

VICTORIA PLANNING PROVISIONS

AMENDMENT VC135

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 VC135 expands the VicSmart fast-track planning process by changing the VicSmart Planning Assessment provisions at Clauses 90 to 95 of the Victoria Planning Provisions and all planning schemes.

The amendment introduces additional classes of application into the VicSmart provisions, and increases the 'cost of development' threshold of some existing VicSmart buildings and works classes of application. It changes the Victoria Planning Provisions and all planning schemes by:

- Amending Clause 92 (State VicSmart applications) to include additional development classes and increase the 'cost of development' threshold of some existing buildings and works classes.
- Amending the following provisions to introduce further information requirements and decision guidelines to align with the additional classes of State VicSmart applications:
 - Clause 93.01 (Realign the boundary between two lots)
 - Clause 93.02 (Subdivision)
 - Clause 93.04 (Buildings and works)
 - Clause 93.05 (Construct a fence in an overlay)
 - Clause 93.10 (Car parking).
- Inserting the following provisions to introduce new information requirements and decision guidelines to apply to additional classes of State VicSmart applications:
 - Clause 93.12 (Two lot subdivision in a rural zone).
 - Clause 93.13 (Buildings and works in a rural zone).

The amendment also makes consequential changes to the Greater Geelong Planning Scheme by:

- Amending the Schedule to Clause 94 (Local VicSmart applications) to remove the following redundant local VicSmart classes of application under the Activity Centre Zone:
 - Boundary realignment
 - Subdivision of land into two lots
 - Buildings and works up to \$250,000

- Advertising signs.
- Deleting Schedule 1 to Clause 95 (Buildings and works in the Activity Centre Zone) to remove redundant local VicSmart information requirements and decision guidelines.

Strategic assessment of the Amendment

Why is the Amendment required?

Extending the VicSmart permit process is an initiative of Victoria's Smart Planning Program. The Smart Planning Program aims to make planning regulation simpler and more accessible for local government, business and the community. Amendment VC135 is required to implement the extension to the VicSmart permit process by transferring particular classes of application from the standard permit process to the VicSmart process.

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:

- provide for the fair, orderly, economic and sustainable use, and development of land; and
- facilitate development which achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.

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

An estimated further 7% of planning permit applications per annum may be eligible to be processed under VicSmart with savings in processing time, clearer information requirements and decision guidelines. The faster, simpler and more consistent processing of these applications will have economic benefits through the reduction of regulatory and administrative burden for both applicants and council statutory planning departments.

The amendment does not increase the number of permit applications under the Victorian planning system or remove any existing planning permit requirements, but provides for a faster decision timeframe for eligible applications.

Assessment of a VicSmart application will continue to be based on the merits of the application with reference to specific decision guidelines that are tailored to the scale and nature of the application and its impact. This ensures that any relevant environmental, social and economic factors continue to be taken into account. It is expected that the decision outcome of VicSmart applications would be the same if they were assessed under the existing system albeit prepared, lodged and processed more quickly.

The amendment will therefore have positive economic benefits from the reduced regulatory and administrative burden. The broader environmental, social and economic effects of the planning permits facilitated by VicSmart will remain largely unaltered.

Does the Amendment address relevant bushfire risk?

The amendment does not remove or modify requirements and standards that relate to bushfire risk, such as the Bushfire Management Overlay.

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 State Planning Policy Framework (SPPF)?

The amendment expands the existing VicSmart assessment process, which exempts the consideration of the State Planning Policy Framework unless specified in the applicable decision guidelines.

Assessment of a VicSmart application continues to be based on the merits of the application with reference to the decision guidelines that are specifically tailored to the scale and nature of the applications and its impact.

It is expected that the scale of development eligible for the VicSmart permit application process would continue to be relatively small and would not raise significant policy issues nor affect the implementation of State planning policy.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment introduces additional classes of development into the existing VicSmart provisions of the VPP and in all planning schemes to expand on the existing VicSmart permit assessment process for straightforward applications. There is no change to the way the Victoria Planning Provisions are used.

How does the amendment address the views of any relevant agency?

No consultation has occurred in relation to the amendment with any referral authorities or agencies. Any permit application will still be subject to a permit application assessment process and referral authority provisions set out in the VPP and the *Planning and Environment Act 1987*.

No other agencies are affected by the amendment to the Greater Geelong Planning Scheme.

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

The Amendment will not have a significant impact on the transport system.

Resource and administrative costs

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

Extending the VicSmart provisions will reduce the regulatory and administrative burden on councils by streamlining the permit assessment processes and providing certainty about the information required and decision-making.

The level of assessment will be proportional to the nature of the proposal and provide for a 10 business day assessment process potentially for a further 7% (approximately) of all planning permit applications per annum in Victoria.

Extending VicSmart may require an administrative response by councils in relation to changing business practices and potentially reallocating resources to provide a defined VicSmart process, however this is likely to lead to a more efficient use of council resources.

To help mitigate any process establishment costs to councils who have not previously assessed VicSmart applications, the Department of Environment, Land, Water and Planning has provided supporting material to assist councils to implement new business processes to administer VicSmart.

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

703 Raglan Parade

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 Highway & Taylor Street

EPSOM VIC 3551

The Amendment is also available for public inspection at www.delwp.vic.gov.au/public-inspection .