at building stage, if the application has not been referred to the Floodplain Management Authority (FMA) through the planning process. As articulated in the relevant DELWP Guidelines: <i>"Land that is affected by flooding should be identified by a flood overlay, unless it is zoned for flood purposes. This makes the flood risk clear to all and provides the necessary trigger for development proposals to be referred to a floodplain management authority. It also enables future purchasers of land to be informed of the flood risk through vendor disclosure statements."</i></p> <p>Further to this, there may be benefit in some additional refinements to existing policy around coastal hazards, given it is clearly not the intention of policy to "avoid" development in all areas subject to coastal hazards (i.e. in some areas a design solution or precinct based outcome is proposed rather than preventing development).</p> <p>See also related Initiatives (30, 31, 33, 37 and 38) related to the updating of data and the relevant provisions.</p>

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
20	Integrate references to place-based Coastal Adaptation Plans and Integrated Water Management Plans proposed by various State Government programs into Planning Schemes to ensure they are 'activated' as soon as adopted.	Supporting statutory decision-making Supporting strategic decisions Integrating climate change actions There are a number of current State Government programs which aim to address key aspects related to climate change. Notable among these is the Integrated Water Management (IWM) program, which will lead to place-based IWM plans, and the Resilient Coasts 2100+ program which is framing adaptation planning for coastal areas. References to the outcomes of these place-based adaptation plans in relevant parts of Planning Schemes in advance of their finalisation will ensure that, once signed off by the government, they have an immediate relevance to planning decisions that might otherwise be delayed until associated PSAs are undertaken by each council.
21	Update the Planning Policy Framework to more comprehensively address integrated delivery of infrastructure in State Policy by being explicit about outcomes (i.e. the need for coordination of infrastructure delivery to ensure delivery of sustainable canopy vegetation).	Supporting statutory decision-making Supporting strategic decisions Explicit policy at CI19.03-2S (Infrastructure design and provision) could provide support for greater integration of in-street infrastructure and the delivery of canopy vegetation. In most current circumstances, service provision is still siloed. Without explicit recognition of canopy trees as a critical part of street planning, delivery of broader objectives around greening are challenging.
22	Update Clause 56 to align with the findings of the CASBE led Sustainable Subdivisions Framework (pending completion of pilot phase).	Supporting statutory decision-making Planning for climate resilient communities The Sustainable Subdivisions Framework (CASBE) represents a clear and evidence-based update to how we currently plan for subdivisions. Subdivisions are the building blocks of urban development and, as such, are critical to get right. Testing through the pilot phase, particularly with reference to the diversity of councils participating in the pilot, should give confidence in the applicability of any new standards Statewide. As such, updating Clause 56 accordingly should be pursued once updates following the pilot phase have been endorsed.
23	Update the Planning Policy Framework to more comprehensively address renewable energy generation in State Policy by: <ul style="list-style-type: none"> • Addressing the provision and siting of lot scale renewables at Clause 19. • Addressing energy storage facilities at Clause 19. • Updating relevant clauses within Clauses 54, 55 and 58 to include more explicit requirements for on-site generation, siting and storage / energy management. 	Supporting statutory decision-making While there is significant policy to assist in decision-making around larger scale renewable energy, there are gaps in current policy when it comes to smaller scale microgrids, embedded networks, siting and provision of lot scale renewables (noting recent changes to protect solar panels). There is also no current guidance around energy storage / management either at small or large scale. Addressing these gaps would support decision-makers in the facilitation of renewable energy at varying scales.

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
24	Update the Planning Policy Framework to more comprehensively address climate change hazards in State Policy.	Supporting statutory decision-making Making climate change considerations explicit
25	Include a Particular Provision/s that articulates mandatory minimum standards of Environmentally Sustainable Design in key areas such as energy efficiency, green infrastructure, electric vehicle readiness, etc.	Supporting statutory decision-making Making climate change considerations explicit
26	Ensure that forthcoming updates to the Regional Growth Plans and their relevant background work integrates more explicit and spatially based recognition of climate change impacts and ensure these are considered in growth planning.	Supporting strategic decisions

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
<p>27 Update the Planning Policy Framework to more comprehensively address sustainable transport in State Policy by:</p> <ul style="list-style-type: none"> Aligning the rates and delivery of car parking to best practice at Clause 52.06. Amending Clause 52.06 to reference ‘vehicular’ parking, rather than just ‘car’ parking within a particular provision. This would support the inclusion of standards relating to motorcycles / scooters / car share / e-bikes / shared delivery spaces, etc. Including requirements to support future adaptation of car spaces in Clause 52.06. Including requirements to provide EV charging points and EV ready spaces for both residential, commercial and other developments, either at Clause 52.06 or in a new Particular Provision. Updating the requirements for bicycle parking including rates and associated facilities and their design at Clause 52.34. Providing direction around the requirements and provision of on-street EV charging stations at Clause 19. 	Supporting statutory decision-making	Transport is a critical part of the mitigation picture, and one of the sectors where emissions are rising. The planning system currently fails to adequately facilitate the modal shift referenced in policy. Updates to Planning Schemes to address the items identified would be of significant assistance in facilitating sustainable transport outcomes. In particular, adjusting car parking rates, introducing policy relating to electric vehicles and reframing specific standards to address ‘vehicles’ more holistically, rather than just ‘car parking’ could all make a significant contribution to the modal shift and transition to net zero emission vehicles, and more sustainable forms of transport, required to reduce emissions from transport.
<p>28 Review and identify opportunities for greater recognition of relevant State policy in areas such as biodiversity to be represented spatially through Regional Growth Plans and to be specifically referenced as relevant regional policy (e.g. <i>Protecting Victoria’s Environment – Biodiversity 2037 – “Identify future reserve system priorities through strategic land-use planning”</i>).</p>	Supporting strategic decisions	The planning system is an incredibly important tool in guiding spatial outcomes. Currently relevant spatial outcomes identified in areas such as biodiversity protection are poorly integrated into planning, and there is little reference to key areas of habitat or to regional habitat linkages. Integrating specific relevant regional matters included in other adopted State documents into both policy at 12.01-1R and into relevant municipal maps will help give effect to policy included in C11 and 12. Many of the areas referenced in policy are known but the generic nature of current policy and lack of specific references means they are often not given much weight in decision-making.
<p>29 Support the identification of key habitat corridors as part of regional planning processes to ensure these are recognised and mapped within relevant Planning Schemes to support decision-makers.</p>	Supporting statutory decision-making	Habitat corridors are recognised as a key component in building resilience of the natural environment in the face of climate change. Work has been undertaken in identifying key habitat corridors, at both a local and regional scale. However, these rarely find their way into Planning Schemes, other than on an ad-hoc basis at a municipal scale. This is not compatible with the delivery of such linkages which generally extend beyond a municipal scale and require overall connectivity to achieve their intended purpose.

INITIATIVE	FOCUS	COMMENTS
PLANNING SCHEME UPDATES		
30	Advocate for the creation of new Planning Overlay to address coastal erosion and application of the Overlay to affected land.	Supporting statutory decision-making
31	Undertake further updates to the Land Subject to Inundation Overlay and the Floodway Overlay to ensure they are fit for purpose in guiding planning decisions in areas subject to coastal hazards.	Supporting statutory decision-making
32	Insert a new Clause in the Planning Policy Framework which recognises and addresses Green Infrastructure under Community Infrastructure (Clause 19.02)	Supporting statutory decision-making Supporting strategic decisions
33	Update Victorian Planning Provisions to include land use triggers for sensitive uses in flood prone areas	Supporting statutory decision-making
		There is currently no tool available to planners to address coastal erosion, significantly impeding their ability to appropriately manage development approvals subject to this coastal hazard, despite policy directing them to do so. The application of the existing Erosion Management Overlay provides an option but is not fit-for-purpose. Coastal erosion behaves very differently and requires consideration of very different matters than inland landslip, for which the tool was originally developed. Development of a fit-for-purpose tool would allow planners to consider the risks to a development and make decisions accordingly. It would also support referral to the Catchment Management Authorities (Swho have responsibility for coastal erosion under the <i>Marine and Coastal Act 2017</i> .
		While minor changes have been made to the purpose of the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) and to some of the matters which require consideration, they are still primarily drafted to provide relevant tools for assessment of riverine flooding, rather than coastal inundation. Updates to Decision Guidelines and reference to matters relevant to coastal inundation should be pursued. Reviewing aspects such as earthworks triggers will become increasingly important as residents seek to protect their properties through works on private land.
		Inserting a new Clause which recognises Green Infrastructure as a critical component of how we plan our places would assist in ensuring appropriate consideration of these assets alongside other infrastructure. It would provide a logical place for relevant policy and allow local councils to clearly articulate their ambitions from State through to Local level policy.
		While there is an expectation that councils avoid the siting of sensitive uses (such as hospitals, aged care or child care centres) in floodprone areas, in some instances there is no permit trigger for a change of use, or the use of 'as-of-right' in the underlying Zone. This means decision-makers cannot prevent such uses establishing, despite this being contrary to policy. Updating the flood provisions to include a land use trigger could address this. Alternatively, updating land use tables in all relevant zones may also address this issue.

INITIATIVE	FOCUS	COMMENTS
STRATEGIC DOCUMENT UPDATE		
34	Ensure that recent updates to the Victorian Planning Authority's <i>Precinct Structure Planning Guidelines</i> are aligned with the findings of the Sustainable Subdivisions Framework (pending completion of pilot phase).	Supporting statutory decision-making
	Planning for climate resilient communities	While it is understood that the <i>Precinct Structure Plan (PSP) Guidelines 2.0</i> are in their testing phase, there remains the option to advocate for more ambitious outcomes within the update. There was significant scope in the draft released to improve both the specific content and the ambition of the guidelines, without compromising the broad structure and process proposed. The CASBE Sustainable Subdivisions Framework contains many elements which could be effectively integrated into the <i>PSP Guidelines 2.0</i> . Doing so would greatly assist in the alignment of any subdivision assessments which may occur in areas subject to PSPs, particularly if the content of the framework is embedded in Clause 56 (as suggested) or other parts of policy for councils participating in the pilot.
35	Include requirements within the Victorian Planning Authority's <i>Precinct Structure Planning Guidelines</i> to require new communities to be net zero and designed appropriately to respond to climate change impacts.	Planning for climate resilient communities
		A 'net zero emissions' neighbourhood should not be considered "innovative" – it should be the expectation given the timescales for the development of these areas. A 'carbon positive' neighbourhood would be more appropriate representing the 'innovation' pathway outlined in the <i>Guidelines</i> . Every <i>PSP</i> prepared should also be clearly articulating the steps being taken to ensure the future community will be resilient, taking into account the changes in climate anticipated over that timeframe, rather than just existing conditions, ideally through requirements for a Climate Change Response Plan.
36	Include explicit requirements for all decision-makers, under relevant legislation that all precinct planning should include the development of a 'Climate Change Response Plan' which documents the estimated emissions for the precinct at full development potential, the anticipated impacts of climate change, and the measures that will be taken to deliver net zero and to integrate appropriate adaptation measures.	Planning for climate resilient communities
		Supporting strategic decisions
		There is a clear opportunity for the development of a standard requirement that any precinct planning includes a process whereby the anticipated emissions and climate impacts are identified upfront and there is an explicit requirement to outline the proposed mechanisms by which emissions will be mitigated and climate impacts moderated for future communities. This is becoming standard practice overseas, and has already been explored by the Victorian Planning Authority (VPA) in areas such as the Arden Urban Renewal Precinct. Importantly, this requirement should not just apply to entities like the VPA, but also to other agencies and authorities engaged in precinct planning including the Suburban Rail Loop Authority, Department of Transport and the Department of Jobs, Precincts and Regions.

INITIATIVE	FOCUS	COMMENTS
STATE DATA UPDATE		
37	Update all coastal inundation data to align with scientific projections contained in the <i>Sixth Assessment Report</i> prepared by the Intergovernmental Panel on Climate Change (IPCC), having regard for any local variations identified through relevant Local Coastal Hazard Assessments.	<p>Supporting statutory decision-making</p> <p>Supporting strategic decisions</p> <p>Aligning planning with best practice and science</p> <p>The <i>Marine & Coastal Act 2017</i> and associated Policy and Strategy (currently draft) underpins planning responses in coastal areas. The need to update benchmarks contained in Planning Schemes was identified in the <i>Marine & Coastal Policy</i> (finalised in 2020), which suggested they should be updated to reflect the finding of the IPCC report. The corresponding benchmark to the existing 0.8m SLR was updated to 1.1m SLR in the <i>Sixth Assessment Report</i>. The <i>Marine & Coastal Policy</i> suggested that the figure in Planning Schemes would be updated “as necessary and supported by modelling that places global projections into the Victorian context to provide greater accuracy for regional and local-level adaptation”. A corresponding update has yet to be made to the Victorian Planning Provisions (VPPs). Conversations with the community around adaptation in this space must be underpinned by a realistic understanding of impacts.</p>
38	Implement a process of regular review of coastal hazard data and a streamlined process for State-led updates to associated planning controls.	<p>Supporting statutory decision-making</p> <p>Supporting strategic decisions</p> <p>Aligning planning with best practice and science</p> <p>A more streamlined and timely process for updates based on science should be implemented, given there is likely to be ongoing change and impacts in relation to coastal hazards. This should include a program of automatic updates to coastal hazard mapping if required by relevant data reviews every six month, consistent with the process of updating hazard mapping which occurs with bushfire. This is particularly important given the rate at which scientific understanding is evolving in relation to sea level rise, and also the potential for ‘jumps’ in projections as a result of particular events or tipping points being reached.</p>
39	Undertake a Statewide review and update of all relevant flood mapping to align with the most recent Rainfall & Runoff projections prepared by the CSIRO and which reflect anticipated patterns of rainfall as a result of climate change.	<p>Supporting statutory decision-making</p> <p>Aligning planning with best practice and science</p> <p>As with coastal inundation, much of the data that underpin flood overlays that trigger consideration through the issue of a permit are out of date. CSIRO has updated modelling which reflects the changed conditions expected under climate change but these have (generally) yet to be integrated into Planning Schemes. As with coastal inundation, relying on local governments to prosecute these updates is problematic and they would be more effectively implemented by the State in the same manner as bushfire hazard updates.</p>

INITIATIVE	FOCUS	COMMENTS
EDUCATION / MONITORING		
40	Work with the Department of Environment, Land, Water and Planning and the Victorian Civil and Administrative Tribunal (VCAT) to provide information or training for VCAT Planning & Environment List members on their role in delivering climate responsive outcomes.	Supporting statutory decision-making Decision-makers under the Planning & Environment (P&E) List are not always from a planning or ESD background. They rely heavily on interpretation of the statutory instrument of the Planning Scheme, aided by evidence provided by relevant experts. However, clear direction from the State as to the intention behind some of the existing or (hopefully) future content of the Planning Policy Framework (PPF) and broader system, as pertains to climate change could assist in providing a clearer lens to the application of such policy. Articulating the role of the PPF and the relationship between policy contained within Planning Schemes, and other background documents, which may not be the subject of specific review through a hearing unless explicitly referenced such as the <i>Climate Change Strategy</i> , may also be useful. At a minimum, highlighting the importance of these decision-makers and the options available to them to consider climate change through their decision-making would be valuable.
41	Improve post-approval monitoring and review processes in relation to Environmentally Sustainable Design (ESD) outcomes.	<div data-bbox="790 667 1117 850">Supporting statutory decision-making</div> <div data-bbox="790 850 1117 943">Supporting strategic decisions</div> <div data-bbox="790 943 1117 1062">Aligning planning with best practice and science</div> <p>There has been significant concern over the delivery of ESD related actions proposed as part of the planning permit process on the ground. Work undertaken by a number of councils, including the City of Melbourne identified that the ‘design to support’ principle that underpins much of current ESD policy is not leading to optimal outcomes, with many developments not delivering on their ESD potential. While more explicit and mandatory requirements are important to resolving this issue, a more robust program of monitoring, or exploration of a more formal post-construction or post-occupancy certification requirement (for example, as part of the Built Environment Sustainability Scorecard) would also assist. Alternatively, a program of randomised checking of conditions endorsed through Sustainability Management Plans / Sustainable Design Assessments (SMPs / SDAs) would provide both an understanding of key areas of non-compliance, in addition to promoting increased focus on compliance across the development industry, and could be facilitated through organisations such as CASBE.</p>

4.3 COMPLEMENTARY INITIATIVES

As noted previously, there are a number of actions which would also assist in overcoming some of the barriers identified in delivering climate change responses through Victoria's planning system. These are discussed in some more detail in this section of the report.

Information and Education

In many cases, the barriers identified through this project relate to a general understanding of exactly *how* particular outcomes could, or should, be delivered. While there is significant information available on the benefits of aspects of sustainable design, current and practical information is less readily available. This can lead to perceptions that things are too hard or too costly, which may be based on outdated information. Opportunities to support the identified Initiatives include:

- Prepare information sheets about how to deliver a net zero development, building on the established hierarchy of reducing energy demand through siting and design, reducing energy use through efficient appliances, onsite energy generation and finally, use of green power or other offset arrangements for residential carbon emissions.
- Continue to develop real-life case studies, and work with relevant project partners, to provide examples from suburban and regional contexts, and embracing single dwellings and commercial buildings.
- Prepare information sheets explaining the opportunities of key concepts:
 - What is Vehicle 2 Grid and Grid 2 Vehicle charging? The processes and the benefits, parameters and standards that would be suitable for different development typologies.

- What is an embedded network? How would this work at a lot or precinct scale? What issues might you face and how might you address them?
- Practical implementation of green infrastructure. Addressing issues of how to deliver Integrated Water Management and where to find resources on building standards and appropriate species.

Notwithstanding the above, it must be acknowledged that there are significant resources available to guide, support and assist in the delivery of a built environment that is more responsive to climate change. However, much of this information is dispersed, differs between councils and not all of it is easily accessible to decision-makers, let alone permit applicants. The creation of a single government portal where all relevant material, technical standards and guidance could be accessed and searched by typology and aspect, may support better access to relevant data.

It may also be of assistance to provide some additional clarity around the relationship between the planning and building systems and how this might affect the practicalities of the development approval process. While there has been reasonable clarity around the overarching role that the planning system has to play in the delivery of ESD, and as an extension, in climate change responses, there remains considerable diversity of opinion at a more granular scale. A simple exercise of conveying the appropriate planning benchmarks and then the appropriate location of specific standards (i.e. within Planning Schemes or the building regulations) would assist many decision-makers in navigating this contested space.

In addition, some clear guidelines on the appropriate specifications at the planning stage to support climate change outcomes may be of use. This might be in the form of a framework which outlines the relationship between planning policy objectives and strategies, any specified standards or policy guidelines within Planning Schemes, as well as the information that needs to be provided at planning stage, in the post-permit stage (i.e. though the endorsement of a SMP) and at the building

stage. This could be supported by model application requirements, model permit conditions or SMP templates.

It is also important that the Municipal Association of Victoria (MAV) continues to provide a consistent understanding of the legal obligations of Local Government in relation to planning for climate change mitigation and adaptation, with clear linkages to the typically relevant roles and responsibilities within councils, based on the findings of relevant research.

While the State Government has provided some guidance to councils as to their obligations and commissioned research to assess the integration of obligations in responding to climate change across different parts of Local Government (*Local Government Climate Change Adaptation Roles and Responsibilities under Victorian legislation*, DELWP 2020), this remains an important space and an area where practical examples and the articulation of best practice would be useful in further embedding climate change responses across Local Government. This is particularly important given the role that key documents such as the Council Plan and Municipal Health and Wellbeing Strategies play and their influence on the broader authorising environment within councils. It is also noted that the document identified above relates specifically to adaptation responses, and further guidance may be useful in terms of the obligations in delivering emissions reduction pledges under the *Local Government Act 2020* and *Climate Change Act 2017*, noting these pledges are currently voluntary.

There is also potential benefit in the preparation of material to support community awareness and advocacy with the intention of driving change to community appetite for climate change action and to support relevant inputs to Council Plans and Municipal Health and Wellbeing Plans. The community drives change and establishes political pressure to translate action into policy at both Local and State levels. Current momentum and the public appetite for climate action, identified through polling, is an important source of support for changes to the authorising environment for planners and other decision-makers. Councillors are democratically elected and the community has significant power to drive change at the local level.

In addition to supporting community engagement, an education campaign for internal council staff (outside planning) to raise awareness of the health and wellbeing implications of climate change to more fully embed adaptation and mitigation actions into legislated requirements such as Council Plans and Municipal Health and Wellbeing Plans may be of benefit. As noted in the decision-making flow charts, referrals from other council departments are an influence, particularly at subdivision and lot scale. If other departments are educated and empowered to apply a climate change lens on their referrals this can significantly strengthen the decision-making process. Referrals are often given significant weight due to the generally technical and specific nature, as opposed to more general policy.

There are also important climate change outcomes to be gained by supporting actions and campaigns to deliver 'density done well' in recognition that low densities of development are a key barrier to the delivery for public transport and other services required to support sustainable settlement patterns. It must be acknowledged that the delivery of sustainable communities relies on density. Density has often been delivered poorly and evokes strong resistance in many areas. Supporting and highlighting where this is done well is important in generating social licence for increases in density which are critical to mitigation efforts.

Resourcing and funding

Resourcing is a constant issue for Local Government and the technical knowledge required to implement climate change responses is beyond many councils. Innovative approaches to enabling councils will need to be pursued. Options could involve establishing a pool of ESD experts available to councils, in particular to regional and rural councils, to support the upskilling of both internal council staff as well as applicants. Additional benefit may be gained by an explicit mandate to engage with, and educate, applicants on a project-by-project basis. Funding for ongoing training and capacity building is a key area where State investment could be pursued.

Approaches to post-approval monitoring

One of the most challenging aspects of the planning system is that, once a permit has been issued, there is generally very little monitoring or enforcement. This is due to a combination of factors, not least the resources required for monitoring compliance and enforcement. This results in only matters which are a clear risk to the community, or which are pro-actively identified by the community, being pursued. However, it is consistently highlighted as one of the key issues in delivering ESD outcomes, a fact emphasised by the current policy approach which sees Planning Schemes require only the *potential* for sustainable design, which is often not translated into practice. Use of tools with certification processes such as Green Star is one way of addressing such an issue but there needs to be wider consideration – perhaps by building in a monitoring and review process to BESS, or setting up a shared resource to undertake reviews to establish if sustainability outcomes are being delivered and if not, where the greatest areas of non-compliance are occurring so that targeted actions can be undertaken. A randomised monitoring system can assist in compliance.

Managing planning reforms

Ensuring ESD / climate change outcomes are still considered through fast-track process is also particularly important in the context of ongoing changes to the Victorian planning system. There are currently significant reforms underway at a State (and to a lesser extent, Local) government level, many of which are focused on fast track processes using Particular Provisions or VicSmart. In some cases, these processes may turn off other policy, meaning ESD and climate change considerations may be overlooked. It is important, therefore, that any proposed changes are carefully scrutinised to ensure they do not lower the bar on ESD or climate resilient responses. Ideally, a fast-track process should set the bar higher.

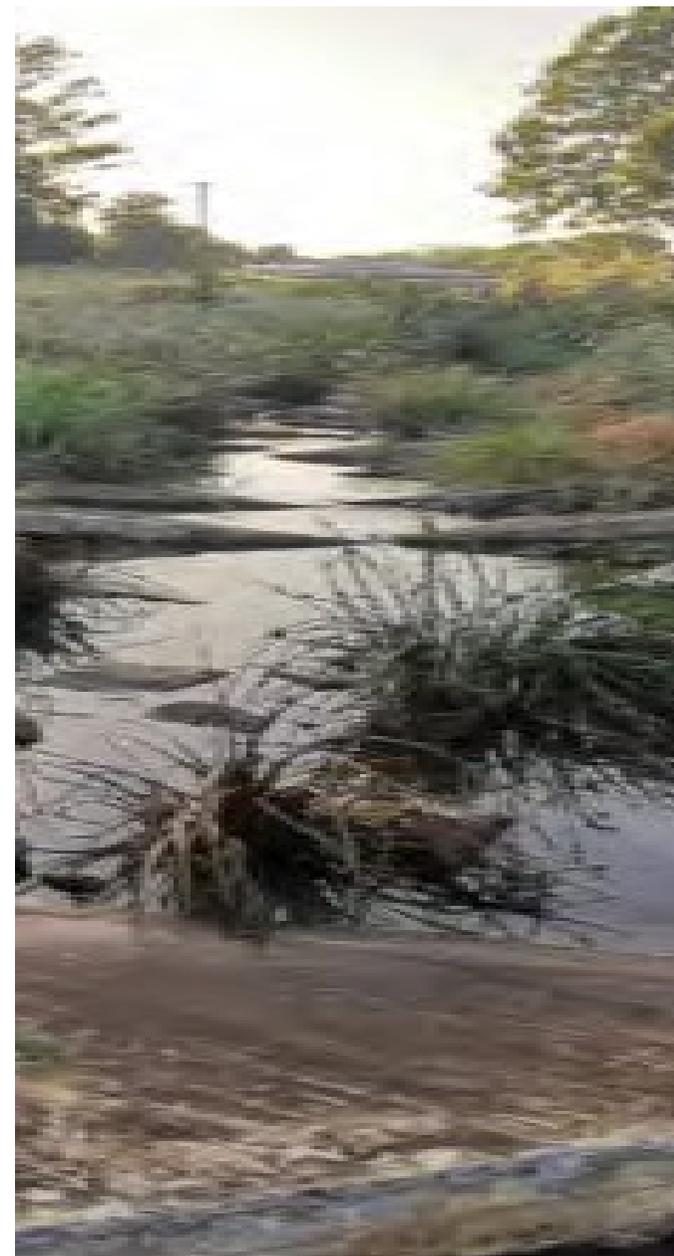
Continue to engage with reforms across other key sectors of the built environment

While this report has focused on planning, it has also acknowledged that planning is only one part of the equation. A continued dialogue and open communication about the objectives and outcomes being pursued at the planning stage with the development sector would be of significant assistance, and many councils have begun this process. In addition, engaging in advocacy related to improvements within the building system is also important. This may be through supporting changes to other parts of the system (for instance, the updates to the NCC or changes to the Plumbing Code to remove outdated requirements for gas-boosted systems) or through broader engagement with built environment professionals. There are a number of groups active in this area, such as Architects Declare, Engineers Declare and Builders Declare, who may offer useful conduits in the sharing of information, resources and in clarifying advocacy priorities.

Updates to the Building Act may also be something that is considered. At the moment there is no explicit objective to ensure that buildings under the Act are resilient to climate change impacts. For example, an explicit objective that buildings are resilient to climate change impacts may provide a basis for requirements to ensure thermal safety in a blackout is maintained.

Governance and external tools

Another key area worth consideration more broadly is the ongoing structure and governance of external tools, and their application within the planning system. External tools provide a number of advantages and there is significant potential for them to be used much more effectively through the planning system. The appropriate use of these tools could allow the Planning Scheme to identify the relevant benchmarks required (the 'what') while the tool could provide the technical 'how' in a manner which could be applied contextually, and in a way which aligned with the applicants' objectives. This would avoid the planning system needing to be framed in a way which meets the lowest common denominator and would encourage the type of innovative responses our performance-based system is intended to deliver. External tools also offer the potential to address some of the issues with compliance and monitoring identified earlier. Currently the way external tools are integrated is very inefficient, and there are concerns around the governance of tools which has been a barrier to the delivery of best practice (for example, the introduction of a Green Factor Tool into the planning system). An agreed framework for use of a Memorandum of Understanding may be an option for addressing this. It is highlighted that the use of external tools is explicitly noted in the ESD Roadmap.



4.4 PRIORITISATION

As clearly demonstrated, there are a number of barriers inhibiting decision-makers in fully embedding climate change in the discharge of their responsibilities. In considering responses to address those barriers, a large number of specific recommendations have been made. To that end, this section of the report identifies a number of Criteria for prioritising the Initiatives. Having regard to the intention of this project, the prioritisation must have regard to the effectiveness of any action in ensuring climate change is an overarching factor in decision-making, and also for its ease of implementation.

Criteria are identified in the relevant highlight box and the initiatives were placed in a matrix which allowed for the transparent comparison between different initiatives, and the identification of overarching priorities for any advocacy campaign.

CRITERIA
Effectiveness
Can be clearly linked to the delivery of a specific outcome which is understood to contribute to climate change adaptation or mitigation.
Addresses a critical barrier that, if overcome, would enable a number of other options to be pursued.
Will have a medium or high level of impact in terms of mitigation of carbon emissions from the built environment. <i>(measured in terms of an understanding of the relative contribution of varying parts of the built environment).</i>
Will increase the resilience of the community to climate change impacts likely to be felt in the next decade.
Provides a necessary basis or framework to support other actions on climate change adaptation.
Has the potential to be used effectively in communicating changes required to the built environment to a broader audience.
Supports a wide range of mitigation and adaptation measures.
Supports the adaptive capacity and resilience of ecological systems.
Implementation
Is applicable to metropolitan, regional and rural contexts.
Is subject to, or has the potential to be addressed, by current reform agendas.
Has an existing evidence base that would underpin proposed advocacy.
Is likely to be accepted by the development industry with only minor resistance
Is clear and specific in terms of change, rather than needing further definition or investigation
Will be able to be implemented within a 5 year timeframe.
Has an existing policy basis at State level.
Has an existing policy basis at Local government level (through ESD policy etc).
Will require manageable resourcing and financial inputs from local government.
Potential for additional resources to be available to support implementation
Associated benefits
Results in outcomes which are multi-beneficial and support integrated approaches to mitigation and adaptation.
Has the potential to bring about change that will be of benefit to those relatively more vulnerable to climate impacts

4.5 OVERARCHING PRIORITIES

These represent the Initiatives which achieve the highest overarching ranking on application of the Criteria.

- Initiative 1: Seek an amendment to Schedule One of the *Climate Change Act 2017* to include reference to decisions made in regard to amendments or the issue of permits under the *Planning & Environment Act 1987*.
- Initiative 2: Seek an amendment to the *Planning & Environment Act 1987* to provide clearer direction on the consideration of climate change in assessment and decision-making.
- Initiative 5: Update *Minister's Direction No. 11 – Strategic Assessment of Amendments* and *Practice Note 46: Strategic Assessment Guidelines* for Planning Scheme amendments to ensure that Explanatory Reports prepared for every amendment include an explicit assessment against relevant climate change considerations including consistency with emission reduction targets over the life of any potential development, and any relevant adaptation measures.
- Initiative 6: Document preferred practice for the delivery of climate responsive planning through new or amended Practice Notes.
- Initiative 7: Establish principles, processes and the most appropriate mechanisms (i.e. Public Acquisition Overlay, land swap) to ensure there is a sound basis for equitable and strategic relocation in areas of unmitigated risk, and to allow this process to begin early.
- Initiative 9: In addition to proposed updates to the Planning Policy Framework to embed emission reduction targets, include the explicit target of net zero emissions by 2050 as State policy.
- Initiative 11: Replace references at Clause 11 to require that planning is to contribute to 'net zero emissions outcomes' rather than "energy efficiency".
- Initiative 14: Update all references to benchmarks to reflect a 100 year cycle (e.g. rather than plan for 2100, plan for 2125) and update relevant interim benchmarks (2040 to 2070).
- Initiative 16: Support updates to the Purpose of the Planning Policy Framework but require inclusion of specific reference to sustainability, 'having regard to climate change', or similar.
- Initiative 19: Apply relevant Overlays (Land Subject to Inundation and Floodway Overlay) to land affected by coastal inundation to provide permit trigger.
- Initiative 20: Integrate references to place-based Coastal Adaptation Plans and Integrated Water Management Plans proposed by various State Government programs into Planning Schemes to ensure they are activated as soon as adopted.
- Initiative 22: Update Clause 56 to align with the findings of the CASBE led Sustainable Subdivisions Framework (pending completion of pilot phase).
- Initiative 23: Update the Planning Policy Framework to more comprehensively address renewable energy generation in State Policy.
- Initiative 24: Update the Planning Policy Framework to more comprehensively address climate change hazards in State Policy.
- Initiative 25: Include a Particular Provision/s that articulates mandatory minimum standards of Environmentally Sustainable Design in key areas such as energy efficiency, green infrastructure, electric vehicle readiness, etc.
- Initiative 26: Ensure that forthcoming updates to the Regional Growth Plans and their relevant background work integrates more explicit and spatially based recognition of climate change impacts and ensure these are considered in growth planning.
- Initiative 27: Update the Planning Policy Framework to more comprehensively address sustainable transport in State Policy.
- Initiative 32: Insert a new Clause in the Planning Policy Framework which recognises and addresses Green Infrastructure under Community Infrastructure (Clause 19.02).
- Initiative 34: Ensure that recent updates to the Victorian Planning Authority's *Precinct Structure Planning Guidelines* are aligned with the findings of the Sustainable Subdivisions Framework (pending completion of pilot phase).
- Initiative 35: Include requirements within the Victorian Planning Authority's *Precinct Structure Planning Guidelines* to require new communities to be net zero and designed appropriately to respond to climate change impacts.
- Initiative 36: Include explicit requirements for all decision-makers, under relevant legislation that all precinct planning should include the development of a Climate Change Response Plan which documents the estimated emissions for the precinct at full development potential, the anticipated impacts of climate change, and the measures that will be taken to deliver net zero and to integrate appropriate adaptation measures.
- Initiative 37: Update all coastal inundation data to align with scientific projections contained in the *Sixth Assessment Report* prepared by the Intergovernmental Panel on Climate Change (IPCC), having regard for any local variations identified through relevant Local Coastal Hazard Assessments.

4.6 EARLY ACTION PRIORITIES

In addition to the overarching priorities, it was considered beneficial to also identify those options which can be implemented with relative ease in the immediate term. There are a number of current State initiatives which provide opportunities to leverage short term outcomes through concentrated advocacy. Priorities for early action include:

- Initiatives which can be advocated for through participation in the State's ESD Roadmap process. These would include updates to the State Planning Policy Framework related to net zero emissions, green infrastructure and sustainable transport as they relate to lot scale development.
- Initiatives which can be advocated for through participation in the Coastal Adaptation planning processes (Victoria's Resilient Coasts 2100+) include matters relating to coastal hazards.
- Initiatives which can be advocated for through participation in the drafting of the *Built Environment Adaptation Action Plan* include bigger picture advocacy around adaptation measures. The cycle of updates to this work means that a program of forward looking advocacy items may be useful in ensuring that future iterations of the Plans are drafted in the first instance, with an awareness of Initiatives of importance to Local Government.



5.0 CONCLUSION

The Initiatives identified in the previous section of this report as priorities represent the most effective Initiatives in relation to the project objectives. These prioritises in turn point to a number of overarching recommendations. The key messages which can be derived from the identified priorities are as follows:

- Recognise the fundamental role the Planning Scheme plays in guiding decision-makers, and its weight as a piece of statutory law. Focus attention on ensuring the planning scheme is reformed in a number of key areas:
 - Making the importance of considering climate change in decision-making explicit, rather than relying on generic references to sustainability.
 - Filling gaps where there is a policy void in key areas.
 - Introducing mandatory development standards in targeted areas.
 - Ensuring that the scheme and its application of controls is consistent with the scientific evidence base and best practice.
- Focus on changes that will assist in getting the fundamentals of future development areas right. This includes changes to planning for precincts and for subdivisions not only in ensuring appropriate urban structure is delivered but also in a the development of a much stronger focus on net zero and climate resilient communities

The barriers identified in this report are important to understand, but again, they do not represent the full scope of influences or restraints which can play out in day-to-day decision-making.

Many other matters were identified through engagement as part of this project, and relate to education, resourcing and other relevant observations such as regulatory barriers which will also need to be addressed. But aligning the planning system with the changes we know are needed is an important first step.

Despite the identification of key areas of focus, the scale of the challenge and the immediacy of action required to reflect scientific consensus means that there is actually an urgent need to pull all available levers. The application of the precautionary principle points to a need to not make minor changes, but to review all facets of the system and to 'activate' requirements for climate change responsive outcomes at all levels. The underlying premise of the precautionary principle, particularly considering the latest scientific guidance (IPCC 2021) on the speed at which mitigation must occur, suggests that it is better to have an over-abundance of requirements to consider climate impacts than to continue to deliver buildings, neighbourhoods and infrastructure which do not align with a sustainable future.

It is important to also recognise that the changes recommended in this report, which relate more specifically to the authorising environment for decisions made in the built

environment, only represent a small part of the picture in any advocacy campaign. While some associated initiatives are identified as complementary initiatives these are by no means comprehensive, and this document should not be seen as the whole picture in terms of advocacy priorities. Nonetheless, planning's role as a crucial determinant of what occurs during change and renewal in the built environment cannot be overlooked. There is a very strong case to be made that, as a system that is only activated when a change is proposed either to land use or to built form, that this change must be aligned with responses to climate change.



APPENDIX ONE: ACRONYMS / GLOSSARY

CC Act - Climate Change Act 2017
P&E Act - Planning & Environment Act 1987
LG Act - Local Government Act 2020
LCHA - Local Coastal Hazard Assessment
PSA - Planning Scheme Amendment
PPF - Planning Policy Framework
FMA - Floodplain Management Authority
IWM - Integrated Water Management
ESD - Environmentally Sustainable Design
SMP - Sustainability Management Plan
SDA - Sustainability Design Assessment
MAV - Municipal Association of Victoria
CASBE - Council Alliance for Sustainable Built Environment
PIA - Planning Institute of Australia
VCAT - Victorian Civil and Administrative Tribunal
DELWP - Department of Environment, Land, Water and Planning
DOT - Department of Transport
SRLA - Suburban Rail Loop Authority
DJPR - Department of Jobs, Precincts and Regions
CSIRO - Commonwealth Scientific and Industrial Research Organisation
IPCC - Intergovernmental Panel on Climate Change
EV - Electric Vehicles
OSDR - On-site detention & retention
BCA - Building Code of Australia
NCC - National Construction Code
GBCA - Green Building Council of Australia
BESS - Built Environment Sustainability Scorecard



APPENDIX TWO: ASSESSMENT MATRIX

The Table contained in this Appendix includes the relevant 'scores' of the Initiatives against the Criteria outlined in the body of the report. This informed the identification of rankings contained in Section 4.5.

INITIATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Seek an amendment to Schedule One of the Climate Change Act to include reference to decisions made in regard to amendments or the issue of permits under the P&E Act.		3			2		2		3					2			1		3		16
Seek an amendment to the Planning & Environment Act 1987 to provide clearer direction on the consideration of climate change in assessment and decision-making.		3			2		2		3					2			1		3		16
Update Minister's Direction No. 11 – Strategic Assessment of Amendments and Practice note 46: Strategic Assessment Guidelines for planning scheme amendments to ensure that Explanatory Reports prepared for every amendment include an explicit assessment against relevant climate change considerations including consistency with emission reduction targets over the life of any potential development and any relevant adaptation measures.		3			2	1			3				1	2			1		3		16
Update definitions at Clause 72 to include relevant definition to ensure consistent application of policy. Of note are definitions around net zero emissions, EV readiness, green infrastructure, permeability.	2							3	3	2		1		2		1	1				15
Support updates to the Planning Policy Framework to embed emission reduction targets but also include net zero target explicitly stated as State policy.	2		3						3	2	2		1	2			1		3		18
Support updates to the Purpose of the Planning Policy Framework but require inclusion of specific reference to sustainability 'having regard to climate change'.				2	2	1	2		3	2		1	1	2			1		3		20
Document preferred practice for the delivery of climate responsive planning through new or amended practice notes				2		1	2	3	3					2			1	1	3		18

INITIATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL	
Review all Decision Guidelines to ensure that where relevant, appropriate references to matters related to climate change adaptation or mitigation are included.						1	2		3					2	1		1					10
Replace references at Clause 11 that planning is to contribute to 'net zero emissions outcomes' rather than 'energy efficiency'.	2	3	3						3	2	2		1	2			1		3			22
Amend the Objective of 11.02-2S Structure planning to reference climate change resilience and to add a new objective to 11.03-2S Growth areas to reference net zero and climate resilient neighbourhoods.	2			2		1				2			1	2	1		1					12
Include a specific strategy to avoid new development in areas subject to coastal hazards at 11.03-4S Coastal settlement (as per CI 13.02)	2			2						2			1	2	1		1			3		14
Update all references to benchmarks to reflect a <u>100 year</u> cycle (e.g. rather than plan for 2100, plan for 2125) and update relevant interim benchmarks (2040 to 2070).				2	2				3	2	2		1	2			1			3		18
Apply relevant Overlays to land affected by coastal inundation to provide permit trigger.	2	3		2					3	2	2		1	2	1		1			3		22
Update all coastal inundation data to align with scientific projections contained in the relevant IPCC reports, having regard for relevant LCHAs.	2			2	2				3	2	2	1		2	1		1			3		21
Advocate for the creation of new provision to address Coastal Erosion and apply to affected land.				2					3	2				2			1			3		13
Advocate for further updates to the Land Subject to Inundation and the Floodway Overlay to ensure they are 'fit for purpose'.									3	2				2			1			3		11
Update all relevant flood mapping to align with the most recent R&R projections.				2	2				3		2		1	2				1				13
Identify and protect agricultural land that will remain highly productive under climate change scenarios in relevant regional plans and associated policy and mapping.														2	1		1	1				5

INITIATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Support alignment between protection of agricultural land and the availability of alternate water sources as proposed and extend this consideration beyond peri urban areas.	2									2		1	1	2			1				9
Establish a policy basis for decisions relating to land uses such as carbon storage and their relationship to the protection of agricultural land												1		2			1				4
Integrate references to place-based Coastal Adaptation Plans and Integrated Water Management Plans proposed by various State Government programs into the planning schemes to ensure they are 'activated' as soon as adopted.		3		2		1		3		2	2	1	1	2	1		1	1		3	23
Review and identify opportunities for greater recognition of relevant State policy in areas such as biodiversity to be represented spatially through Regional Growth Plans and to be specifically referenced as relevant regional policy (e.g. Protecting Victoria's Environment – Biodiversity 2037 – "Identify future reserve system priorities through strategic land-use planning").					2			3			2			2	1		1				11
Support the identification of key habitat corridors as part of regional planning processes to ensure these are recognised and mapped within relevant planning schemes to support decision-makers.	2							3	3		2			2	1		1				14
Promote opportunities for additional 'greening' in established urban areas through broadening standards for public open space planning provisions and changing the definitions under the Subdivision Act.				2													1		3	3	9
Ensure that the forthcoming updates to the Regional Growth Plans and their relevant background work integrates more explicit and spatially based recognition of climate change impacts and ensure these are considered in growth planning. Climate change impacts should be one of the key considerations in identifying areas for future growth in line with the principles of Avoiding hazards as a first priority.		3		2	2	1	2								1		1	1	3	3	16

INITIATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Seek an amendment to the 'Objects' of the Victorian Planning Authority Act.		3			2								1				1			3	10
Insert a new Clause within the VPPs which recognises Green Infrastructure under Community Infrastructure (CI19.02)	2			2	2			3	3	2	2	1	1	2	1	1	1	1	3	3	30
Update the Planning Policy Framework to more comprehensively address integrated delivery of infrastructure in State Policy by being explicit about outcomes (i.e. the need for coordination of infrastructure delivery to ensure delivery of sustainable canopy vegetation).								3		2		1		2			1				9
Ensure that recent updates to the PSP Guidelines are aligned with the findings of the Sustainable Subdivisions project (pending completion of pilot phase).	2	3		2	2		2			2	2			2			1	1		3	22
Include explicit requirements within the PSP Guidelines to require new communities to be net zero and designed appropriately to respond to climate change impacts	2	3	3	2	2	1	2			2	2			2			1	1	3	3	29
Include more explicit requirements for all decision-makers, under relevant legislation that all precinct planning should include the development of a Climate Change Response Plan which documents the estimate emission for the precinct at full development potential and the anticipated impacts of climate change, and the measures that will be taken to deliver net zero and to integrate appropriate adaptation measures		3	3	2	2	1	2				2			2			1	1	3		22
Update Clause 56 to align with the findings of the Sustainable Subdivisions project (pending completion of pilot phase).	2	3		2	2		2		3		2			2	1		1	1	3	3	27
Update the Planning Policy Framework to <u>more comprehensively address renewable generation</u> in State Policy	2		3		2				3	2	2	1	1	2	1		1				18
Update VPPs to include land use triggers for sensitive uses in flood prone areas				2					3	2		1	1		1		1				11
Update the Planning Policy Framework to <u>more comprehensively address climate change hazards</u> in State Policy					2				3				1	2	1		1	1	3	3	17

INITIATIVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Include a Particular Provision/s that articulates mandatory minimum standards of Environmentally Sustainable Design in key areas such as energy efficiency, green infrastructure, EV readiness etc	2	3	3	2			2	3	3	2	2			2	1	1		1	3	3	33
Update the Planning Policy Framework to <u>more comprehensively address sustainable transport</u> in State Policy	2	3	3		2				3	2	2		1	2	1	1	1	1	3	3	30
Work with DELWP and VCAT to provide information or training for VCAT P&E List members on their potential role in delivering climate responsive outcomes.							2		3					2			1	1	3		12
Establish principles, <u>process</u> and most appropriate mechanisms (i.e PAO, land swap) to ensure there is a sound basis for equitable and strategic relocation in areas of unmitigated risk, and to allow this process to begin early.	2			2					3	2				2	1			1		3	16

