



Environmentally Sustainable Development of Buildings and Subdivisions – A Roadmap for Victoria’s Planning System

Submission

February 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 Introduction

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a submission in response to the Department of Environment, Land, Water and Planning's (DELWP) *'Environmentally Sustainable Development of Buildings and Subdivisions – A Roadmap for Victoria's Planning System'* Consultation Paper.

The Municipal Association of Victoria 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.

We have been involved in a number of initiatives that interact with this project and we are pleased to see that some have been referenced in the roadmap, namely:

- Environmentally Sustainable Development (ESD) policy and provisions developed by the Council Alliance for the Sustainable Built Environment (CASBE) with over 20 councils. CASBE is hosted by the MAV and is a driving force across the state in the ESD space. Of particular relevance to this consultation, a key aspect of CASBE's work has been to facilitate the introduction of nineteen local planning policies which require applicants to respond to ESD in their design. The objectives articulated throughout each of these ESD policies are identical across all councils.
- The Port Phillip Bay Coastal Planning Project. Managed by the MAV (with funding from DELWP) this project considers planning responses to coastal climate change risks for councils around Port Phillip Bay.

The MAV benefited from the significant operational expertise of CASBE staff and member council officers as well as from other councils in preparing our submission. We are grateful for their contribution to this submission and look forward to continuing to work with them in this area of mutual interest and concern.

2 Executive summary

The MAV is a strong advocate for climate change action and we recognise the critical role councils play in mitigation and adaptation responses. In May 2017, the MAV State Council resolved that:

- we are in a state of climate emergency that requires urgent action by all levels of government, including local councils

- human induced climate change stands in the first rank of threats to humans, civilisation and other species
- it is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts – but only if societies across the world adopt an emergency mode of action that can enable the restructuring of the physical economy at the necessary scale and speed
- we have a particular role in assisting local governments in this regard.

The MAV and CASBE have long advocated that ESD in buildings and subdivisions needs to be implemented at the state-level. The pressures of climate change require greater environmental performance and resilience of our built environment that improves affordability and quality of life. Considering ESD in the way we build and plan will go a long way to addressing this. As key stakeholders we are pleased that after concerted advocacy the Victorian government is seeking to undertake this vital work.

The Victorian Planning Provisions (VPPs) and local planning policies have for some time allowed decision-makers to consider climate change. However, climate change considerations are not binding. This combined with only high-level support for ESD as a response to climate change gives rise to a disconnect between state-level objectives and strategies and what happens on the ground. We support a consistent approach to achieving state-wide objectives while retaining capacity for councils to address local priorities.

The costs to councils and communities of climate change and associated hazards present a huge risk. It is therefore critical that resilience, adaptability and mitigation be required to be addressed in the built form. Implementing strong and robust ESD policies and standards into all planning schemes will have positive and lasting social, environmental and economic development outcomes. This work will also further broader discussions on where to direct new settlements, and how to adapt existing areas, in a hotter climate with increased bushfire risk, sea level rise and more frequent and intense extreme weather events.

Bushfire risk is currently given primacy over other considerations in the Victorian planning system. Climate change is not only a significant contributor to bushfire risk but is overall a higher-order risk to the life and safety of Victorian communities and our built and natural environments. Climate change should accordingly be given elevated consideration in both strategic and statutory planning processes.

The climate and environmental challenges and hazards vary greatly across the state and between localities. Policy responses for rural and regional councils will need to account for the diverse geographic areas and climate zones these councils cover. Many of these challenges are already expressed through local planning schemes and policies. The considerable strategic work already undertaken by councils needs to be preserved and utilised through this process. It is also essential that this work does not hinder council ESD policy and provisions that go beyond state-mandated minimums proposed in the roadmap.

The proposed ESD roadmap and policy reforms must capture as much of the planning and building system as possible. This is the best way to ensure planning decisions correspond with

emissions reduction targets set under the *Climate Change Act 2017*, as well as broader state, national and international commitments to reduce Australia's carbon emissions and ensure a safe climate for future generations.

3 Sustainability in the built environment

We recommend that:

- ESD policies and standards developed through this consultation be aligned with the net-zero emissions target legislated under the *Climate Change Act 2017*
- The ESD roadmap complement existing council work towards mandating net-zero emission targets for the built environment in planning schemes
- Planning policy changes establish a baseline across Victoria, while continuing to allow individual communities and councils to pursue more advanced ESD practice

The MAV welcomes a state-wide approach to setting minimum standards for ESD in planning policies to support the environmental performance and resilience of buildings and subdivisions in Victoria. We also recognise that additional work is needed to provide a more comprehensive approach that builds upon the already significant advances made by CASBE. CASBE and its member councils regularly meet with representatives from DELWP to discuss collective interests and projects in support of renewing and enhancing ESD requirements in planning schemes.

The success of this work relies upon strong and rigorous tools that will empower planners and designers to ensure all new residential, commercial and industrial developments are environmentally sustainable.

The MAV notes the roadmap draws links between ESD and other policies and Acts seeking to address climate change and the need for better design. The paper highlights that the *Climate Change Act 2017* has significant implications for future development across Victoria by establishing a long-term target of net zero greenhouse gas emissions by 2050. ESD policies and standards developed through this consultation need to be aligned with that legislated net-zero emissions target. We support further changes to the *Planning and Environment Act 1987* and planning schemes to facilitate this. This should also include referencing the *Planning and Environment Act 1987* in Schedule 1 of the *Climate Change Act 2017*.

The roadmap and reforms to the Planning Policy Framework (PPF) would be strengthened by aligning with clearly defined objectives. While the roadmap identifies a number of key areas in focus, a clear link between these areas is lacking. Consideration should be given to setting net zero emissions by 2050 as the overarching objective for the ESD roadmap. The roadmap should deliver planning policy changes that go beyond lowering emissions and towards ensuring net-zero carbon development.

Several councils are already intending to pursue planning scheme amendments with revised ESD policies which aim to ensure net-zero carbon development in their communities. The ESD

rollout should not undermine this work. Rather, the roadmap must seek to enhance clear links between planning and the *Climate Change Act 2017* and use this approach as a model for councils not as advanced in developing ESD policies and strategies in their planning schemes.

It is noted that the *Climate Change Act 2017* is not shown in either Table 2 or Figure 1 in the roadmap. Inclusion of the Act in these would have given a visual indication of how this key Act interacts with the other Acts and policies relevant to ESD requirements.

We request clarification on the revised estimated delivery of Actions 101, 89, 94 and 91 of Plan Melbourne 2050. A public update was last provided in 2019, noting that since such release there has been a delay to the timeframes due to COVID-19.

4 Environmentally Sustainable Development Roadmap

We recommend that:

- **The introduction of ESD policies and standards be extended to the assessment of all residential, commercial and industrial development. A state-wide ESD policy framework is integral to ensuring communities and businesses have access to sustainable, affordable and high quality built environments**
- **The roadmap aligns with a common overarching objective of net-zero emissions by 2050**
- **Support is provided to councils that do not have the organisational frameworks and resources to implement and administer ESD policies and provisions**

The roadmap states that the current level of ESD requirements in planning schemes are limited in scope and have been implemented in a piecemeal way. The design of the Victorian planning system limits the degree to which councils can unilaterally implement policy. Several Victorian councils have, in consultation with their communities, progressed ESD through the planning system in areas of greatest need and influence. This work has responded to, and driven, changing attitudes to ESD within the Victorian community, development industry, DELWP, Planning Panels Victoria, and VCAT. Significant value will be added to this vital work through a comprehensive and state-wide approach to ESD.

In implementing a state-wide system, several of the gaps councils have been unable to fill alone can be addressed. Ultimately ESD should be applied in the assessment of all residential, commercial and industrial development.

The roadmap states that the varying ESD requirements between councils creates a financial burden for businesses operating across municipalities. While we strongly support the development of a state-wide ESD policy, it is critical that councils retain the ability to implement policies that go beyond the minimum requirements established by that statewide policy. A statewide policy will raise the level of understanding of ESD within the development industry and should provide better overall direction and guidance. This will leave industry better

equipped to understand and engage with any differences between councils. This is similar to differences in local planning policy on many other matters.

While many councils continue to further progressive planning policies to address climate change through the planning system, not all councils are equal in their capacity or capability to do so. For those councils that may still be at a nascent stage in implementing ESD policies, additional resourcing, support and training will be required. Guidance materials, tools and resources should include:

- A new Planning Practice Note on applying ESD policies and standards
- Expansion of the [Environmental Sustainable Design \(ESD\) Implementation Plan for Loddon Campaspe Councils](#) project to all rural and regional councils in Victoria
- Provision of ESD expertise as part of the support for statutory approvals and strategic planning through the 'Regional Planning Hubs' as proposed in the 2020/21 Victorian State Budget

The ESD implementation roadmap is taking place alongside the final stages of implementation of the Smart Planning Reforms. Particular care will need to be taken to ensure that local ESD policies are retained and the significant body of work that has gone into their implementation is not lost in the translation process. Currently, it is not clear what impact the translation process will have on the local ESD policies.

Stage one: Update the planning policy framework (PPF)

We recommend that:

- **Planning Policy Framework changes go beyond building design and individual site considerations to include ESD policy at the subdivision scale. The Sustainable Subdivision Framework project provides a method of including subdivisions in this roadmap**
- **The DELWP format for ESD local policies must retain the definition of 'best practice' currently in each council's local ESD policy**

The MAV supports the two-step process as proposed, with the first step being to update the Victorian planning policies and add in consideration of ESD at the development scale under each relevant planning policy theme.

A holistic approach to ESD in planning and building requires consideration at the subdivision scale, not just assessment of building design and individual sites. A subdivision first approach would ensure that built form ESD policies are achievable and poor outcomes are not locked in before design starts. New policy content should include lot scale and orientation among other subdivision elements. This would facilitate sustainability outcomes such as improved solar access, passive ventilation and energy efficiency being considered alongside environmental outcomes and amenity, connectivity and recreation values currently assessed in subdivision.

Any provisions developed for subdivision must align with the Sustainable Subdivisions Framework pilot, which is being run by a coalition of 16 Victorian councils in partnership with

CASBE and the Victorian Planning Authority (VPA). This work should not be diminished or undermined through the rollout of ESD but be used as a framework through which to ensure ESD requirements are met through subdivision design.

The roadmap references the DELWP format for ESD local policies as a part of the local planning scheme translation to the new PPF format under the Smart Planning reforms. Significant work and expertise from CASBE and member councils has contributed to the local ESD policies and definitions that drive strong ESD outcomes for their communities. 'Best practice' is specifically defined as follows:

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site-specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

The DELWP format for ESD local policies must retain this definition. The term and definition of 'best practice' serves the overarching objective and primary function of the local ESD policy through evoking continual improvement for development against both industry standards and legislative reform such as the emissions reduction targets and obligations specified under the *Climate Change Act 2017*. This definition in its current form has been vital to the operation of the local policies.

More specific feedback on the wording and structure of the proposed VPP changes is provided at Attachment 1.

Stage two: Update particular provisions

We recommend that:

- **New particular provisions and updated existing provisions for commercial and industrial buildings be included to ensure ESD improvements across the entire built environment**
- **Residential ESD objectives and standards be incorporated into clauses 54, 55, 56 and 58, while commercial and industrial requirements be implemented through a new clause 53.xx**
- **All new development is captured to ensure that no matter the size, location and use of a development ESD standards will be expected by the community**

The MAV understands that the development of updated particular provisions will be undertaken over the coming months and will be guided by a stakeholder reference group. The MAV strongly supports the approach to include new particular provisions for commercial and industrial buildings to ensure ESD improvements across all built environments.

The MAV supports updating existing particular provisions such as Clause 52.34 Bicycle Facilities and bushfire policy and provisions. Nevertheless, new provisions or drafting of existing ones will need to avoid significant clashes of policy objectives, for example, ESD objectives in

relation to providing for urban canopies or revegetation along waterways will need to account for bushfire provisions (Clause 13.02-1S) and the primacy they are given in planning schemes. If the VPP does not clarify how ESD policy sits within the context of bushfire planning, then it is highly likely that ESD policy will be compromised and poorly implemented in designated bushfire prone areas. As stated previously, climate change (and policies that address it) should be given elevated consideration in planning.

We support the proposal to incorporate residential ESD objectives and standards into Clauses 54, 55, 56 and 58, and include a new 53.XX clause to address requirements for commercial and industrial developments. We believe this will better embed ESD as a core part of the assessment process rather than a potential afterthought or minor consideration.

An alternative approach is to include ESD requirements for all development types centrally within a new 53.XX clause. This approach would arguably be more convenient for officers in responsible authorities assessing different classes of application. It would also leave less room for error when updating requirements which would otherwise be duplicated.

We err on the side of improved visibility to applicants, particularly occasional users of the planning system. We believe this is offered by incorporating requirements into existing residential clauses. Planning professionals can and should be supported by additional tools including practice and guidance notes.

It will be essential to ensure all new development is captured to ensure that no matter the size, location and use of a development that ESD standards will be expected by the community. All people should have access to high-quality, environmentally sound buildings.

As with existing requirements in residential clauses, ESD standards must be constructed to be practicably mirrored through the building permit system when a planning permit is not required.

Further assessment, guidance and tools to support delivery of ESD

We recommend that:

- **Approaches recognise the differences between a small rural town and a metropolitan centre and the different climates and geographies they cover**
- **BESS be retained as the standard ESD assessment tool**
- **Support be given to councils to implement and administer ESD policies and strategies**

The MAV strongly supports the position outlined in the roadmap that ESD should be delivered for all new developments, no matter where someone lives. Councils will require approaches that recognise different contexts. This includes differences between a small rural town and a metropolitan centre, as well as the different climates and geographies they are located in. Appropriate tools and resources will be required for all councils to equip them to succeed in implementing and managing an increased layer of assessment in their planning schemes.

The MAV shares concern with CASBE in relation to the future of BESS as the standard ESD assessment tool. This tool has been developed over a number of years by CASBE under the auspices of the MAV and should be retained for the following reasons:

- The BESS tool is being utilised by at least 90 per cent of applications as the tool of choice where an ESD assessment is required in the planning scheme. This emphasises the strong industry uptake, familiarity and acceptance of the BESS tool
- It is free to use for applicants
- It is supported by a governance structure that represents participating local governments to ensure ongoing improvement and a robust framework in line with local and state government policy setting and regulation
- Significant investment from both councils and the MAV has been utilised to develop and continually refine the BESS tool
- Having been in operation for several years, BESS has already addressed many of the 'teething problems' a new tool would encounter
- It would be remiss of the State government to develop a separate ESD tool that could fragment the marketplace and require further education, upskilling and training by both government and industry. This would slow-down the planning application approval process and impose further burdens on already-stretched council resources.

Additional resources such as practice notes and guidelines are required and should be introduced with training provided to council officers to ensure understanding of the reforms. The MAV would welcome being a part of that process.

Support must be given to councils to implement and administer ESD policies and strategies. This includes undertaking associated work which may be needed such as updating of local strategies, structure plans and regional framework plans, and other strategic documents.

In terms of the timing of implementation, consideration should be given to other reforms councils are engaging with. Responding to and implementing state-led reforms imposes a significant burden on council planning departments. Many councils do not yet have the organisational structures and trained staff that can respond to the growing pressures of climate change and the ways in which planning and ESD can address this. These issues were highlighted in the aforementioned Environmentally Sustainable Design (ESD) Implementation Plan for Loddon Campaspe Councils project.

Concurrent building reform processes

We recommend that:

- **Potential reforms to the National Construction Code do not prevent Victoria from implementing necessary ESD provisions through building regulations**

We note the roadmap raises concerns regarding ESD interaction with concurrent reforms through the National Construction Code (NCC). The building control system allows for state-based additions or variations to the NCC. Victoria has already adopted numerous variations,

including those necessary to complement planning policy. To be effective, ESD must be addressed through both the planning and building control systems. Considering this, potential future changes to the NCC should not prevent Victoria implementing the policy needed to reach a net-zero target.

5 ESD planning reforms: key areas

The MAV welcomes the introduction of new particular provisions and the updating of existing provisions. These updates should not hinder councils to progressing their ESD policy and provisions that go beyond state-mandated minimums. This being said, any future drafting of reforms needs to leave space for councils at a nascent stage to have an ESD framework to quickly move into.

Energy

We recommend that:

- **If solar ready buildings are to be pursued state-wide, provisions also apply to commercial and industrial development and be required for a range of building typologies**
- **Planning provisions should extend to ESD considerations being required for commercial and industrial subdivision**
- **Use of sustainable materials and maximizing resource efficiency be considered, as well as embodied carbon/energy**

The roadmap paper outlines that energy use in buildings is a key contributor to our national greenhouse gas emissions. Greatly improving energy efficiency is integral to achieving the state's legislated goal of net-zero emissions by 2050.

The local ESD policies of several councils already address some of the issues covered. For example, several councils already have local ESD policies requiring 'solar zones' on new development. Nevertheless, if 'solar ready' is to be pursued through the planning provisions state-wide, it must also apply to commercial and industrial development and be required for a range of building typologies. There is considerable opportunity for unused industrial and commercial roof space to meet growing energy needs.

The orientation of lots within subdivisions is a key factor in enabling future energy efficiency and passive design of buildings. While attention to subdivision patterns and lot orientation is given to residential subdivision, similar provisions should extend to commercial and industrial subdivision. This would help avoid inefficient design for energy intensive uses and minimise heat island effects.

While the standards outlined highlight important areas where energy efficiency can be improved, elements are missed and need to be included when developing the particular provisions:

- **Use of sustainable materials and maximising resource efficiency.** Considerable efficiencies can be found through the efficient use of sustainable materials on site. Planning provisions should be developed to encourage this approach. While some elements of these provisions may constitute building code matters, such provisions could be displayed in Sustainable Design Assessment and Sustainability Management Plan reports accompanying a planning permit application. It is acknowledged that there will need to be consideration of what can be defined as a 'sustainable material' and to what extent resource efficiency would need to be integrated to achieve a required standard.
- **Embodied energy/emissions.** Embodied energy is the sum of all the energy/emissions to produce a building and is considered as if that energy is incorporated into the building itself. Measuring embodied energy/emissions is emerging as key to achieving net-zero emissions, and provision for this approach must be included in the scope of this theme.

Water

We recommend that:

- **Single dwellings be captured under stormwater criteria**
- **Standards in relation to providing permeable surfaces also be included to reduce the impacts of impermeable surfaces**
- **Current stormwater assessment tools be improved**
- **Better utilising stormwater and recycled water as water supply sources also be explored in future planning provisions**

The MAV recognises the importance of water in developing a more rigorous ESD policy approach in Victoria. The more positive water outcomes are achieved through planning the better quality and more secure water access our communities will have. With nearly the same amount of stormwater being 'lost' to waterways as there is water consumption in the greater Melbourne area, urgent focus is required on how stormwater is currently managed in urban centres across the state. We welcome moves towards capturing single dwellings under furthered stormwater criteria.

There is also scope to improve current stormwater assessment tools (STORM, MUSIC and InSite, for example) which will ease the burden on councils to fill the gaps by creating guidelines, educating the community and enforcing compliance. Most developer applicants use STORM with a mix of Melbourne Water and other fact sheets. In supporting the implementation of earlier stormwater reforms also under consideration, as well as the EPA's 'Draft urban stormwater management guidance' (publication 1739), DELWP must develop a revised stormwater assessment tool that extends beyond assessing merely stormwater quality and facilitates broader integrated water management, such as flow, volume and water efficiency.

Better utilising stormwater and recycled water as water supply sources should also be explored in future planning provisions. Councils are particularly interested in the issues around utilisation of stormwater collected through their drainage systems which can be used for greening and cooling of public spaces.

Waste and recycling

We recommend that:

- **Consideration be given to opportunities for efficient collection and small-scale local aggregation and treatment facilities**
- **The roadmap address waste minimisation from a whole of lifecycle approach emphasising longevity and re-use of building elements**

The roadmap proposes that consideration be given to ensuring separation, storage, and collection of waste and recyclables in multi-unit residential developments as well as commercial and industrial development. The roadmap also proposes subdivision scale assessment to facilitate small-scale waste and resource recovery technologies, whether these be for local collection and aggregation, or for treatment. We strongly support this. Decisions made at the planning stage have significant impacts on the type of waste and resource recovery options that are practicable going forward.

Victoria is in the process of moving to a state-wide four stream system (Glass, food and garden organics, co-mingled recyclables, and residual waste) for household waste and resource recovery. This will be achieved through a mix of kerbside bins and local collection points. The planning system must be fit to enact these changes going forward.

Good design can reduce the amount of waste created both in construction and in the lifecycle of a building. Re-use of existing building elements, and the ability for both new and existing building elements to be re-used in the future should be encouraged. This will minimise the amount of virgin materials required, and the amount of waste generated through demolitions. Where possible, buildings should be designed to be suitable for a range of uses with only minor alterations, particularly commercial and industrial buildings.

Design and materials should be durable and where possible modular. Modularity will increase the potential for refitting to a different use, and minimise unnecessary waste if an individual building element wears out or needs replacing.

Transport

We recommend that:

- **Active transport be a key focus of ESD, including reviewing supporting provisions such as Clause 52.34 (bicycle facilities)**
- **Public transport use be promoted, and where possible integrated with active transport infrastructure**
- **Provision for, or the ability to provide in the future, car-share vehicles should be considered in subdivision and design**
- **Parking provided in all new development typologies consider future proofing for electric vehicles.**

We support the notion that compact urban forms and an integrated transport system contributes to improved sustainability of our towns and cities. Further to this, there has been an increase in walking and riding and a greater reliance on active transport infrastructure during the COVID-19 pandemic. If higher density living remains a popular choice, it must be underpinned by convenient and quality local community infrastructure.

Structure planning presents a great opportunity to consider active transport provision and connectivity with open space and broader metropolitan transport networks. Development contributions can also address funding gaps. In a recent MAV survey of councils, more than 80 per cent stated funding was the main barrier to delivering more walking and riding facilities for their community.

The MAV supports the need to update existing particular provisions such as Clause 52.34 Bicycle Facilities in a way which truly captures demand and accessibility to cycling infrastructure in many locations, as well as ensuring adequate end of ride facilities.

The use of public transport as a regular part of longer journeys should be encouraged. Settlement planning and intensity of uses should continue to consider public transport as a key component. Public transport should be well connected to active transport routes. We note the suburban rail loop poses a potential opportunity for more a more poly-centric Melbourne and the creation of new transport hubs.

Active and public transport is not a complete transport solution for everyone. Some people may require or benefit from occasional use of a private vehicle. This may be due to personal circumstances, their access to other transport options, or the particulars of the trip they are taking. Car and ride share vehicles offer a solution to this, allowing occasional use without an individual needing to purchase and maintain a vehicle. This offers financial benefits to the user, and environmental benefits of fewer vehicles manufactured and operating. Subdivision and design should consider what opportunities exist to incorporate share-vehicles into development, whether implemented initially or leaving future capability available.

Many people in Victoria will continue to need or choose to own private vehicles. Numerous proposals exist to phase out internal combustion engines in vehicles. Most of these, including Infrastructure Victoria's Draft 30-Year Infrastructure Strategy, target a phase-out well within the lifespan of buildings being built today. Thus, it is necessary to consider now how we can future proof our buildings for alternatives such as electric vehicles (EV).

Retro-fitting EV charging infrastructure to buildings not designed for it can be prohibitively expensive. One of the most important steps that can be taken now is to ensure that new buildings are designed in such a way that EV infrastructure can be incorporated into them in the future. In all developments, whether commercial, industrial, multi-unit or single dwelling residential, if parking is provided consideration should be given to how difficult incorporating EV infrastructure would be. Increased support for rooftop solar will also be vital to efficient and sustainable domestic charging infrastructure.

Landscaping and biodiversity

We recommend that:

- Further detail be provided on approaches to landscaping and biodiversity through stage two
- Consideration be given to the practicability of monitoring and enforcing these requirements

The proposed details of and commitments to landscaping and biodiversity are generally limited in the roadmap. Further information is required to understand what the proposed suite of measures will be comprised of, including to what extent canopy, groundcover, deep soil provisions and canopy cover equivalence will be considered across building typologies.

While in-principle the MAV supports the roadmap direction, there are a range of other alternative greening measures and system changes that should be detailed and explored in the roadmap. These include:

- Extending canopy and greening provisions to all types of development, not just residential as all building typologies impact the heating of the environment
- ResCode Clauses 54 and 55 could adopt similar landscaping objectives and standards to Clause 58, such as soil depth and canopy provisions, amongst others. More rigorous standards for permeable paving could also form a part of this.
- An increase in canopy cover equivalence needs to include better greening outcomes across all built-up areas, especially in commercial and mixed-use zones and should form part of new particular provisions for ESD in commercial and industrial development.

It is acknowledged that some of the above and other matters regarding how we can strengthen the planning system's contribution to the urban forest will be addressed in the forthcoming *Cooling and Greening Melbourne* initiative. While cooling and greening in Melbourne is a key project, the cooling and greening of rural and regional towns and cities needs to be part of the state-wide policy response. This provision will need to be included in updated state policy.

Requiring tree cover and vegetation to be retained or planted during development is one thing. Ensuring it is retained and maintained adequately is another. Protecting existing tree cover and expanding greening is a significant enforcement and resourcing challenge for both urban and rural councils alike, particularly when balancing this against the Bushfire planning requirements of Clause 13.02 and exemptions relating to the clearing of native vegetation at Clause 52.17. This goes beyond ESD but must be front of mind in the design of any provisions. A provision that cannot be enforced is of limited value and may in fact be detrimental by giving false confidence in outcomes.

Urban heat

We recommend that:

- **Further detail be provided on approaches to urban heat through stage two**

The MAV supports the broad approaches outlined in the roadmap in relation to addressing urban heat. As a more detailed approach is developed in step two a broader uptake of a suite of climate resilience and adaptation objectives and standards should be considered as a part of this category. At present there is a lack of clear direction in the roadmap regarding ameliorating urban heat. Currently the planning scheme lacks sufficient provisions to explicitly address climate resilience matters other than flooding and bushfires. This needs to be resolved.

Air and noise pollution

We recommend that:

- **As outlined in the roadmap, gaps in current provisions addressing noise and air pollution be addressed**

We support further strengthening of state objectives for regulating air and noise pollution, but also recognise that many facets of the control of noise and pollution are currently regulated by EPA's state environment protection policies and guidelines.

The roadmap includes commentary on where changes could be made, however air and noise pollution regulations should be extended beyond residences and sensitive uses located near busy transport routes, to other potential noise and pollutant sources including industry and commercial areas. Opportunities to improve indoor air quality (IEQ) also exist through selection of materials with low toxicity (VOCs, fluorocarbons etc.).

Noise and air pollution issues are not solely urban problems; rural and regional areas also are subject to myriad of noise and air pollution issues such as conflicts between agricultural uses and nearby rural living zones, and noise pollution can travel further in open rural localities. Future development of air and noise pollution standards will need to account for this.

6 Additional Key Feedback

In addition to our response to specific aspects of the roadmap, the MAV and councils have identified the following key areas which have been overlooked or require further thought as the new ESD policies and provisions are developed.

Victoria's Big Housing Build and inclusion of ESD

The MAV strongly supports the principle that all people, regardless of their income or ability to access housing, must have the opportunity to live in affordable, healthy and sustainable homes. We welcome the Victorian government's recent record investment for the Big Housing Build and the requirement that new housing under the scheme must meet a 7-star NatHERS rating.

However, this requirement has not been mentioned in more recent government communications regarding the program. This is alarming to the MAV, CASBE and councils. Requiring a 7-star rating is an opportunity to improve the way social and affordable housing is designed and built for residents to enjoy healthier and more comfortable homes. Energy efficient homes and those that have been designed with ESD considerations are also cheaper to run and maintain over the lifetime, providing a more affordable housing model. This is particularly important for those who have limited financial means and who have difficulty accessing a safe and affordable home.

We are also deeply concerned that elevating projects to the Minister's Office in order to 'fast track' planning assessments as part of the Big Housing Build will result in compromised ESD outcomes. This will undermine the physical and social health of residents. While a renewed commitment to a 7-star rating is urgently sought, we also seek more detailed consideration of ESD.

We request that the Minister mandate a 7-star NatHERS rating and that due consideration is given to assessing ESD outcomes. The department should employ appropriate in-house skill to provide a high level of ESD assessment for all social and affordable homes for this program and any other similar future programs.

Capturing ESD requirements in VicSmart provisions

It is noted that a large portion of commercial and industrial development is currently processed through 'VicSmart' application pathways. By design, VicSmart applications have a limited scope of assessment and are not readily guided by state policy – rather the decision guidelines in the relevant VicSmart provision confine the relevant scope of assessment.

It is strongly recommended that consideration be given to updating the decision guidelines of the VicSmart provisions where relevant to include reference to the sustainability principles being expressed as part of this review, particularly with relation to building design/siting to maximise energy efficiency, provision of landscaping, waste recovery, water usage and environmental emissions.

A careful balance will need to be struck between ensuring ESD is appropriately considered, and that the timeframes of VicSmart approvals can still be met.

Single dwellings and ESD

The number of detached houses approved in Melbourne's growth corridors reached a record of over 18,000 approvals in 2017. The vast majority of new homes constructed in rural and regional Victoria are also detached dwellings. Across Victoria, these new homes are mostly located in new 'greenfield' developments and often priced affordably for families at a cost of being located some distance from places of work, education and recreation compared to inner-city suburbs.

Beyond existing building codes that require 6-star energy ratings and orientation requirements, these single homes are not captured in council ESD policies which are mostly triggered for multi-dwelling developments. The MAV therefore requests that due consideration be given to the

application of ESD measures to single dwellings – if not via the planning system, then via proposed building code reforms.

We understand that DELWP is currently working through associated issues regarding ‘red tape reduction’ and housing affordability concerns with key stakeholders, as well as potential changes to ResCode standards. To date, local policies have by adopted Gross Floor Area (GFA) or dwelling number thresholds to trigger ESD assessment. The adoption of this approach may be attractive in a state-wide approach. However, while smaller developments may have smaller carbon footprints individually, cumulative effects are major.

If single dwellings are captured by ESD policies and provisions, community education will need to be undertaken to ensure that people understand ESD requirements and can positively engage in the process. Training, resourcing and expert advice will be required for councils processing a potentially increased load of applications requiring ESD assessment skills. Strengthened ESD measures must be pursued in the changes to the relevant building codes to ensure that planning permits for all single dwellings are not triggered due to ESD.

Consideration of Heritage in ESD assessment

The roadmap does not contain any reference to how heritage places will engage ESD policies and provisions in planning schemes. There is a view that the greenest building is one that is already built, as the extraction of new resources is not required. The use of natural light, natural ventilation and passive strategies such as solar access for winter warmth and shade were often ‘business-as-usual’ practices before air-conditioning, while many older materials have non-toxic finishes.

For buildings and sites with identified heritage values such as architectural or significant ecological importance, adaptation is key to ensure their ongoing retention. In recent years there has been rising trend of moving away from ‘facadism’ towards retaining as much of an original building as possible. Particularly with heritage places, demolition and re-building is rarely supported in planning policy. Demolition is also less sustainable due to the waste created and need for new materials. Adaptive re-use can result in reduced carbon emissions from a heritage restoration or preservation project. Thoughtful design can embed new carbon-saving technologies within heritage buildings without undermining their historic values.

There are tools which successfully measure the environmental impact of new works, such as BESS, however additional tools are required to measure the value of retaining existing heritage buildings. More work needs to be undertaken to understand the role historic buildings have when saving embodied energy, and the role these places have in planning for and adapting to climate change.



Attachment 1: MAV comments – proposed VPP Stage One Reforms

0.1 PURPOSES OF THIS PLANNING SCHEME

To provide a clear and consistent framework within which decisions about the use and development of land can be made.

To express state, regional, local and community expectations for areas and land uses.

To provide for the implementation of State, regional and local policies affecting land use and development.

To promote environmentally sustainable development.

MAV FEEDBACK:

The new purpose of the Planning Scheme needs to be unambiguously written to indicate that it applies to all development (including where relevant in VicSmart).

The word 'promote' needs to be replaced and strengthened. Promote means to support or actively encourage and is therefore not binding or enforcing on development. Consider instead wording such as: 'ensure', 'provide', 'enable', 'deliver'.

These changes are required as bushfire risk is currently given primacy over all other considerations in the Victorian planning system. However, climate change is not only a significant contributor to bushfire risk but is overall a higher-order risk to the life and safety of Victorian communities and our built and natural environments. Climate change, and responses to it, should accordingly be given elevated consideration in both strategic and statutory planning processes.

11. SETTLEMENT

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of [environmental sustainability](#), urban design and amenity.
- Energy efficiency and [renewable energy adoption](#).
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.
- [Waste minimisation, resource recovery and waste management](#).
- [Climate change adaptation and mitigation](#).

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

MAV FEEDBACK:

It is recommended that the net-zero emissions target legislated under the *Climate Change Act 2017* is included in the final dot-point. The Roadmap outlines that planning can help support achieving this target, and support for this statement should be undertaken by including the target in proposed objectives and strategies of the PPF.

11.01-1S Settlement

Objective

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.

Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

Provide for growth in population and development of facilities and services across a regional or sub-regional network.

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

Strengthen transport links on national networks for the movement of commodities.

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.

- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.
- [Adopting integrated water management as part of settlement development.](#)

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.

Limit urban sprawl and direct growth into existing settlements.

Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

[Plan for regional responses to climate change adaptation and mitigation.](#)

Policy documents

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017)
- Plan Melbourne 2017-2050: Addendum 2019 (Department of Environment, Land, Water and Planning, 2019)
- [Applicable emission reduction pledges and adaptation action plans \(as specified under Part 5 of the *Climate Change Act 2017*\)](#)

MAV FEEDBACK:

Support proposed changes.

11.02-2S Structure planning

Objective

To facilitate the orderly [and sustainable](#) development of urban areas.

Strategies

Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.

Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.

Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:

- Take into account the strategic and physical context of the location.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Provide for the development of sustainable and liveable urban areas in an integrated manner.
- Assist the development of walkable neighbourhoods.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.
- [Protect areas of natural or cultural significance.](#)
- [Respond to the impacts of climate change.](#)

MAV feedback:

Support proposed changes.

12 ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, [Australia's Strategy for Nature 2019-2030](#), the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

MAV feedback:

Support proposed changes.

12.01-1S Protection of biodiversity

Objective

To assist the protection and conservation of Victoria's biodiversity.

Strategies

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Strategically plan for the protection and conservation of Victoria's important areas of biodiversity.

Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:

Cumulative impacts.

Fragmentation of habitat.

The spread of pest plants, animals and pathogens into natural ecosystems.

Avoid impacts of land use and development on important areas of biodiversity.

Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).

Assist in the identification, protection and management of important areas of biodiversity.

Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

[Support land use and development that contributes to protecting and enhancing urban biodiversity values.](#)

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents

Consider as relevant:

- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)

- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*)

MAV FEEDBACK:

'Biodiversity in urban areas' is a clearer phrase.

There is federal biodiversity information available on the location of threatened species, which should also be considered and referenced in the policy guidelines.

13.01-1S Natural hazards and climate change

Objective

To minimise the impacts of natural hazards and adapt to the impacts of climate change.

Strategies

Consider the risks associated with climate change in planning and management decision making processes.

Identify at risk areas using the best available data and climate change science.

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.

Site and design development to minimise risk to life, [health](#), property, the natural environment and community infrastructure from natural hazards.

MAV feedback:

Within the Objective, include after adapt the term 'mitigate' to recognise that the purpose of ESD requirements is to also mitigate climate change and levels of carbon in the atmosphere.

13.01-3S Urban heat mitigation

Objective

To reduce urban heat exposure through land use, built form and design responses.

Strategies

Green and cool urban areas, buildings, transport corridors and open spaces through use of vegetation, integrated water management and appropriate materials.

Support tree health and cool the urban environment through water sensitive urban design.

MAV feedback:

Introduction of this clause must be in-line with existing local policies in relation to urban heat island effects.

The clause would also benefit from an extra strategy focusing on protecting and incorporating existing canopy trees (both native and exotic) into development and subdivision.

13.05-1S Noise abatement

Objective

To assist in the control of noise [pollution and minimise its effects on residential developments and other](#) sensitive land uses.

Strategy

Ensure that [human health and community amenity is protected, and that](#) development is not [adversely impacted](#) by noise emissions, using a range of building design, urban design and land use separation techniques.

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*
- *State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 in metropolitan Melbourne*
- [Noise from Industry in Regional Victoria \(Environment Protection Authority, 2011\)](#)
- *A Guide to the Reduction of Traffic Noise (VicRoads, 2003)*

MAV feedback:

Support proposed changes.

13.06-1S Air quality management

Objective

To assist in the protection and improvement of air quality.

Strategies

Ensure that land use planning and transport infrastructure provision contribute to improved air quality by:

- Integrating transport and land use planning to improve transport accessibility and connections.
- [Limiting air emissions, including dust.](#)
- Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for public transport, walking and cycling.

Ensure, wherever possible, that there is suitable separation between land uses that [pose a health and amenity risk](#) and sensitive uses.

[Minimise air pollutant exposure to occupants of residential development and other sensitive uses near transport infrastructure through suitable siting, layout and design responses.](#)

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Air Quality Management)*
- [Recommended Separation Distances for Industrial Residual Air Emissions – Guideline \(Environment Protection Authority, 2013\)](#)

MAV feedback:

Concern relating to the inclusion of dust. If this is applied to the construction of a building, it could lead to a requirement for construction management plans. These matters should be managed through other compliance processes rather than by planning.

BUILT ENVIRONMENT AND HERITAGE

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.

- Enhance the function, amenity and safety of the public realm.

Environmentally sustainable development

Planning must support development that is environmentally sustainable and:

- Respond to climate change impacts.
- Minimises greenhouse gas emissions.
- Conserves energy and water.
- Minimises waste generation and increases resource recovery.
- Supports human health and community wellbeing.
- Minimises detrimental impacts on the built and natural environment.

MAV feedback:

Concern in relation the use of the term 'minimise detrimental impacts'. A more constructive term would be "provides a built form outcome that contributes to the architectural, historic and cultural expression of the local streetscape".

Landscaping should be included in this policy. Landscaping can contribute to ESD through mitigating urban heat islands, improve ventilation, air quality and water quality. Moreland City Council's Landscaping Policy under Clause 15.01-1L - Urban design in Moreland is a good basis:

Ensure landscape design improves aesthetic quality and amenity for occupants and the public realm by:

- *Integrating development with the surrounding environment.*
- *Providing for summer shading of buildings and private open spaces and allows for access to winter sun. Contributing to reduction of the urban heat island effect.*
- *Incorporating integrated water management and water sensitive urban design.*

15.01-2S Building design

Objective

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

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

Encourage retention of existing vegetation and planting of new vegetation as part of new developments.

Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.

Ensure the layout and design of the development supports waste and resource recovery and the efficient use of water.

Improve the energy performance of buildings through siting and design measures that support:

- Cost effective compliance with energy performance standards in the National Construction Code.
- Passive design responses that minimise the need for heating and cooling.
- Adoption of renewable energy and storage technologies.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

MAV feedback:

There needs to be the ability to apply these ESD policies holistically.

The existing 6 star energy rating system should not be a default position for development to rely upon. Policy needs to give decision makers the authority to look beyond the 6 star system. For instance, if a council receives an application for two dwellings on a lot – it is not sufficient to simply imply that ESD policy has been met by virtue of attaining a 6 star energy rating. Decision makers need to be able to compel good ESD outcomes beyond the minimums set by the energy rating system.

As compliance with NCC is a minimum requirement we recommend the the dot point “Cost effective compliance with energy performance standards in the National Construction Code” be deleted. Inclusion of this dot point in state planning policy, it could lead to some arguing that only compliance with the NCC is required, and nothing more.

There are local planning policies which require a commitment to a 10% improvement on the NCC minimum building envelope energy efficiency standard for residential developments.

Include the word **ensure** to the policy to affirm that new vegetation is an expectation to support greening and cooling outcomes and realise urban heat mitigation objectives:

Include “Encourage longevity in buildings through promoting the use of durable materials, re-use of existing building elements, and design that is flexible to future re-purposing”

15.01-3S Subdivision design

Objective

To **facilitate** subdivisions **that** achieve attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.

Reduce car dependency by allowing for:

- Convenient and safe public transport.
- Safe and attractive spaces and networks for walking and cycling.
- Subdivision layouts that allow easy movement within and between neighbourhoods.
- A convenient and safe road network.

Being accessible to people with disabilities.

Creating an urban structure and providing utilities and services that:

- **Responds to climate change hazards and contributes to reduction of greenhouse gas emissions.**
- **Support** resource conservation.
- **Support** energy efficiency **through urban layout and lot orientation.**
- **Support the uptake of renewable energy technology, including microgrids and batteries.**
- **Incorporate** integrated water management.
- **Support waste** minimisation **and increased resource recovery.**

- Minimise exposure of sensitive uses to air and noise pollution.

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)

MAV FEEDBACK:

The MAV generally supports suggested changes with comments below:

Strategy - *In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:*

The **should** in this strategy undermines the importance of the objective and strategy and suggest liveable and sustainable communities is a discretionary outcome. The word 'should' be replaced with 'must'.

Strategy - *Support energy efficiency through urban layout and lot orientation*

This strategy is supported but needs stronger language as the requirement for greater density/yield will always override that for lot orientation. Suggest the strategy is reframed to necessitate energy efficiency by using **ensure** instead.

15.02-1S Energy and resource efficiency [DELETED – content relocated or covered in other clauses]

Objective

To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions. [15S, 15.01-2S, 15.01-3S]

Strategies

Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development. [19.01-1S, 19.01-2S, 19.03-3S, 19.03-5S]

Promote consolidation of urban development and integration of land use and transport. [18S, 18.01-1S]

Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades. [19.01-2S, 15.01-2S, 15.01-3S]

Support low energy forms of transport such as walking and cycling. [18.02-1S, 18.01-1S]

Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation. [13.01-3S]

Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals. [15.01-2S, 15.01-3S]

MAV FEEDBACK:

Support deletion

16.01-2S Location of residential development

Objective

To locate new housing in designated locations that offer good access to jobs, services and transport.

Strategies

Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.

Ensure residential development is located to support cost effective infrastructure provision and use, energy efficiency, water efficiency and public transport use.

Identify opportunities for increased residential densities to help consolidate urban areas.

MAV feedback:

Support proposed changes.

18.01-1S Land use and transport planning

Objective

To create a safe and sustainable transport system by integrating land use and transport.

Strategies

Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.

Plan urban development to make jobs and services more accessible by:

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.

Integrate public transport services and infrastructure into new development.

Improve transport links that strengthen the connections to Melbourne and adjoining regions.

Policy documents

Consider as relevant:

- *The Victorian Transport Plan* (Victorian Government, 2008)
- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)
- [Victorian Cycling Strategy 2018-28](#) (Department of Economic Development, Jobs, Transport and Resources, 2017)
- *Principal Public Transport Network 2017* (Department of Economic Development, Jobs, Transport and Resources, 2017)

MAV feedback:

Strategy- *“Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas”*

Minimising car dependency also relates to Land use and transport planning and the above strategy should be expanded to include: *“Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas **that reduces car-dependency**”*

18.02-1S Sustainable personal transport

Objective

To promote [and support](#) the use of [low-emission forms of](#) personal transport.

Strategies

Ensure development and the planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) provide opportunities to promote more walking and cycling.

Encourage the use of walking and cycling by creating environments that are safe and attractive.

Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.

Ensure cycling routes and infrastructure are constructed early in new developments.

Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.

Require the provision of adequate bicycle parking and related [end-of-trip](#) facilities to meet demand at [commercial buildings](#), [multi-residential developments](#), education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.

Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.

[Encourage building and subdivision layout and design responses that:](#)

- [Facilitate low emission forms of transport including walking and cycling.](#)
- [Include infrastructure for low emission vehicles \(including electric vehicles\).](#)

Policy documents

Consider as relevant:

- [Guide to Road Design, Part 6A: Paths for Walking and Cycling](#)
- [Victorian Cycling Strategy 2018-28](#) (Department of Economic Development, Jobs, Transport and Resources, 2017)

MAV feedback:

The MAV generally supports the proposed changes.

We suggest including 'industrial' as well as commercial and multi-residential buildings requiring end-of-tip facilities.

Strategy - *"Encourage building and subdivision layout and design responses that..."*

To deepen alignment with the VPP changes, building and subdivision designs that facilitate lower emissions transport must be ensured, suggest the strategy is reframed to remove 'Encourage' and replace with 'Ensure'.

18-02-2S Public Transport

Objective

To facilitate greater use of public transport, promote increased development close to high-quality public transport routes [and minimise car dependency](#).

Strategies

Maintain and strengthen passenger transport networks.

Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

Ensuring integration with walking and cycling networks.

Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.

Plan for bus services to meet the need for local travel.

Ensure development supports the delivery and operation of public transport services.

Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.

Provide for bus routes and stops and public transport interchanges in new development areas.

Policy documents

Consider as relevant:

- *Public Transport Guidelines for Land Use and Development* (Victorian Government, 2008)

The Victorian Transport Plan (Victorian Government, 2008)

MAV feedback:

Support proposed changes.

19 INFRASTRUCTURE

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 is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

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 of infrastructure should avoid or minimise environmental impacts and incorporate resilience to natural hazards, including future climate change risks.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

MAV feedback:

Support proposed changes.

19.01-1S Energy supply

Objective

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy infrastructure in appropriate locations where it provides benefits to industry and the community and takes advantage of existing infrastructure.

Support achievement of greenhouse gas emission reduction targets under the *Climate Change Act 2017* and the transition to a low-carbon economy by adopting renewable energy and low emission technologies.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.

MAV feedback:

Support proposed changes.

19.01-2S Renewable energy

Objective

To support the provision and use of renewable energy, and achievement of greenhouse gas emission reduction targets under the *Climate Change Act 2017* in a manner that ensures appropriate siting and design considerations are met.

Strategies

Facilitate renewable energy development in appropriate locations.

Protect energy infrastructure against competing and incompatible uses.

Develop appropriate infrastructure to meet community demand for energy services.

Set aside suitable land for future energy infrastructure.

Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, March 2019)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, August 2019)

MAV feedback:

Support proposed changes.

19.03-3S Integrated water management

Objective

To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.

- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

[Support development that is water efficient and encourages use of alternative water sources.](#)

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
- *Water for Victoria - Water Plan* (Victorian Government, 2016)
- *Urban Stormwater Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)
- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)

MAV feedback:

Support proposed changes.

19.03-5S Waste and resource recovery

Objective

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.

Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Encourage technologies that increase recovery and treatment of resources to produce [high value, marketable end products](#).

Enable waste and resource recovery facilities to [be located in proximity to other related facilities and to materials' end-market destinations](#) to reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities in accordance with the *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004).

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

[Ensure developments provide for segregation, storage and collection of waste and recyclable materials.](#)

Encourage development that [provides for:](#)

[Systems that support waste minimisation and increase resource recovery.](#)

- [Use of recycled and reusable materials where appropriate.](#)

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

- *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria, 2015)
- *Metropolitan Waste and Resource Recovery Implementation Plan* (Metropolitan Waste and Resource Recovery Group, 2016)
- *Waste Management Policy (Siting, Design and Management of Landfills)* (Environment Protection Authority, 2004)
- *Environment Protection (Industrial Waste Resource) Regulations 2009*
- *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2001)
- *Victorian Organics Resource Recovery Strategy* (Sustainability Victoria, 2015)
- *Designing, Constructing and Operating Composting Facilities* (Environment Protection Authority, 2015)

- *Waste Management and Recycling in Multi-Unit Developments (Sustainability Victoria, 2019)*
- *Recycling Victoria A New Economy (Department of Environment, Land, Water and Planning, 2020)*

MAV feedback:

Support proposed changes.