



Victoria Government Gazette

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SPECIAL

SUBORDINATE LEGISLATION ACT 1994 NOTICE OF MAKING OF STATUTORY RULE

Notice is hereby given under Section 17(2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rule:

148. <i>Statutory Rule:</i>	Audit (Public Bodies) (Amendment) Regulations 2001
<i>Authorising Act:</i>	Audit Act 1994
<i>Date of making:</i>	11 December 2001

Melbourne City Link Act 1995

DECLARATION EXCLUDING LAND FROM INTERIM OPERATION PROVISIONS

I, Peter Batchelor, Minister for Transport and Minister administering the **Melbourne City Link Act 1995** ("the Act"), acting under the power conferred by section 60A(2) of the Act, by this Order declare that Section 60A of the Act no longer applies to the land shown diagonally hatched and cross hatched on the plan numbered LEGL./01-166 and shown diagonally hatched on the plan numbered LEGL./01-167 lodged in the Central Plan Office.

This Order takes effect on and from the date it is published in the Government Gazette.

Dated 11 December 2001

PETER BATCHELOR
Minister for Transport

Melbourne City Link Act 1995

ORDER DECREASING THE PROJECT AREA

The Governor in Council, under section 8(1) of the **Melbourne City Link Act 1995** varies the Melbourne City Link Project area by

decreasing the Project area by the land shown diagonally hatched and cross hatched on the plan numbered LEGL./01-166 and shown diagonally hatched on the plan numbered LEGL./01-167 lodged in the Central Plan Office.

This Order takes effect on and from the date it is published in the Government Gazette.

Dated 11 December 2001

PETER BATCHELOR
Minister for Transport

HELEN DOYE
Clerk of the Executive Council

Subordinate Legislation Act 1994

PROPOSED BUILDING (SINGLE DWELLINGS) REGULATIONS 2001

Notice of Decision

I, John Thwaites, Minister for Planning and Minister responsible for the administration of the **Building Act 1993**, give notice under section 12 of the **Subordinate Legislation Act 1994** as follows—

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Building (Single Dwellings) Regulations 2001 and advertised inviting public comment. Thirty one submissions were received and considered.

I have decided that the proposed Building (Single Dwellings) Regulations 2001 should be made with minor amendments, to improve the operation and consistency of the Regulations, as well as a number of more substantive amendments which are outlined below—

- **Private Open Space:** Amendments to the definition of "private open space", and the overlooking, overshadowing, private open space and fence overshadowing provisions as they relate to private and secluded private open space.

- **Maximum Street Setback:** Clarification that this provision only applies to new Class 1 buildings (class 1), rather than alterations and outbuildings. Application of a maximum lot size (1 acre) to which this provision relates to remove negative implications for development in rural areas.
- **Minimum Street Setback:** Clarification that this provision does not relate to a footway, alley, lane or right-of way.
- **Building Height:** Clarification of restrictions on building height for that part of a building between a wall on a boundary and the standard 1m setback.
- **Solar access to north-facing windows:** Restriction of application of provision to protect only that part of a window within 3 metres of the boundary. Inclusion of a restricted range of allowable encroachments with restrictions on the extent of encroachment so as not to create additional shading.
- **Overlooking:** Clarification that line of sight to be measured at and below a horizontal line (i.e. not overlooking upwards). Inclusion of raised open spaces below 800mm in height in concession where 1.8m visual barriers provided.
- Minor amendments to the range and restrictions on allowable encroachments within setbacks for clarification, consistency and improved outcomes.

JOHN THWAITES MP
Minister for Planning

**Melbourne City Link
(Further Amendment) Act 2001**

PROCLAMATION OF COMMENCEMENT

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Melbourne City Link (Further Amendment) Act 2001**, fix 1 January 2002 as the day on which that Act comes into operation.

Given under my hand and the seal of
Victoria on 11 December 2001.

(L.S.) JOHN LANDY
Governor
By His Excellency's Command

PETER BATCHELOR
Minister for Transport

Transport (Further Amendment) Act 2001
PROCLAMATION OF COMMENCEMENT

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 2(2) of the **Transport (Further Amendment) Act 2001**, fix 31 December 2001 as the day on which Part 5 of that Act comes into operation.

Given under my hand and the seal of
Victoria on 11 December 2001.

(L.S.) JOHN LANDY
Governor
By His Excellency's Command

PETER BATCHELOR
Minister for Transport

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