



Melbourne's Future Planning Framework

Submission

October 2021

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While this paper aims to broadly reflect the views of local government in Victoria, it does not purport to reflect the exact views of individual councils.

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1 Executive Summary

The Municipal Association of Victoria (MAV) welcomes the release of Melbourne's Future Planning Framework through the six Land Use Framework Plans (LUFs).

The MAV is the peak representative and advocacy body for Victoria's 79 councils. The MAV was formed in 1879 and the *Municipal Association Act 1907* appointed the MAV the official voice of local government in Victoria.

Today, the MAV is a driving and influential force behind a strong and strategically positioned local government sector. Our role is to represent and advocate the interests of local government; raise the sector's profile; ensure its long-term security; facilitate effective networks; support councillors; provide policy and strategic advice, capacity building programs, and insurance services to local government.

The MAV was intimately involved in the consultation process for both *Plan Melbourne – Metropolitan Planning Strategy (2013)* and *Plan Melbourne – Refresh (2015)*. We welcome the opportunity to again outline our position on high-level issues relevant to Melbourne's future planning framework.

We acknowledge the significant work undertaken to develop these plans by the six regional Economy and Planning Working Groups (EPWGs), each chaired by a council CEO.

We recognise the release of the framework is an important step forward in the implementation of *Plan Melbourne 2017-2050*. The policy principles embedded in the framework are solid and generally reflect existing planning policies of metropolitan councils.

This submission does not seek to critique the detail articulated in each of the six regional plans. It is anticipated councils will make their own submissions in relation to the unique characteristics of their metropolitan region. The focus of this submission is primarily on implementation and policy prioritisation.

2 Introduction

Melbourne faces planning challenges on many fronts. They include:

- Climate change and protection of green spaces and the environment
- Housing affordability
- Access to reliable and integrated transport
- Providing infrastructure for current and future communities

Framework planning can help address these challenges. The proposed future planning framework must address roles and responsibilities for planning our city, as well as the roll-out of infrastructure. It is also a key opportunity to explain how metropolitan-wide planning can act as a response to climate change and support achievement of Victoria's legislated climate goals.

The framework must clarify governance arrangements for public and private sector investment across Melbourne. Too often major ‘city shaping’ decisions are made on the run, without the long-term strategic justification to support them. This was supported by the Auditor-General’s [findings on integrated transport planning](#). The report found that the Department of Transport (DoT) has not demonstrably integrated transport planning to meet the requirements of the *Transport Integration Act 2010*.

It is up to all levels of government to better coordinate regional planning. The framework plans should deliver through strengthened collaboration and partnership with local government. We urge that any additional planning frameworks or legislative changes for implementation allow for detailed and considered consultation processes with councils who are the key delivery partners for these plans.

3 Governance of the plans

Our submissions to both *Plan Melbourne – Metropolitan Planning Strategy (2013)* and *Plan Melbourne – Refresh (2015)* highlighted the critical importance of clear governance arrangements for implementation of the plan. This included strategy ownership, work plan priorities and implementation monitoring. Similarly, the key focus in this submission is the overall governance of the plans.

To date council involvement in the implementation of Plan Melbourne has been more reactive, rather than proactive. The framework plans do not address this issue. It is recommended that the implementation chapter for each framework plan is updated to include a clear implementation hierarchy between the State, councils and other authorities. This must also include a strategy for communication and consultation between levels of government and include the community and councillors who are key decision makers in setting local planning priorities. We encourage a level of ‘bottom-up’ ownership of each regional plan.

Implementation does not solely rest with DELWP and councils. The roles of other state departments such as the Departments of Health, Education and Transport must be made clear in each plan. Agencies such as road and water authorities must also be included. The decisions made by these departments, agencies and authorities in the allocation of land and the location of key community infrastructure shape the planning for precincts and regions. The framework plans must reflect this.

Protection and enhancement of local and regionally significant environments will also benefit from clearer governance arrangements. This includes mitigation and planning for climate change across each region. Tackling these difficult environmental problems requires deep partnership ties across local and State governments that should be addressed in more detail, including financial commitments for regional and state-significant biodiversity areas.

Successful implementation of metropolitan-wide planning frameworks requires a high level of certainty from the State government. Ideally planning strategies would have bipartisan support to help avoid the need to prepare, and attempt to implement, a new metropolitan strategy

following the election of a new government. Strategic planning would be rewarded with considered and positive development outcomes if a high level of consistency in metropolitan planning was achieved.

We suggested in our previous submissions that the *Planning and Environment Act 1987* be amended so the need to prepare a strategy, as well as a designated period of review, is enshrined in legislation. This process would involve requiring a refresh and review of Melbourne's land use framework plans to maintain currency with council strategic work. This would remove the strategy from the political cycle and take away the uncertainty about when a strategy will be prepared and reviewed. It would position the State and councils to work together on regional planning over the longer term.

Recommendations:

- **Update the implementation chapter for each framework plan to include a hierarchy of responsibility between the State and councils**
- **Develop a clear strategy for communication and consultation between the State, councils and elected representatives**
- **The *Planning and Environment Act 1987* be amended so the need to prepare a metropolitan planning strategy, as well as a designated period of review, is enshrined in legislation**

4 Ongoing consultation with councils and elected representatives

The MAV and councils support regional approaches to framework planning. Councils have been involved in the development of these plans through the Economy and Planning Working Groups at the officer level. Unfortunately to date there has been limited formal and structured consultation with councillors as the representatives of the wider community.

Victoria's planning system is well known for incorporating consultation in planning decisions. It is a component of our system that is enshrined in legislation and gives social license to planning decisions. Retaining councils' autonomy as a planning and responsible authority has long been supported by communities. The community voice in local planning must not be diminished through framework plans that require changes to local planning schemes. This includes not reducing discretion and community input into future planning scheme amendments, or development of urban renewal and strategic sites.

The absence of engagement with elected representatives limits community input to regional planning issues. It is also a missed opportunity to work with representatives who truly know and understand their constituents and local areas. Future planning processes must more closely involve elected representatives as the voices of their local areas.

A positive and cooperative working relationship between the State, council officers and councillors is essential to the successful and ongoing implementation of the plans. Councils have more than 70 remaining actions to implement in Plan Melbourne. This is on top of the

directions and strategies identified in each regional planning framework. Councils have a direct role in giving effect to the State's vision. Elected representatives in particular must be able to communicate to local residents as well as represent their views in this process.

It is in the State Government's interest to meaningfully engage and work with local government to ensure that:

- Melbourne's Future Planning Framework and the six Land Use Framework Plans are understood and accepted by the community
- Councils can identify and deliver complementary projects and achieve the most efficient use of their resources
- Councils update relevant areas of their planning schemes in line with community expectations
- Infrastructure priorities can be jointly agreed, and funding opportunities aligned

Recommendations:

- **Fully engage elected representatives in the development of future regional planning frameworks**
- **The State meaningfully engages councils and councillors on the work program stemming from the six LUFs**

5 Support councils in planning for their communities

If State-led framework plans require councils to update local planning policies, precinct plans, climate change strategies and infrastructure priorities among other actions, support is required from the State. Undertaking strategic planning and research, updating planning schemes and developing strategies to guide change is core business for councils. However, implementing the six framework plans requires a partnership approach across all levels of government.

There are opportunities for the State to support councils in implementing the final metropolitan framework. Councils are experienced at updating their planning schemes and local strategies. When implementing the framework plans, councils will benefit from clear lines of communication and identified hierarchies that give sight to why and how the State is undertaking certain policy work.

Supporting councils goes beyond funding, where a cooperative working relationship between the State and councils must involve:

- Sharing information and data that is driving policy decisions (i.e. housing data, commercial land availability data, and so on)
- Consultation with communities
- An agreed-upon protocol for engagement and coordination with councils and community when the Minister, VPA or another authority (such as the Suburban Rail Loop Authority) is a planning authority or responsible authority

- Clarify regarding the roles and responsibilities of DELWP, the VPA and councils
- Clarity of role, resourcing and decision making for different implementation tasks
- A means of mediating differences
- Transparent State financial planning processes and informed cost benefit analysis of identified projects

The above should be accompanied by detailed workplans developed in partnership with councils. The work plans will identify the most pressing priorities in implementing each regional plan. Key priorities include local and regional climate change adaptation and mitigation strategies, housing strategies, and the preparation of transport infrastructure and investment plans to drive regional connections for social and economic benefit.

Recommendations:

- **Develop a cooperative working relationship between the State and councils based upon agreed protocols for sharing of information and data, roles and responsibilities, engagement, mediating differences and transparent financial decisions**
- **Develop detailed workplans in partnership with councils to identify the most pressing strategic planning priorities in each region**

6 Respect the work already undertaken by councils

The framework plans identify areas where more strategic planning work is required to implement Plan Melbourne. The need to review housing policy, location of commercial and industrial precincts, open space and transport connections is identified in each plan. Much of this work will fall to councils to develop and implement.

These requirements are being pressed upon councils at the same time as changes to planning schemes and legislation have diminished council and community voices in decision making. These changes have severely weakened consideration of local planning policies and direct community input in areas such as affordable housing and major projects.

A recent example of this trend is the Suburban Rail Loop Bill 2021. The bill gives planning authority powers to the Suburban Rail Loop (SRL) Authority for precincts within 1.6km of SRL stations. This unilateral change in planning responsibility for key activity centres has sidelined the work already undertaken by councils in these precincts. We are concerned that existing strategic work may not be respected, with complete redrafting taking place with no meaningful input from local stakeholders, including councils. We call on the SRL Authority to work closely with local government and communities to utilise existing strategic work for activity centres.

We understand that there can be tensions between local government priorities and the State's wider planning agenda for Melbourne. While councils must focus on social, economic and environmental issues that are of importance to their constituents, the State's focus on short-term

economic recovery through streamlining planning decisions risks creating poor long-term outcomes.

Existing strategic work such as precinct plans, housing policy, climate change and environment policy as well as urban design, heritage and neighbourhood character objectives are vital to achieving balanced outcomes at the local level. They have been developed to align with State planning policy and reflect the goals of Plan Melbourne. These strategies and local policies are the outcome of years of time-consuming and expensive strategic work. They ensure that development does not undermine the planning vision for an area and provides for increasingly high-quality design and sustainability outcomes.

Any conflict in policy between Melbourne’s Future Planning Framework and local planning policies needs to be made clear. A statement of where conflicts are, and what approaches are proposed to negotiate them in each framework plan is required. As highlighted throughout this submission, the shift towards sidelining community and council views in planning undermines a partnership approach between all levels of government.

A strong relationship between government and councils is critical to the delivery of *Plan Melbourne*. Respect and acknowledgment of the work councils do undertake for their communities must not be forgotten in the process to implement each LUPF.

Recommendations:

- **Require the SRL Authority to work closely with councils and communities when executing their planning authority powers**
- **Use existing council strategic work to inform and direct any new planning scheme amendments which give effect to Melbourne’s Future Planning Framework**
- **Identify any conflicts between the goals of Melbourne’s Future Planning Framework and local planning policies and outline approaches to resolve them**

7 Planning for Climate Change and resilience

We welcome commitments to address climate change and support sustainability principles. We support ambitious targets for tree canopy cover. These targets must recognise increasing trends of vegetation removal will need to be reversed. Further policy changes are expected through the Cooling and Greening Melbourne initiative. Councils will be looking for high baseline requirements that protect existing vegetation and require planting for more tree canopy cover.

We are pleased to see acknowledgment of the leading work undertaken by the Council Alliance for a Sustainable Built Environment (CASBE). Their focus on applying widely accepted Environmentally Sustainable Development (ESD) principles to the built environment through the Victorian planning system has set a high standard for ensuring buildings incorporate climate resilience. The MAV and CASBE see embedding climate resilience into the built form as key to integrating overall sustainability and just outcomes for residents and the wider community.

We are disappointed by the significant delays to the Local Coastal Hazard Assessment for Port Phillip Bay. This has stalled the translation of the most up-to-date storm surge and coastal inundation data into planning schemes around the Bay. It is imperative that this project is completed as soon as possible. This will allow councils to plan for emerging, climate-driven coastal hazards to protect life, property and extremely vulnerable coastal environments.

Councils continue to push for greater consideration of climate change and protection of the environment within their own planning schemes. Councils are moving towards whole-of-organisation change to ingrain climate-thinking across all their operations.

If the framework plans are to guide the implementation of Plan Melbourne at a regional level, then climate change must be reflected throughout each theme and its implementation. It would appear the plans' consideration of climate change impacts is not well resolved or integrated. We see opportunities across all the framework plan themes to support and facilitate the transition to net-zero emissions and increase resilience to climate change impacts. This will align our planning system with the *Climate Change Act 2017s* legislated net-zero emissions target.

While the Government is working on some changes, such as the Environmentally Sustainable Design (ESD) roadmap, we require planning reform that readies and enables the planning system to deeply integrate climate thinking into decision-making. We require ESD policy and planning provisions with strong targets and performance measures that mandate whole-of-government thinking on climate change. This must be led by the State Government.

Changes to the planning system alone must include listing some decisions (such as planning scheme amendments) under the Planning and Environment Act in Schedule 1 of the *Climate Change Act 2017*, mandating net-zero emission buildings and planning for increased environmental hazard risk. Strong State leadership is needed to see these required transformative changes realised.

Recommendations:

- **Complete the Local Coastal Hazard Assessment work for Port Phillip Bay as a matter of urgency**
- **Ingrain climate change in each framework plan theme and in implementation**
- **Develop planning reform that readies and enables the planning system to deeply integrate climate thinking into decision-making**

8 Infrastructure planning, investment and implementation

Melbourne's Future Planning Framework and the accompanying Land Use Framework Plans identify regional directions and strategies for an integrated transport network. These goals are supported. However, the MAV understands that the release of the framework was delayed in part due to shifting priorities in government around major transport planning decisions. This included changing the plans and policy intent for activity centres impacted by the Suburban Rail Loop, or the road network impacts of the North-East Link project.

Melbourne is being shaped by major projects, rather than major projects being shaped through regional and metropolitan planning processes. The SRL, North-East Link, West Gate Tunnel and other projects are now shown across the six framework plans, demonstrating how unpremeditated infrastructure planning decisions and unsolicited bids are reshaping Melbourne. Announcing new major transport infrastructure during election cycles or through private sector bids is common. Strategic planning processes are diluted to support these kinds of decisions, as opposed to supporting projects that align with broader planning priorities.

Infrastructure Victoria was established to advise government and the wider community on where to prioritise infrastructure investment. This includes preparing a 30-year infrastructure plan with five-year short-term plans. The MAV and councils are supportive of the most recent 30-year plan. The plan now needs a standing in budget allocation.

Planning for major infrastructure projects, such as rail lines and highways, would benefit greatly from the development of a comprehensive transport plan for metropolitan Melbourne and regional Victoria. A transport plan for Victoria is critical to giving local government and private entities confidence to plan and invest in supporting infrastructure. Infrastructure Victoria's 30-year strategy makes a number of recommendations to address these issues, particularly recommendations 32 to 34.

The haphazard approach to transport planning decisions in Victoria is further eroding confidence in planning for State-significant infrastructure. The Victorian Auditor General's Office (VAGO) was frank in [its recent assessment](#) of the DoT's commitment to and implementation of integrated transport planning in Victoria. The Auditor-General found that the absence of a transport plan as required under the *Transport Integration Act 2010* risks missed opportunities and poorly implemented projects. These risks are significant as the State has invested unprecedented levels of public money in transport infrastructure over the past decade.

Policy development for key infrastructure investment commitments by the State is usually undertaken in response to commercial interests. Alternative options that account for social, environmental as well as economic outcomes are rarely explored transparently. It is crucial that the intent of Plan Melbourne and Melbourne's Future Planning Framework does not change as new transport projects are announced – whether by government or by unsolicited private-sector proposals. Consistent application of the framework plans is key to their longevity and community support.

While large projects are given merit in the plans with high-level visualisations, the framework plans do not detail how integrated transport planning at the local level will be implemented. The framework plans provide directions to improve cycling and open space links, improving local roads and fostering transit-orientated development. Where they lack detail is how governments and their agencies are to work together to oversee implementation.

Many councils already have integrated transport plans, pedestrian strategies and cycling strategies that could be implemented now. These plans and strategies have the potential to unlock a range of positive health and social outcomes across Melbourne – particularly in growth areas. These strategies require buy-in from other levels of government and agencies, such as

the Department of Transport. There is an opportunity for Melbourne's Future Planning Framework to detail the how of implementation.

The future planning framework should be accompanied by a comprehensive infrastructure and investment plan that draws from Infrastructure Victoria's 30-year plan. This plan would be a key input to medium- and longer-term budget planning. It would provide a picture of the scale and sequencing of future investment and financing needs, and ongoing maintenance requirements. The plan should outline how all levels of government and agencies will develop and fund local level to State-significant infrastructure. It must be supported by rigorous cost-benefit analysis that incorporates a life-cycle approach.

Recommendations:

- **Update each regional plan to highlight existing integrated transport plans, and identify where support from other levels of government and agencies is needed to implement them**
- **Implement the recommendations of Infrastructure Victoria's 30-year plan**
- **Develop a comprehensive infrastructure and investment plan for each region and at the metropolitan scale**
- **Develop a comprehensive transport plan for metropolitan Melbourne and regional Victoria as a matter of priority**