

# **VICTORIA PLANNING PROVISIONS**

## **AMENDMENT VC154**

### **EXPLANATORY REPORT**

#### **Who is the Planning Authority?**

This Amendment has been prepared by the Minister for Planning.

The Minister for Planning is the planning authority for this Amendment.

#### **What the Amendment does**

Amendment VC154 changes the *Victoria Planning Provisions* (VPP) and all planning schemes by:

- Amending Clause 14.02-1S (Catchment management and planning) to delete the policy guidelines and insert new policy documents.
- Deleting Clause 14.02-3S (Water conservation) and integrating these policy statements into a new Clause 19.03-3S (Integrated water management).
- Amending Clause 19.03-3S (Water supply, sewerage and drainage) to update and broaden water, drainage and stormwater policies to integrated water management policies, and to rename the provision to 'Integrated water management'.
- Renaming the regional sub-clause sections at Clause 19.03-3R to 'Integrated water management – Hume' and 'Integrated water management – Loddon Mallee South'.
- Deleting Clause 19.03-4S (Stormwater) and integrating this policy into the new Clause 19.03-3S (Integrated water management), with consequential renumbering throughout Clause 19.03.
- Inserting a new particular provision at Clause 53.18 for 'Stormwater management in urban development'.
- Amending Clause 55 (Two or more dwellings on a lot and residential buildings) to provide transitional provisions for residential development applications to be assessed against the Clause 55 provisions as they existed before the approval date of Amendment VC154.
- Amending Clause 55.03-4 (Permeability) to rename the standard 'Permeability and stormwater management' and amend the standard to include a new stormwater purpose, requirements and decision guidelines.
- Amending Clause 55.07 (Apartment developments), Clause 56.07 (Integrated water management) and Clause 58.03 (Site layout) to generally align with the new particular provision.
- Amending Clause 73.01 (General terms) to insert a new general term and definition for 'stormwater'.

#### **Strategic assessment of the Amendment**

#### **Why is the Amendment required?**

Amendment VC154 implements initiatives from *Plan Melbourne 2017-2050* and *Water for Victoria – Water Plan* to enable the planning system to better manage water, stormwater and drainage in urban development. This will provide for improved water quality and a reduction in overall nutrient quantities in the water cycle, ultimately benefiting Victorian waterways.

Amendment VC154 implements these initiatives by modifying the Planning Policy Framework (PPF) to reflect integrated water management objectives and by introducing a new particular provision for stormwater management in urban development.

### **How does the Amendment implement the objectives of planning in Victoria?**

The Amendment implements the objectives in section 4 of the *Planning and Environment Act 1987* (the Act). In particular, it supports the objectives to:

- a) provide for the fair, orderly, economic and sustainable use and development of land;
- b) provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- c) secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- d) protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;
- e) balance the present and future interests of all Victorians.

Amendment VC154 implements these objectives by:

- revising the planning framework to enable a coordinated approach to the sustainable management of water supply, water resources, sewerage, drainage and stormwater in planning decisions.
- strengthening mechanisms for stormwater management by applying consistent requirements to the development of two or more dwellings, commercial and industrial development, public use development, and all subdivisions, in urban areas.
- protecting public utilities and assets and the services and resources they provide, as well as the natural environment and ecological systems and processes for net community benefit.

### **How does the Amendment address any environmental, social and economic effects?**

Amendment VC154 will address any environmental, social and economic effects by providing for a planning framework which better integrates water management policies and provisions. This will ensure greater environmental, social and economic sustainability in urban areas, resulting in a net community benefit.

The Amendment will also address gaps in the planning framework for stormwater management. This will enable the planning system to respond to Victoria's growing population and environmental pressures in urban areas and ensure that environmental issues arising from increased urban development are appropriately managed.

### **Does the Amendment address relevant bushfire risk?**

Amendment VC154 will not increase the risk to life, property, community infrastructure and the natural environment from bushfire.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?**

The Amendment complies with all Ministerial Directions issued under section 12 of the Act.

The Amendment complies with the *Ministerial Direction on the Form and Content of Planning Schemes* issued under section 7(5) of the Act.

### **How does the Amendment support or implement the Planning Policy Framework (PPF)?**

Amendment VC154 amends Clause 19.03-3S (Integrated water management) by implementing an objective and strategies for integrated water management and incorporating the objectives and strategies of the deleted Clause 14.02-3S (Water). The revised PPF will better support coordinated action at state, regional and municipal levels on integrated water management.

Stormwater management mechanisms will also be strengthened by applying consistent requirements to residential, commercial and industrial development in urban areas. This will improve the natural environment and ecological systems and processes for net community benefit.

### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The Amendment makes proper use of the VPP by amending and utilising the appropriate provisions through PPF updates and a new particular provision in the appropriate way.

### **How does the Amendment address the views of any relevant agency?**

Amendment VC154 was prepared in consultation with a range of participants throughout metropolitan Melbourne and regional Victoria and the views of the organisations and participants consulted have been considered in the preparation of Amendment VC154.

In May 2018, the Department of Environment, Land, Water and Planning (DELWP) released an Issues Paper which examined issues and opportunities for managing stormwater through the planning system, with submissions invited from stakeholders and the general public. The Issues Paper contained a conceptual policy option, which included extending the current stormwater requirements to industrial and commercial subdivisions and developments and all forms of residential development above 50% of the floor area or 50m<sup>2</sup>. DELWP received 47 submissions, including 15 from Victorian councils, five from water corporations and seven from environmental and/or community groups.

Concurrent with the submissions process, a Stormwater Management Advisory Committee (the Committee) established by the Minister for Water and Minister for Planning in June 2018 heard from a range of industry stakeholders, councils, agencies and other affected participants over June and July 2018. A number of stakeholder workshops with representatives of the water sector, councils, the Victorian housing and building industries, environmental groups and academia were held. Meetings were also held with peak industry organisations, the Environment Protection Authority, Melbourne Water and VicRoads. Draft provisions were provided to all interested stakeholders, and many of the comments received have formed the basis for the Amendment VC154 provisions.

### **Does the Amendment have a significant impact on the transport system, as defined by section 3 of the *Transport Integration Act 2010*?**

Amendment VC154 does not have any direct impact on the transport system and transport integration matters as defined by section 3 of the *Transport Integration Act 2010*.

### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

Amendment VC154 is expected to have a minor impact on the resource and administrative costs of responsible authorities, as the Amendment will add new requirements to the consideration of certain planning permit applications. However, these will be consistent with existing requirements

applying to other forms of development, which are well understood by industry, councils and relevant agencies.

Revisions to the PPF will streamline policies related to integrated water management by reducing a range of overlapping but separate policy sections of the PPF. A consistent approach to planning requirements for integrated water management will assist both responsible authorities and applicants to navigate the planning framework more effectively.

### **Where you may inspect this Amendment**

A copy of the Amendment can be inspected, free of charge, during office hours, at all municipal council offices in Victoria and at the following Department offices:

#### **Barwon South West Region**

##### Geelong office

Level 4  
30-38 Lt Malop Street  
GEELONG VIC 3220

#### **Barwon South West Region**

##### Warrnambool office

78 Henna Street  
WARRNAMBOOL VIC 3280

#### **Gippsland Region**

71 Hotham Street  
TRARALGON VIC 3844

#### **Grampians Region**

Level 3, 402-406 Mair Street  
BALLARAT VIC 3350

#### **Hume Region**

Level 1, 62 Ovens Street  
WANGARATTA VIC 3676

#### **Loddon Mallee Region**

Cnr Midland Hwy and Taylor Street  
EPSOM VIC 3551

The Amendment is also available for public inspection at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).