



Victoria Government Gazette

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Planning and Environment Act 1987 **VICTORIA PLANNING PROVISIONS**

Notice of Approval of Amendment **Amendment VC42**

The Minister for Planning has approved Amendment VC42 to the Victoria Planning Provisions and all planning schemes in Victoria, except the Port of Melbourne Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment changes the Victoria Planning Provisions (VPP) and planning schemes by:

- Introducing the Sustainable Neighbourhoods Provisions that provide new residential subdivision provisions, including changes to:
 - the State Planning Policy Framework, setting out the policy objectives and implementation measures for the development of new residential areas and the redevelopment of existing areas (Clauses 19)
 - introduce new or changed performance standards for residential subdivisions (Clauses 56 – 56.10 and Clauses 32.01, 32.02, 32.04, 32.05, 32.06)
 - extend the application of the residential subdivision provisions of Clause 56 to the Comprehensive Development and Priority Development Zones (Clauses 37.02, 37.06)
 - refer to the integrated water management provisions in the decision guidelines of the Low Density Residential Zone (Clause 32.03)
 - require incorporated plans and development plans that provide for a residential subdivision to meet the requirements of Clause 56 (Clauses 43.03, 43.04)
 - require the consideration of specified standards of Clause 56.06 when deciding on an application for two or more dwellings on a lot or for residential buildings (Clause 55.03).
- Amending Clause 15.08 of the State Planning Policy Framework to give effect to the land use and development strategies of the Victorian Coastal Strategy 2002.
- Making changes to provide for geothermal energy extraction by introducing:
 - new definitions for geothermal energy exploration and geothermal energy extraction
 - exemptions from planning permit requirements for geothermal energy exploration
 - exemptions from planning permit requirements for geothermal energy extraction if an Environment Effects Statement is required
 - exemptions from planning permit requirements to remove, destroy or lop native vegetation necessary for geothermal energy exploration and extraction carried out in accordance with the **Geothermal Energy Resources Act 2005**
 - a referral provision to the Secretary of the Department administering the **Geothermal Energy Resources Act 2005**, for applications to use and develop land for geothermal energy extraction.

The changes relating to geothermal energy extraction are in the following provisions:

- The Rural Conservation, Farming and Rural Activity Zones (Clauses 35.06, 35.07, 35.08)
- The Environment Significance, Vegetation Protection, Significant Landscape, Erosion Management and Salinity Management Overlays (Clauses 42.01, 42.02, 42.03, 44.01, 44.02)
- Mineral Exploration & Mining and Native Vegetation Particular Provisions (Clauses 52.08 and 52.17)
- Uses, buildings, works, subdivisions and demolition not requiring a permit and Referrals and notice General Provisions (Clauses 62 and 66)
- The VPP Definitions – Land use terms and Nesting diagrams (Clauses 74 and 75).

SPECIAL

- Amending Clause 52.29 to recognise the ability of road authorities, under the **Road Management Act 2004**, to control access to roads from adjacent land.
- Introducing a new Particular Provision, Clause 52.36 – Integrated Public Transport Planning, that includes the Director of Public Transport as a referral authority for specified transport-related applications.

Amendment VC42 also amends the VPP and planning schemes through the following administrative changes:

- Amending Clause 17.08–2, to delete reference to the Draft Planning Guidelines for Mining (DNRE & DOI 1996) which has been replaced by the Planning Practice Note for Assessing Mining Proposals (DSE, April 2006).
- Updating Victorian WorkCover Authority references, including references to the dangerous goods and occupational health and safety regulations (Clauses 17.03–2, 32.04, 32.05, 33.01, 33.02, 33.03, 34.01, 34.02, 34.03, 34.04, 62.02–1 and 66.02).
- Making a correction to Clause 43.01 – Heritage Overlay, by restoring the decision guideline that provides for the consideration of a heritage study and conservation policy.
- Updating the reference to ‘Section 55 of the **Conservation, Forests and Lands Act 1987**’ in Clause 52.17–5 to refer to ‘Part 5’ of the Act, since Section 55 has been repealed.
- Amending the numbering in Clauses 66 and 75 to support the functionality of the ZAPP electronic amendment processing system.
- Updating reference to the ‘Code of Practice for Fire Management on Public Land, DCNR, 1995’ in Clauses 15.07–2 and 81.01 to the superseded document ‘Code of Practice for Fire Management on Public Land, DSE, Revision No. 1, February 2006’.

A copy of the Amendment can be inspected, free of charge, during office hours, at all municipal council offices in Victoria and at the Department of Sustainability and Environment: Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002;

Port Phillip Region, 30 Prospect Street, Box Hill 3128; North East Region, 35 Sydney Road, Benalla 3672; North West Region, 1 Taylor Street, Epsom 3551; South West Region – Ballarat, 88 Learmonth Road, Wendouree 3355; South West Region – Geelong, 4th Floor, State Government Offices, corner of Fenwick & Little Malop Streets, Geelong 3220; and Gippsland Region, 71 Hotham Street, Traralgon 3844.

GENEVIEVE OVERELL

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