

# Policy and Strategic Context

Attachment 1 to the Issues and Opportunities Paper  
Planning for Housing in Maldon and Newstead



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# 1. Introduction

Planning for Housing in Maldon & Newstead is underpinned by various policies at a state, regional and local level. These policies inform how Council approaches planning for housing.

This attachment to the Issues and Opportunities paper) (Attachment 1) includes an overview of the policies relevant to the project, and helps to establish the strategic context for the strategy.

The relevant policy and strategic context has been listed under the following themes:

1. Council Plan and documents
2. Settlement, town-based and land use planning
3. Housing
4. Heritage and Neighbourhood Character
5. Environment, Landscape and Environmental Risks and Amenity
6. Development and Community Infrastructure
7. Residential Zones

At the state level, the *Planning and Environment Act 1987* establishes the statutory framework for Victoria's planning system, including objectives for planning and the planning framework established by the Act.

Also at the state level, the Department of Transport and Planning (DTP) prepares Planning Practice Notes which provide ongoing advice about the operation of the Victoria Planning Provisions and planning schemes as well as a range of planning processes and topics.

The Planning Scheme is an important tool that enables land use strategies to be implemented; it includes policies and provisions at state, regional and local level. The following components of the Mount

Alexander Planning Scheme are identified within this attachment:

- Municipal Planning Strategy: located at Clause 02 and sets the basis for the local context in the planning scheme. It includes the following:
  - Context
  - Vision
  - Strategic Directions: outline how a municipality will implement its vision and manage key issues relevant to the municipality. Strategic directions are the high-level policy intentions for the municipality that provide the basis for matters that are implemented through more detailed policy
  - Strategic Framework Plans: spatial representation of the key strategic directions for the municipality
- Planning Policy (state, regional and local) at Clauses 10-19: policy is grouped by theme with directly relevant regional and local policies 'nested' under the corresponding state planning policy.
- Zones: the primary tool for guiding the use and development of land. All land (except Commonwealth land) must be included in a zone. The application of a zone to land needs to carefully consider the outcomes sought for the land expressed in the MPS and local planning policies.
- Overlays: can be used to complement the zoning of land in managing development. Certain overlays also control the use of land in special circumstances. Applying an overlay to land requires careful consideration of the development outcomes sought for the land.

## 2. Council Plan and other key documents

### Council Plan 2021-2025

The community vision (2021-2031) within the Council Plan states that “we are a welcoming community where everybody has access to services and supports, and opportunities for housing, education, employment and creative and social pursuits”.

The following objectives and strategies are relevant to this project:

#### *Objective:*

- We are facilitating managed growth of our towns while protecting natural assets

#### *Strategy:*

- Coordinate land use, urban design and infrastructure planning for towns
- Ensure there is sufficient residential, commercial and industrial land to meet demand
- Protect agricultural land that contributes or can contribute to local food systems from residential development

#### *These will include:*

- Preparing infrastructure plans for areas anticipated to grow
- Advocating for development contributions towards critical infrastructure
- Ensuring the planning scheme reflects the needs and aspirations of the community

#### *Objective:*

- Our community is growing in harmony with nature

#### *Strategies:*

- Manage sustainable township growth and development

#### *These will include:*

- Encouraging growth around existing activity centres and ensuring residential development considers hazards/constraints
- Continuing to apply best practice guidance from the Planning Scheme, including minimizing the impact of development on native flora and fauna

#### *Objective:*

- We are focused on the housing affordability challenge in our community

#### *Strategies:*

- Ensure there is sufficient residential land that caters for the existing and future community needs
- Support state-wide initiatives to increase affordable housing supply
- Encourage diverse housing options and infill residential development in appropriate locations

#### *These will include:*

- Exploring avenues for funding and developing a Housing Strategy
- Supporting sensible investment through the State Government's Big Housing Build
- Reviewing and maintaining a 15-year residential land supply across the municipality

- Championing the prioritisation of State owned land for housing with State Government Departments

### Mount Alexander Planning Scheme Review (2019)

Section 12 (1)(a) of the Planning and Environment Act 1987 (the Act) requires a planning authority (Council) to review its planning scheme within the term of each Council. Guidance is provided by the Continuous Improvement Review Kit 2006 and Planning Practice Note 32: Review of Planning Schemes.

The 2019 review of the Mount Alexander Planning Scheme was a policy-neutral audit of all local Planning Scheme content and an analysis of additional documents relevant to the operation of the Planning Scheme.

Relevant recommendations from the review include:

- Undertake strategic work relating to housing and settlement to update town framework plans to incorporate into the Scheme, including the consideration of housing affordability.
- Undertake a neighbourhood character study.
- Rewrite the content of Clause 21.07 to provide greater guidance in regards to preferred character and design.

## 3. Settlement, Town-based and Land Use Planning

### 3.1 State strategies and policies

#### Plan Melbourne

Plan Melbourne ('the Plan') is a metropolitan planning strategy that defines the future shape of the city and state over the next 35 years. The Plan is guided by the principle of 20-minute neighbourhoods, which is all about 'living locally' – giving people the ability to meet most of their daily needs within a 20-minute walk from home, with safe cycling and local transport options.

While the Plan is metropolitan-based, there is a key outcome which is relevant for regional Victoria: Outcome 07 'Continuing to invest in regional Victoria'. This includes the following directions and policies:

- Direction 7.1: invest in regional Victoria to support housing and economic growth
- Policy 7.1.1: stimulate employment and growth in regional cities
- Policy 7.1.2: support planning for growing towns in peri-urban areas
- Direction 7.2: improve connections between cities and regions

#### State Planning Policy

The state planning policies related to settlement planning include:

Clause 11.01-1S Settlement:

- Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.
- Limit urban sprawl and direct growth into existing settlements.
- Promote and capitalise on opportunities for urban renewal and infill redevelopment.

- Ensure land that may be required for future urban expansion is not compromised.
- Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Clause 11.02-1S Supply of urban land:

- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.
- Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Planning for urban growth should consider:
  - Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
  - Neighbourhood character and landscape considerations.
  - The limits of land capability and natural hazards and environmental quality.
  - Service limitations and the costs of providing infrastructure.
  - Monitor development trends and land supply and demand for housing and industry.

## 3.2 Local strategies and policies

### Strategic Directions

The strategic directions (at Clause 02.03 of the Planning Scheme) outline how Council will implement its vision and manage key issues relevant to the Shire. Strategic directions are the high-level policy intentions for the municipality that provide the basis for matters that are implemented through more detailed policy in the Planning Policy Framework.

Clause 02.03-1 include strategic directions which relate to settlement and planning for growth of townships.

This recognises Maldon as the second largest township in the Shire. The town has been recognised for its heritage significance. The retail centre in High Street, Maldon, is the second largest retail centre in the Shire. It provides local shopping needs for the township and the rural district in the north western part of the Shire and serves an important tourism role.

Newstead is a local community centre, on the Loddon River. It provides services to residents of the township itself and surrounding rural area.

Specifically, the Strategic Directions related to settlement and township growth planning include:

- Discouraging the rezoning of land for urban purposes outside the urban/township boundaries.
- Discouraging the rezoning or development of land for low density residential development if the land is likely to be required for future urban development.
- Encouraging infill and higher density development in the Shire's towns, particularly in Castlemaine.
- Limiting residential densities in unsewered small settlements and townships with effluent disposal limitations.
- Supporting urban consolidation and expansion at Castlemaine.
- Concentrating growth in Diamond Gully as Castlemaine's primary urban growth area.

- Encouraging growth in townships such as Harcourt, Newstead, Elphinstone and Taradale.
- Limiting urban expansion in Maldon.

### Framework Plans

Framework Plans are spatial representations of the key strategic directions for an area/municipality/township, and are located within the Municipal Planning Strategy, at Clause 02.04 of the Mount Alexander Planning Scheme.

The following strategic framework plans are located at Clause 02.04:

- Mount Alexander Strategic Framework Plan (outlined the strategic issues and directions for the Shire) – see Figure 1.
- Mount Alexander Urban Living Strategy Cluster, Connect and Consolidation Plan (developed as part of the Urban Living Strategy in 2004) – see Figure 2.
- Maldon Land Use Framework Plan – see Figure 3.
- Newstead Land Use Framework Plan – see Figure 4.



FIGURE 1 MOUNT ALEXANDER SHIRE STRATEGIC FRAMEWORK PLAN

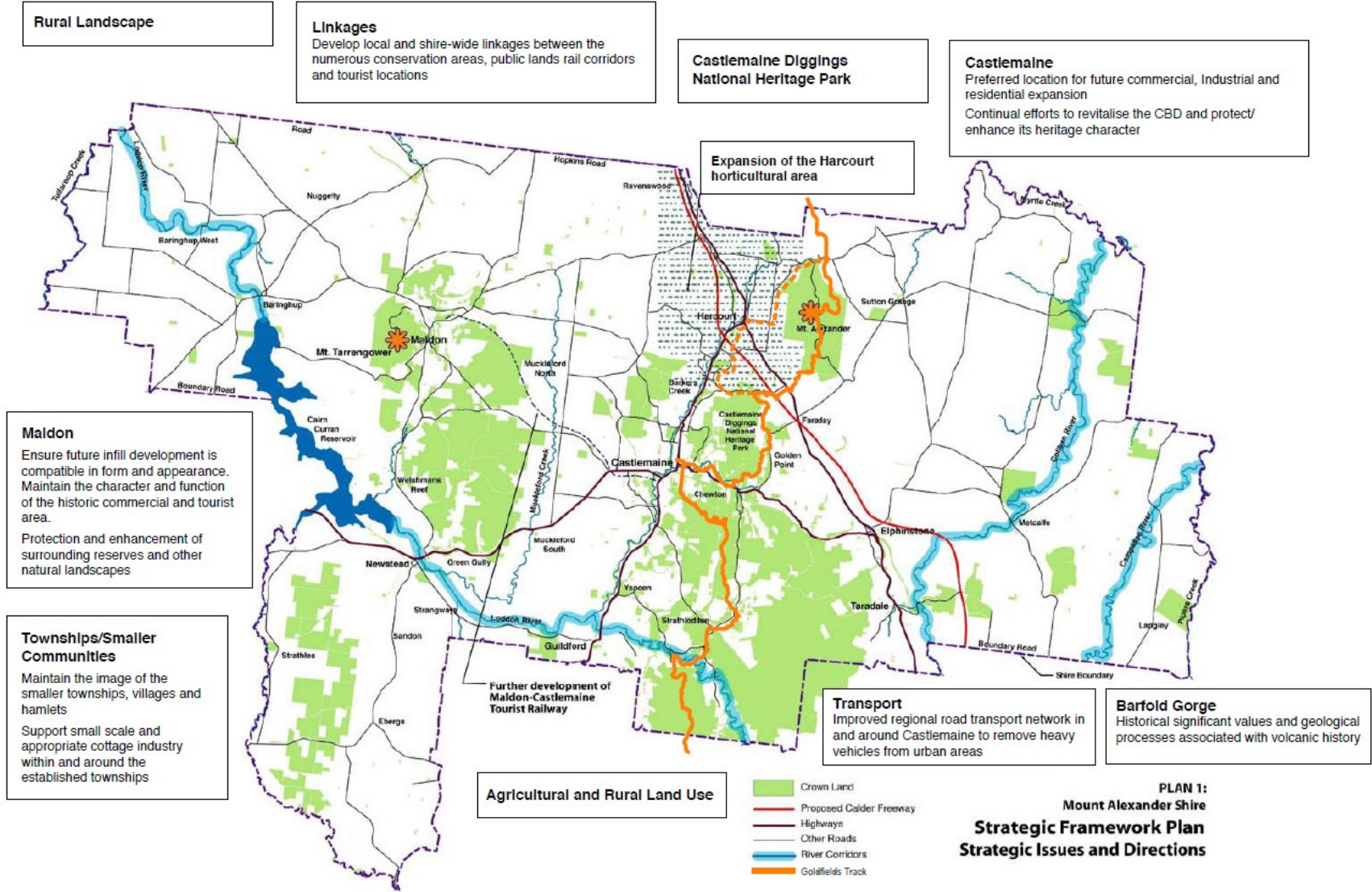
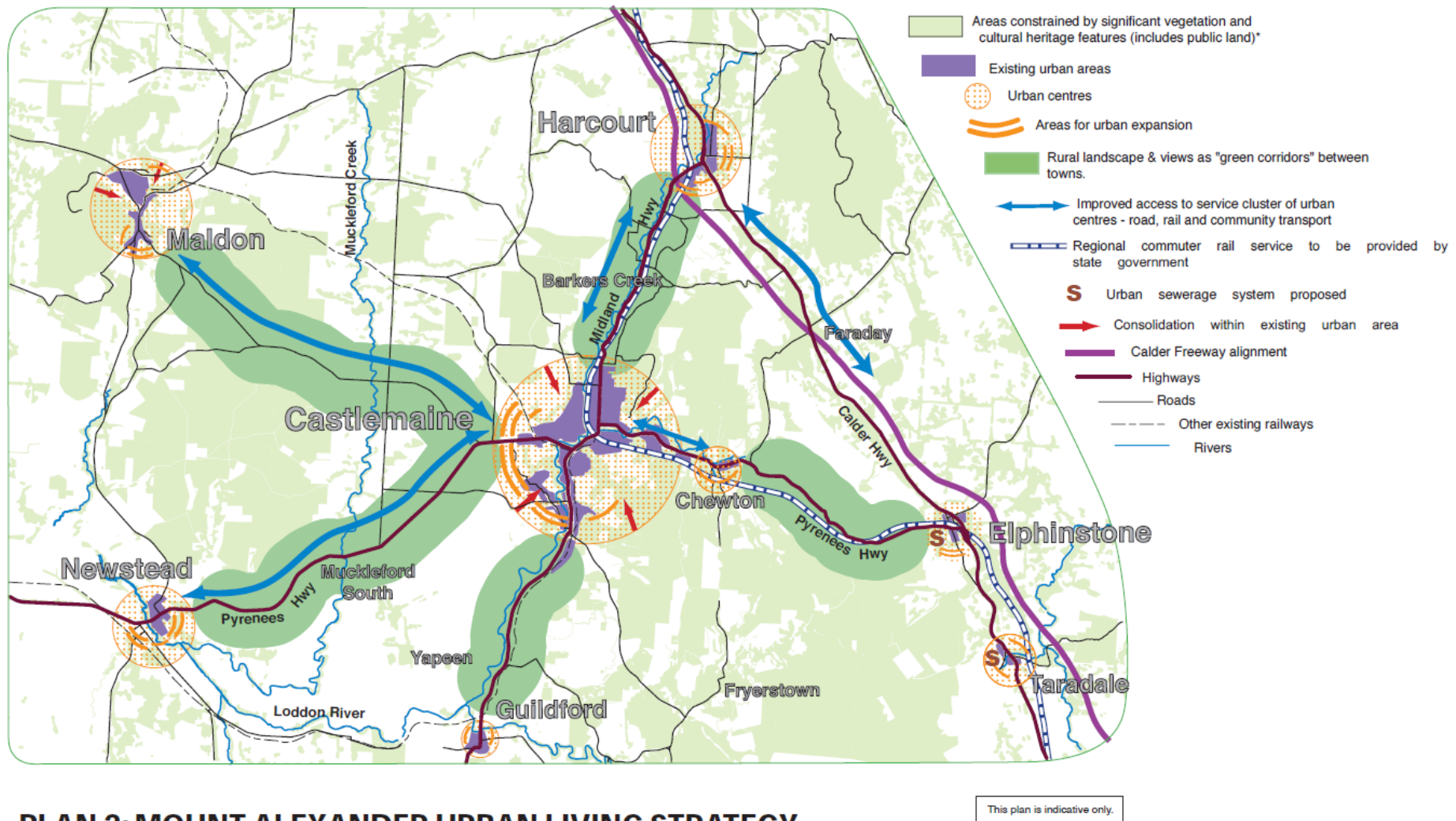


FIGURE 2 MOUNT ALEXANDER URBAN LIVING STRATEGY PLAN: CLUSTER, CONNECT AND CONSOLIDATION



## PLAN 2: MOUNT ALEXANDER URBAN LIVING STRATEGY

### Cluster, Connect & Consolidation



FIGURE 3 MALDON LAND USE FRAMEWORK PLAN



PLAN 4: MALDON FRAMEWORK PLAN

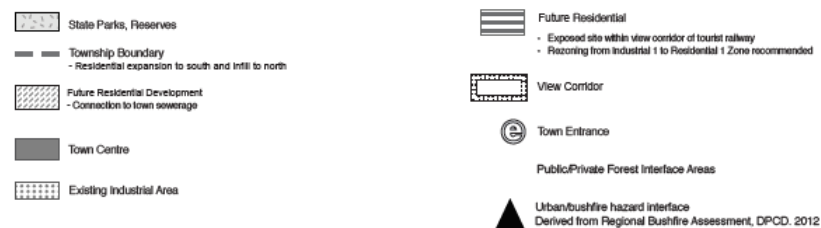
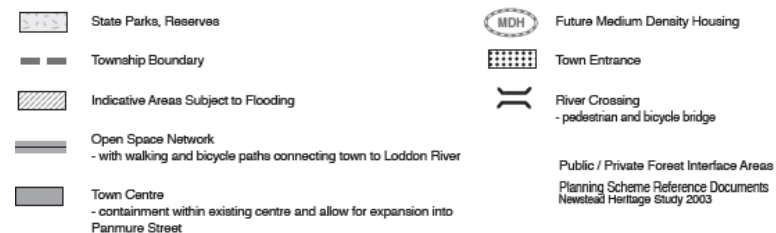


FIGURE 4 NEWSTEAD LAND USE FRAMEWORK PLAN



PLAN 5: NEWSTEAD FRAMEWORK PLAN



### Urban Living Strategy (2004)

The Urban Living Strategy provides the current strategic direction for settlement in the Shire. The Strategy outlines the preferred urban growth model for the Shire being 'Cluster Connect and Consolidation', also known as 'Cluster Connect and Calder Corridor'. The model encourages balanced development that builds on the Shire's existing settlement pattern with a regional urban focus on Castlemaine.

The Urban Living Strategy (2004) predicted significant population and household growth for the Shire however actual population growth has generally been below this level predicted (particularly between 2004 and 2011). While the actual number of total dwellings in the Shire is similar to projections in the Urban Living Strategy, the development realised within each township has differed. As a result, much of the land that was identified for future residential development/expansion at that time has not yet been developed.

### Urban Growth Strategy (2015, 2016) (uncompleted)

In 2015 Council commenced the Urban Growth Strategy. The purpose of this was to review the existing Mount Alexander Urban Living Study (2004) and to bring this together with current data to create a cohesive framework for managing the future urban growth of the Shire. At the time that the project commenced, population growth in the municipality had slowed and the Urban Living Study's projected population growth of 1.4 per cent per year was an overestimation. Furthermore, there had also been number of changes to State Government planning policies during that time; the completion of the Loddon Mallee South Regional Growth Plan; a significant body of strategic work undertaken by Council; and two new Council Plans.

The Urban Growth Strategy was never completed due to a number of factors including changes to State Planning Policy (e.g. bushfire policy) and State Government planning directions. The preparation of an updated framework plan for Harcourt (Plan Harcourt) was also underway due to its prioritisation as a town that could accommodate growth through the Loddon Mallee South Regional Growth Plan.

### Mount Alexander Shire Settlement Planning Assessment and Land Supply and Demand Assessment (2023)

The Settlement Planning Assessment reviews the existing overarching framework for how residential growth is to be managed in the municipality over the next 15 years. The Assessment provides a high-level analysis of the policy context, population, household and housing trends and forecasts in the Shire, municipal land supply and demand, the current strategic directions for settlement that sit within the Municipal Planning Strategy at Clause 02.03-1 of the planning scheme, and the issues and opportunities relating to housing and settlement planning for our key towns. The Assessment also includes an implementation plan that lists current and future strategic planning work at both the Shire-wide and township level that relate to settlement planning and housing.

### Local Planning Policy

#### Maldon

Council's strategic directions specific to Maldon include:

- Limiting urban expansion of the township.
- Discouraging development that is on or close to prominent ridges and hilltops to protect views and areas of remnant vegetation.
- Conserving and enhancing the existing scale, density, character and appearance of Maldon's earlier residential areas.
- Maintaining the commercial viability of the Maldon town centre by accommodating a range of retail, commercial and public utility land uses.
- Supporting the development of a single supermarket business on commercially zoned land in Vincents Road.
- Supporting mineral exploration and mining in Maldon, only where its historic fabric is maintained.

#### Newstead

Council's strategic directions specific to Newstead include:

- Encouraging growth in townships such as Harcourt, Newstead, Elphinstone and Taradale.

### Maldon Urban Design Framework Master Plan 2004

The report provided an overall urban design framework for Maldon, detailing specific actions, board policies and recommendations to achieve the overall study objectives.

### Tarrangower Tomorrow (2021)

Tarrangower Tomorrow is a community plan prepared for Maldon by members of the local community. Relevant objectives to this strategy include:

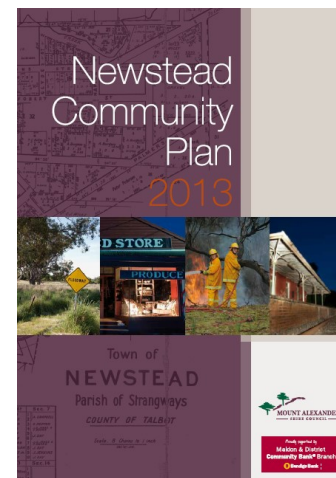
- Engage the community in adoption of a holistic approach to sustainability.
- Make Maldon a more 'sustainable' town.
- Change building regulations to encourage 'green' housing.  
(MASC note: while building regulations are outside of the scope of this project there are ways that planning policy can encourage more sustainable housing).
- Consider the employment and housing needs of young families in Tarrangower to make our population more diverse.
- Protect environmental, landscape and Indigenous heritage throughout Tarrangower.
- Encourage availability of low cost, rental housing; housing for people across their life stages.



### Newstead Community Plan (2013)

The Newstead Community Plan was prepared by members of the local community. The Plan has a set of 10 major priorities. This includes:

- Planning for a liveable Newstead, to ensure Newstead retains its unique built and natural values into the future.
- Catering for our ageing population through access and accommodation.



## 4. Housing

### 4.1 Housing location and type

#### Planning Practice Note (PPN) 90: Planning for housing

PPN90 provides guidance as to how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes.

Tensions often arise between housing and neighbourhood character, and planning for housing often means ‘housing change’ will occur. It is important to provide certainty to the community about where change is likely to occur, as well as what form it should take (i.e. future development outcomes). The PPN states that ‘planning authorities play a critical role in guiding the location and form of housing and settlement patterns to meet the needs of Victoria’s growing population’.

The PPN states that a housing strategy:

- Ensures a range of housing opportunities are available across the municipality to meet the needs of the projected population.
- Outlines the strategies and implementation mechanisms to accommodate the projected population and household needs.
- Identifies where and how the housing needs of the future population will be met across the municipality.

Identifies suitable locations for housing growth including those areas close to services, jobs, public transport and activity centres, and strategic development areas.

PPN90 was prepared alongside PPN91 Using the Residential Zones (refer Section 8.1 of this paper).

#### Council’s Strategic Directions

The local Strategic Directions related to housing (listed at Clause 2.03-6 of the Planning Scheme) include:

- Encouraging increased residential densities within 20 minutes walking distance from town centres or close to retail, health and community facilities.
- Encouraging the adaptation of existing building stock for varying forms of accommodation, including shop top living or warehouse-style living.
- Encouraging large developments to include a proportion of social housing within the development.
- Encouraging alternative residential design concepts such as cluster housing.
- Encouraging new subdivisions to have a diversity of lot sizes, including smaller lots to promote affordability.
- Supporting the development of smaller dwellings to respond to the changing housing needs of the community.
- Encouraging larger developments to provide a mix of housing types and sizes, including one- and two-bedroom accommodation that are suitable for smaller households.

Strategic Directions for Natural resource management (listed at Clause 2.03-4 of the Planning Scheme) which are also relevant to housing include:

- Agriculture:
  - Avoiding the fragmentation of productive agricultural land through the development of dwellings and subdivision



(including dwelling excisions) to maintain the productive capacity of the land.

- Discouraging the use and development of land that could create conflict with existing agricultural activities.
- Controlling the unplanned loss of agricultural land to rural living and residential uses.

## State Planning Policy

Clause 16.01-1S Housing Supply:

- Facilitate well-located, integrated and diverse housing that meets community needs.
- Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of well-designed housing that:
  - Provides a high level of internal and external amenity.
  - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.

- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

## 4.2 Housing affordability and affordable housing

### Planning and Environment Act 1987 ('the Act')

On 1 June 2018 the Act was amended to include key references to affordable housing, which signified that the planning system has a role in facilitating affordable housing, and represented the State Government's first step in actively encouraging the private sector to deliver affordable housing through the planning system.

The changes included:

- addition of the objective 'to facilitate the provision of affordable housing in Victoria'
- addition of the definition of affordable housing:
  - (1) For the purposes of this Act, affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following—
    - very low income households;
    - low income households;
    - moderate income households.
  - (2) For the purposes of determining what is appropriate for the housing needs of very low income households, low income households and moderate income households, regard must be had to the matters specified by the Minister by notice published in the Government Gazette (see below).
  - (3) Matters specified by the Minister by notice under subsection (2) cannot include price ranges or prices for the

purchase or rent of housing.

- Section 173 agreements identified as a mechanism for voluntary affordable housing agreements: "...a Responsible Authority may enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing".

The specification of income ranges noted by the Governor in Council under Section 3AB of the Act (applicable from 1 July 2021), are as follows:

**TABLE 1 INCOME RANGES WITH RESPECT TO AFFORDABLE HOUSING - GREATER CAPITAL CITY STATISTICAL AREA OF MELBOURNE**

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
Single adult	Up to \$ 26,200	\$ 26,201 to \$41,920	\$41,921 to \$62,860
Couple, no dependent	Up to \$ 39,290	\$ 39,291 to \$62,870	\$62,871 to \$94,300
Family (with 1 or 2 parents) and dependent children	Up to \$ 55,000	\$ 55,001 to \$88,020	\$88,021 to \$132,030

Source: Section 3AB – Specification of income ranges – Order in Council (derived from annual area median income from the ABS 2016 and indexed using the ABS Housing Group of the Consumer Price Index)

**TABLE 2 INCOME RANGES WITH RESPECT TO AFFORDABLE HOUSING - REST OF VICTORIA**

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
Single adult	Up to \$19,090	\$19,091 to \$30,550	\$30,551 to \$45,820
Couple, no dependent	Up to \$28,640	\$28,641 to \$45,820	\$45,821 to \$68,730
Family (with 1 or 2 parents) and dependent children	Up to \$40,090	\$40,091 to \$64,150	\$64,151 to \$96,220

Source: Section 3AB – Specification of income ranges – Order in Council (derived from annual area median income from the ABS 2016 and indexed using the ABS Housing Group of the Consumer Price Index)

## Homes for Victorians: affordability, access and choice (2017)

Homes for Victorians is the Victorian Government's affordable housing

strategy which aims to improve the housing choices for all Victorians. It introduces a number of new initiatives and reforms to address the state's housing challenges, such as inclusionary zoning and streamlined decision-making processes for social housing proposals. The Strategy recognises the growing appetite from local councils to apply affordable housing provisions as part of both rezoning and permit applications for major developments, how as an implementation tool this still remains voluntary.

## State Planning Policy

Clause 16.01-2S Housing affordability:

- To deliver more affordable housing closer to jobs, transport and services.
- Improve housing affordability by:
  - Ensuring land supply continues to be sufficient to meet demand.
  - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
  - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
  - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- Increase the supply of well-located affordable housing by:
  - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
  - Ensuring the redevelopment and renewal of public housing stock better meets community needs.
  - Facilitate the delivery of social housing by identifying surplus government land suitable for housing.



## Housing Needs and Opportunities in Mount Alexander Shire: Discussion Paper (2012)

A Housing Needs and Opportunities Paper was prepared for the Shire by Swinburne Institute for Social Research. It provided an overview of housing needs and analysis of Council roles and functions in relation to housing, and identified options for Council to seek increased supply of social and affordable housing in the Shire.

The following key issues were identified:

- Mismatch between housing demand and supply, particularly between household size and dwelling size:
  - House sales and prices:
  - Most sales in the Shire were for houses
  - Few units are for sale and thus their price is relatively high
- House price increase
- Limited affordable houses:

The paper highlighted that while Council has a responsibility to address and respond to the key issues, the options in doing so are limited given the issue of a growing gap between demand and supply of housing is an Australia-wide problem. It also mentioned that the levers for addressing this issue also lie principally with Commonwealth and State Government, and the Victorian Planning System does not directly provide the levers for Council to address the development of affordable housing in the Shire.

The paper outlined some options for Council to consider for addressing these key issues, including:

- Ongoing monitoring of housing trends and housing needs against a set of targets (to provide information for Council to advocate to Commonwealth and State governments, and setting expectations for interested parties and for discussions with builders / developers)
- Planning process: develop a local planning policy relating to affordable housing
- Advocacy.
- Rates: encourage better utilisation of vacant residential land
- Facilitation/direct provision: by actively promoting particular affordable housing policies and their rationale or by facilitating the work of other organisations in the achievement of these policies or by becoming directly involved in the provision of affordable housing.
- New rental dwellings for the Shire through the National Rental Affordability Scheme (NRAS)

## 4.3 Design, functionality and sustainability

### State Planning Policy

Clause 15.01-1S Building Design:

- To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

### Sustainable development

The local Strategic Directions relating to sustainable development (listed at Clause 02.03-5 of the Planning Scheme) include:

- Encouraging energy efficiency in the planning and design of urban communities and development to reduce energy use and greenhouse gas emissions.
- Maximising opportunities for passive heating and cooling in subdivision design, such as lot orientation.
- Supporting developments that incorporate systems for filtering stormwater run-off, including stormwater management options that retain water and vegetation.

## 5. Heritage and Neighbourhood Character

### 5.1 Neighbourhood Character

#### State Planning Policy

Clause 15.01-5S Neighbourhood Character:

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
  - Pattern of local urban structure and subdivision.
  - Underlying natural landscape character and significant vegetation.
  - Neighbourhood character values and built form that reflect community

#### PPN43 Understanding Neighbourhood Character

PPN43 provides guidance on what is meant by 'neighbourhood character'. It defines neighbourhood character as:

'the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small. It is the cumulative impact of all these contributions that establishes neighbourhood character.'

### 5.2 Heritage

#### Relevant Acts

Two of the key pieces of legislation regarding heritage include:

- The Aboriginal Heritage Act 2006 (provides for the protection of Aboriginal Cultural Heritage and Aboriginal intangible Heritage in Victoria); and
- The Heritage Act 2017 (provides for protection and conservation of the cultural heritage of Victoria).

#### State Planning Policy

Clause 15.03-1S Heritage Conservation:

- To ensure the conservation of places of heritage significance.
- Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the protection of natural heritage sites and man-made resources.
- Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.
- Encourage appropriate development that respects places with identified heritage values.

Clause 15.03-2S Aboriginal Cultural Heritage:

- To ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered

Aboriginal Parties, as a basis for their inclusion in the planning scheme.

- Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.
- Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.

### Local Planning Policy and Strategic Directions

The Strategic Directions related to built environment and heritage (listed at Clause 2.03-5 of the Planning Scheme) include:

- Protecting and conserving the historic fabric and maintain the integrity of places of heritage and cultural heritage significance.
- Conserving and enhancing the existing scale, density, character and appearance of Maldon's earlier residential areas.
- Encouraging residential and commercial development that respects the existing form and character of streetscapes and allows for contemporary architectural expression.
- Managing the form and appearance of medium density and infill housing to protect the heritage and residential character of the Shire's towns.
- Encouraging development at highway entrances that respect township character and heritage values.
- Encouraging development along the entrances to all towns to be landscaped with species consistent with the existing and planned landscape for each town.

Clause 15.03-1L Heritage General applies to all land within a Heritage Overlay and includes a list of strategies for demolition and development proposals.

### Maldon Conservation Study (1977)

The Maldon Conservation Study was first published in 1977 and forms the basis for the places covered by the Heritage Overlay in the Maldon under the Mount Alexander Planning Scheme.

### Maldon Historic Central Area Review (commenced 2021)

The Maldon Historic Central Area Review project is still underway. The project reviews the Maldon Historic Central Area, known as Heritage Overlay Schedule 445. Consultation on a draft report occurred in 2022 and this feedback is now being considered in finalising the report prior to presenting to Council to consider for adoption. A planning scheme amendment would then follow to implement its recommendations.

### Heritage Study of the former Shire of Newstead (2004) (and subsequent reviews)

The Heritage Study of the former Shire of Newstead was commissioned in two stages between 1998 and 2003 by the Mount Alexander Shire Council. The study area was the former Newstead Shire and included the towns of Newstead, Campbells Creek, Fryerstown, Guildford and Vaughan. This forms the strategic basis for places covered by the Heritage Overlay in Newstead under the Mount Alexander Planning Scheme.

### Maldon Design Guidelines (2022)

The Maldon Design Guidelines (2022) are an incorporated document to the Mount Alexander Planning Scheme. The guidelines provide detailed design criteria for new development in Maldon covered by a Heritage Overlay, including the heritage precincts and the areas affected by the Significant Landscape Overlay Schedules 1 and 3.

### Dhelkunya Dja (Dja Dja Wurrung Country Plan 2014-2034)

The Shire's Townships are located on Dja Dja Wurrung country. Dhelkunya Dja provides direction for the Dja Dja Wurrung Clans

Aboriginal Corporation ('the Corporation') and the Traditional Owner Land Management Board. It will be used to build partnerships with key stakeholders and to increase the involvement of Dja Dja Wurrung Traditional Owners in the effort to achieve the Corporation's goals. The Country Plan recognises the importance of the cultural heritage of the Traditional Owners of Dja Dja Wurrung Country - the significant places and landscapes, the stories and language, the customs and practices and the responsibilities for looking after Country.

Goal 3 of the Plan is cultural heritage: 'our cultural heritage is recognised and protected as a celebration of our identity and community'.

### Mount Alexander Shire Thematic Heritage Study (2016)

The Thematic History identifies the key themes which are pivotal to understanding the evolution of the Shire. It is in part a study of the physical development of/change to the landscape and focuses on aspects such as settlement patterns and land uses that have been crucial to its development.

The recommendations outlined within the study which are relevant to this project include:

- Undertake a review of the places included in the early Castlemaine and Maldon studies and prepare citations.
  - Currently, many places included in the Schedule to the Heritage Overlay, typically those places identified in the 1970s heritage studies for Castlemaine and Maldon, do not have a corresponding citation outlining their significance in keeping with contemporary practice. Whilst there is some information included in the 1970s studies, there are only brief statements in the Maldon study.
- Identify areas where there are major gaps in the listing of heritage places, and commission gap heritage studies as required.

## 6. Environment, landscape and environmental risks and amenity

### 6.1 Environment and landscape values

#### State Planning Policy

Clause 12 includes strategies relevant to protecting environmental and landscape values, including biodiversity.

#### Council's Strategic Directions

The local Strategic Directions related to environment and landscape values (listed at Clause 2.03-2 of the Planning Scheme) include:

- Landscapes:
  - Discouraging development that is on or close to prominent ridges and hilltops to protect views and areas of remnant vegetation.

#### Maldon Significant Landscape Overlay Review (2020)

In 2020 a review of the Significant Landscape Overlay as it applies to the town of Maldon and its surrounds including Significant Landscape Overlay Schedules 1 and 3. The review informed the preparation of the updated Maldon Design Guidelines and also recommends that a small and focused Landscape Assessment Study be undertaken of this area to accurately determine the extent of the significant landscape and to confirm that the SLO is the best tool to apply to the residentially zoned areas of Maldon.

### 6.2 Bushfire

#### State Planning Policy

Clause 13.02-1S Bushfire Planning:

- Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:
  - Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).
  - Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).

#### Council's Strategic Directions

The local Strategic Directions related to bushfire include:

- Directing urban development to the lowest risk locations.
- Avoiding development in areas of high bushfire risk where defensible space cannot be provided.
- Minimising biodiversity impacts when creating areas of defensible space around new dwellings.

## 6.3 Flooding

### State Planning Policy

Clause 13.03 includes strategies relevant to floodplain management.

### Council's Strategic Directions

Newstead has historically been vulnerable to flooding from the Loddon River and is currently protected by levee banks.

Significant flood events occurred in the Shire in 2010, 2011 and 2012.

The local Strategic Directions related to flooding (listed at Clause 2.03-3 of the Planning Scheme) include:

- Protecting life, property and infrastructure from the risk of flooding.
- Supporting land use and development initiatives for flood mitigation works.
- Discouraging intensive forms of development or incompatible uses on flood prone land.

## 7. Development and Community Infrastructure

### State Planning Policy

Clause 19 Infrastructure of the Planning Scheme states the following:

- Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.
- Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.
- Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.
- Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.
- Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

### Council's Strategic Directions

The local Strategic Directions related to infrastructure (listed at Clause 2.03-9 of the Planning Scheme) include:

- Preventing residential development in rural areas, that can significantly increase costs of infrastructure maintenance and service provision.
- Providing new physical or community infrastructure in new residential communities by way of developer contributions.

- Encouraging development in the General Residential Zone to be connected to reticulated sewerage.
- Open space:
  - Linking open spaces and movement networks.
  - Providing open space links along drainage corridors and creeks through residential subdivision.
  - Require contributions for open space for new residential subdivisions.



## 8. Residential Zones and Overlays

### 8.1 Planning Practice Note (PPN) 91 Using the Residential Zones:

#### Overview of PPN91

This PPN was developed concurrently with PPN90 (Planning for Housing), and identifies the role and application of each residential zone, given that once work surrounding housing and neighbourhood character has been completed, this will inform the application of the appropriate residential zones to reflect the housing and neighbourhood character.

Specifically, the PPN provides guidance about how to:

- use the residential zones to implement strategic work
- use local policies and overlays with the residential zones
- make use of the key features of the residential zones.

PPN91 also provides detail on the principles which underpin the residential zones, including:

1. Housing and neighbourhood character plans need to be consistent and align with one another when specifying preferred future housing and neighbourhood character outcomes for an area.
2. All residential zones support and allow increased housing, unless special neighbourhood character, heritage, environmental or landscape attributes, or other constraints and hazards exist.
3. The Residential Growth Zone promotes housing intensification in locations close to jobs, services and facilities serviced by public transport including activity centres.
4. The General Residential Zone is a three-storey zone with a maximum building height of 11 metres.
5. The density or number of dwellings on a lot cannot be

restricted in the Neighbourhood Residential Zone unless special neighbourhood character, heritage, environmental or landscape attributes, or other constraints and hazards exist.

It is worth noting that the Rural Living Zone (RLZ) is not considered to be a residential zone, and is a 'rural zone'. A review of the RLZ and land zoned RLZ would be completed in a Rural Living Strategy to understand the supply and demand.

#### Background to PPN91

Over time, there have been multiple reforms to the role and application of the residential zones. The most recent reform was in 2017 which included the designation of the General Residential Zone (GRZ) as a zone that is applied to areas where housing development of three storeys exist or is planned for. The reform included the opportunity for neighbourhood character objectives to be specified in the zones. The 2017 reforms resulted in providing more certainty and consistency about housing growth and built form outcomes, by creating consistent and strengthened maximum building height controls and the introduction of a minimum garden area requirement in the GRZ and the NRZ.

In the earlier reforms to the residential zones in 2014, the newly introduced GRZ was applied to land that was previously zoned Residential 1 Zone, which became a redundant zone. This meant that there was an automatic transition to GRZ for land zoned Residential 1 Zone.

PPN91 provides guidance around the role and application of appropriate residential zones informed by the housing and neighbourhood character work (as completed in alignment with PPN90).

## About the residential zones

Table 3 below outlines the revised roles and application of each of the residential zones.

**TABLE 3 ROLE AND APPLICATION OF RESIDENTIAL ZONES**

Residential Zone	Role and application
Clause 32.03 Low Density Residential Zone (LDRZ)	Applied to areas on the fringe of urban settlements and townships with reticulated sewerage (0.2 ha minimum) or without reticulated sewerage (0.4 ha minimum) to ensure lots remain large enough to treat and retain all wastewater but small enough to be maintained without the need for agricultural techniques or equipment.
Clause 32.04 Mixed Use Zone (MUZ)	Applied to areas suitable for a mixed-use function, including a range of residential, commercial, industrial and other uses. Suitable for areas identified for residential development at higher densities including urban renewal and strategic redevelopment sites.
Clause 32.05 Township Zone (TZ)	Applied to small towns with no specific structure of residential, commercial and industrial land uses.
Clause 32.07 Residential Growth Zone (RGZ)	Applied to areas suitable for housing diversity and housing at increased densities in locations offering good access to services, jobs and public transport, and to provide a transition between areas of more intensive use and development such as activity centres, and other residential areas.
Clause 32.08 General	Applied to areas where housing development of three storeys exists or is planned for in locations offering good access to services and transport.

Residential Zone (GRZ)	
Clause 32.09 Neighbourhood Residential Zone (NRZ)	Applied to areas where there is no anticipated change to the predominantly single and double storey character. Also to areas that have been identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or surrounding area.

Figure 8 below outlines the key features of each residential zone.

**FIGURE 8 KEY FEATURES OF THE RESIDENTIAL ZONES**

Feature	LDRZ	MUZ	TZ	RGZ	GRZ	NRZ
Can objectives be specified?	No	Yes	Yes	Yes	Yes	Yes
Is there a minimum garden area requirement?	No	No	No	No	Yes	Yes
Can the minimum garden area requirement be exempted?	N/A	N/A	N/A	N/A	Yes	No
Is there a minimum subdivision area requirement?	Yes	No	No	No	No	Yes
Is there a maximum building height/ number of storeys requirement?	No	No	Discretionary 9m	Discretionary 13.5m	Mandatory 11 metres and 3 storeys	Mandatory 9 metres and 2 storeys
Can a mandatory maximum building height be specified in the schedule?	No	Yes Height only	Yes Height only and not less than 9 metres	Yes Height only and not less than 13.5 metres	Yes Height and storeys and not less than 11 metres and 3 storeys	Yes Height and storeys and not less than 9 metres and 2 storeys
Can application requirements and decision guidelines be specified?	No	Yes	Yes	Yes	Yes	Yes

Building height is a key factor to consider when selecting a residential zone to give effect to housing and neighbourhood character objectives. As a general principle, applying a residential zone should align with either existing building heights if they are sought to be maintained, or align with future building heights identified in strategic work.

Figure 9 below outlines the maximum building height for each of the residential zones.

**FIGURE 9 MAXIMUM BUILDING HEIGHT MATRIX**

Maximum building height	Best zone	Best height tool	Rationale
Less than 9m or 2 storeys	NRZ	Overlay	A maximum building height lower than the NRZ cannot be specified in a zone schedule. An overlay is required to recognise the special characteristics.
9m (2 storeys)	NRZ	NRZ	The zone mandates this maximum building height and storey control.
Greater than 9m (retain 2 storeys)	NRZ	NRZ schedule	The schedule to the zone enables a greater maximum building height to be specified while maintaining the 2-storey requirement.
11m (3 storeys)	GRZ	GRZ	The zone mandates this maximum building height and storey control.
Greater than 11m (retain 3 storeys)	GRZ	GRZ schedule	The schedule to the zone enables a greater maximum building height to be specified while maintaining the 3-storey requirement.
13.5m (4 storeys)	RGZ	RGZ schedule	The schedule to the zone forces the discretionary maximum building height to be mandatory.
Greater than 13.5m and greater than 4 storeys	RGZ	Overlay	Maximum building height requirements along with other specific design and built form requirements should be included in an overlay so all built form requirements are included in the one provision.

Housing change areas

The PPNs (90 and 91) identify the different types of housing change to be applied to various areas (see Figure 10 and Table 4).

FIGURE 10 HOUSING CHANGE AREAS



TABLE 4 ABOUT THE HOUSING CHANGE AREAS

Change areas	About the change areas
Minimal change areas	<ul style="list-style-type: none"><li>• have special characteristics that distinguish them from other parts of the municipality or surrounding area</li><li>• have special neighbourhood, heritage, environmental, or landscape characteristics identified in the planning scheme</li><li>• are identified in a housing strategy, or in the planning scheme, as unsuitable for providing future housing growth</li><li>• tend to have overlays that reflect neighbourhood, heritage, environmental or landscape characteristics or other physical constraints which may impact their capacity for change.</li></ul>
Incremental change areas	<ul style="list-style-type: none"><li>• have capacity for housing growth and more diverse types of housing</li><li>• are where new development should respect existing valued neighbourhood character attributes</li><li>• are where existing neighbourhood character will evolve and change over time with reference to the key identified neighbourhood attributes.</li></ul>
Substantial change areas	<ul style="list-style-type: none"><li>• are close to jobs, services, facilities or public transport</li><li>• facilitate housing growth that takes advantage of their proximity to jobs, services, and public transport</li><li>• make the most of strategic development areas or opportunity sites that either exist or are identified from time to time</li><li>• promote housing diversity</li><li>• result in a new built form and neighbourhood character.</li></ul>

Figure 11 below demonstrates the appropriate residential zones for the different housing change areas.

**FIGURE 11 ALIGNING THE RESIDENTIAL ZONES AND HOUSING CHANGE AREAS**

Zone	Special or constrained	Minimal	Incremental	Substantial
Low Density Residential Zone	✓	✓		
Mixed Use Zone			✓	✓
Township Zone		✓	✓	
Residential Growth Zone			✓	✓
General Residential Zone			✓	✓
Neighbourhood Residential Zone	✓	✓	✓	

## 7.2 Residential zones

The residential zones applied in Maldon and Newstead include (see Figures 12-13):

- Township Zone (TZ)
- General Residential Zone (GRZ1)
- Low Density Residential Zone (LDRZ)

GRZ is applied to the majority of Maldon, with areas of LDRZ towards the southern edge of the township. TZ has been applied to Newstead.

Since the residential zone reforms were completed, there has not been a review of the application of these residential zones in the Shire. This project therefore presents the opportunity to review the residential areas and inform the preparation of the appropriate residential zones.

Refer to Figures 12-13 for the zoning of the Maldon and Newstead.

## 7.2 Planning overlays

Planning overlays are used to complement the zoning of land in managing development. Certain overlays also control the use of land in special circumstances. Application of overlays land requires careful consideration of the development outcomes sought for the land.

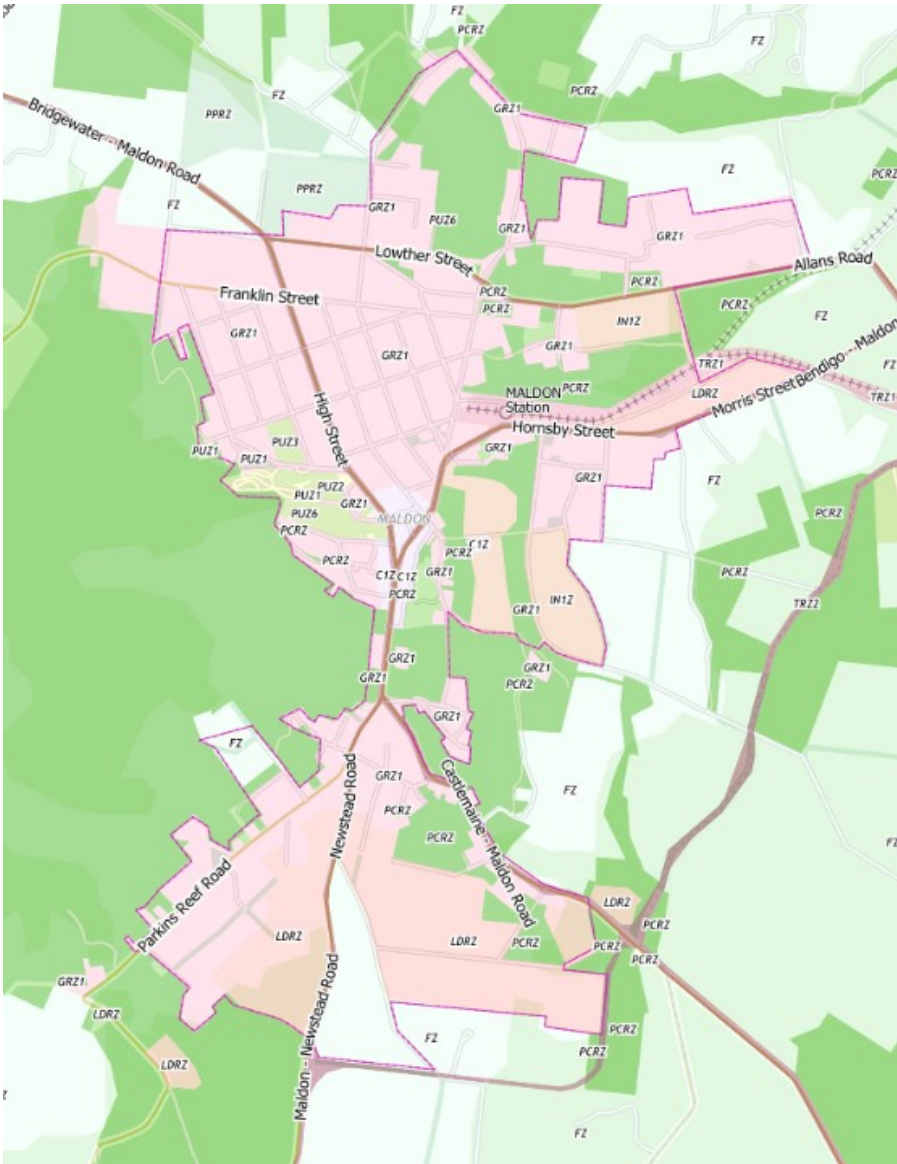
The overlays that apply in Maldon and Newstead include:

- Environmental and landscape overlays:
  - Environmental Significance Overlay (to identify areas where the development of land may be affected by environmental constraints and ensure that development is compatible with identified environmental values)

- Significant Landscape Overlay (to identify significant landscape and conserve and enhance the character of significant landscapes)
- Heritage and built form overlays:
  - Heritage Overlay (to conserve and enhance heritage places of natural or cultural significance)
  - Development Plan Overlay (to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land)
  - Design and Development Overlay (to identify areas which are affected by specific requirements relating to the design and built form of new development)
- Land management overlays:
  - Bushfire Management Overlay (to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire)

A spatial representation of the planning overlays that apply to the study area are available at VicPlan, the Victorian State Government's mapping system.

FIGURE 12 MALDON ZONING



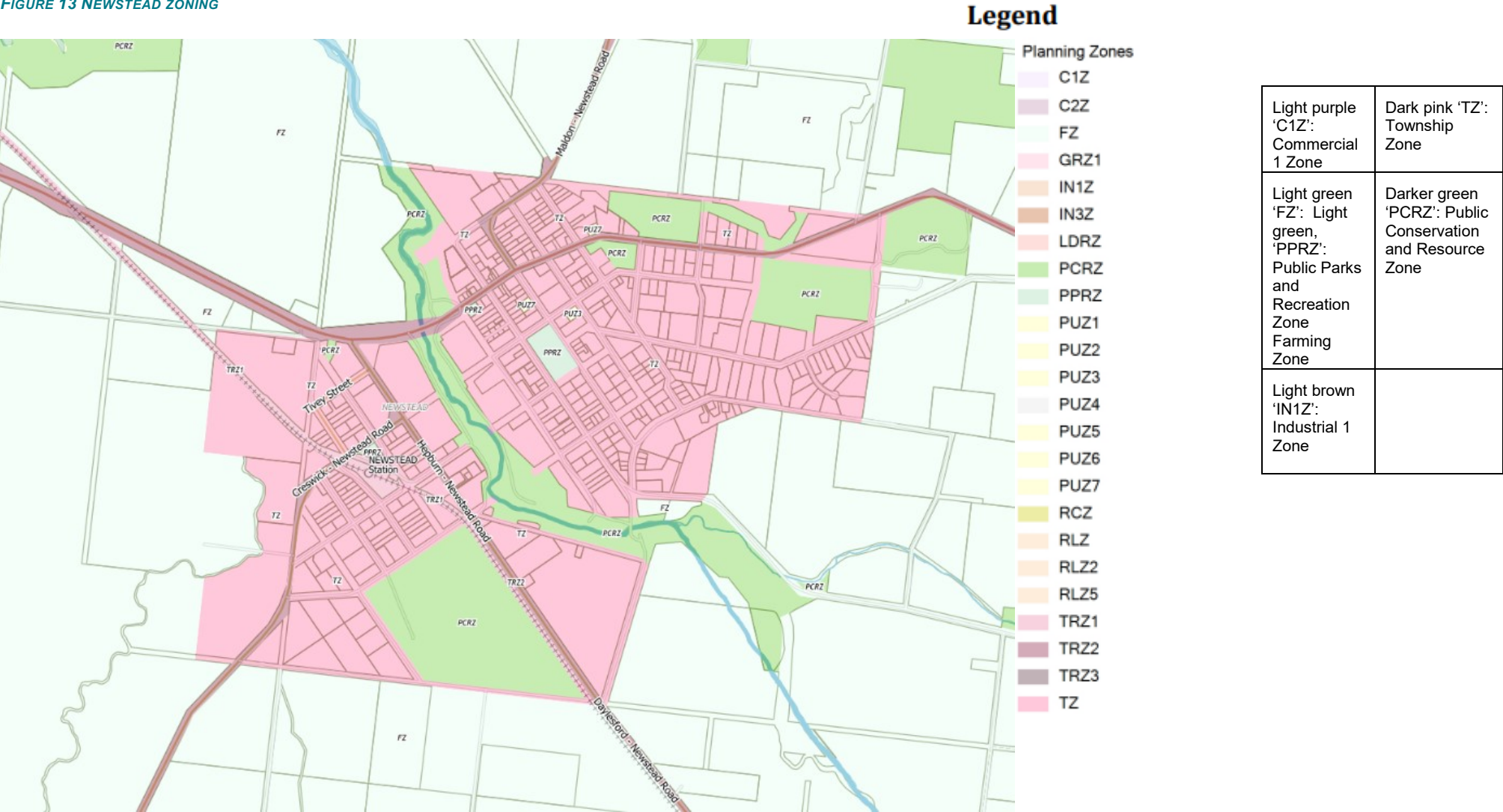
Legend

- Planning Zones
- C1Z
  - C2Z
  - FZ
  - GRZ1
  - IN1Z
  - IN3Z
  - LDRZ
  - PCRZ
  - PPRZ
  - PUZ1
  - PUZ2
  - PUZ3
  - PUZ4
  - PUZ5
  - PUZ6
  - PUZ7
  - RCZ
  - RLZ
  - RLZ2
  - RLZ5
  - TRZ1
  - TRZ2
  - TRZ3
  - TZ

Light purple 'C1Z': Commercial 1 Zone	Light pink 'GRZ1': General Residential Zone
Light green 'FZ': Farming Zone	Dark pink 'TZ': Township Zone
Light brown 'IN1Z': Industrial 1 Zone	Light red 'LDRZ': Low Density Residential Zone
Darker green 'PCRZ': Public Conservation and Resource Zone	Light green, 'PPRZ': Public Parks and Recreation Zone
Yellow 'PUZ': Public Use Zone	



FIGURE 13 NEWSTEAD ZONING





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