



Victoria Government Gazette

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Planning and Environment Act 1987
VICTORIA PLANNING PROVISIONS
Notice of Approval of Amendment
Amendment VC40

The Minister for Planning has approved Amendment VC40 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:

- **Residential zones:** introducing exemptions for various minor buildings and works normally associated with a single dwelling that previously required a permit where a lot was less than 500 m² or 300 m² [Clause 32.01 – Residential 1 Zone, Clause 32.02 – Residential 2 Zone, Clause 32.04 – Mixed Use Zone, Clause 32.05 – Township Zone and Clause 32.06 – Residential 3 Zone].
- **Business Zones:** introducing additional exemptions for various minor commercial works in business zones [Clause 34.01 – Business 1 Zone, Clause 34.02 – Business 2 Zone, Clause 34.03 – Business 3 Zone, Clause 34.04 – Business 4 Zone, and Clause 34.05 – Business 5 Zone].
- **Heritage Overlay:** amending Clause 43.01 to:
 - exempt domestic services and rain water tanks not visible from the street.
 - exempt interments, burials, erection of memorials and the like in accordance with the **Cemeteries and Crematoria Act 2003**.
 - refine the link to the Victorian Heritage Register to remove any duplication of consents.
 - include other minor refinements to notification requirements.

Note that these changes to the Heritage Overlay are in addition to changes that may be identified by the Advisory Committee proposed in MBR004294.

- **Salinity Management Overlay:** exempting works that have no impact on purpose of the overlay [Clause 44.02].
- **Clause 62 – Uses, Buildings, Works, Subdivisions and Demolition Not Requiring a Planning Permit:** restructuring Clause 62 to create three categories of exemptions for buildings and works:
 1. Buildings and works not requiring a planning permit: To clearly detail building and works that do not require planning approval under any circumstance.
 2. Buildings and works not requiring a planning permit unless specifically required by the planning scheme: To clearly detail building and works that only require planning approval if the planning scheme includes a specific control.
 3. Vegetation removal: To remove all doubt that if the planning scheme requires a permit for the removal of vegetation, then that control operates – regardless of any exemption over the construction of a specific building or works or conduct of a use. The removal of vegetation is a distinct action, separate from the construction of a building or undertaking works.

SPECIAL

Additional exemptions have been included for various minor works such as domestic services, park furniture, licensed farm dams and a temporary portable land sales office.

- **Definitions:** including a new definition of domestic services normal to a dwelling in Clause 72 – General terms.

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

Deputy Secretary

Built Environment

Department of Sustainability and Environment

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