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Smart Planning Program
Department of Environment, Land, Water and Planning

Via online form.

Submission in response to *Reforming the Victoria Planning Provisions* discussion paper

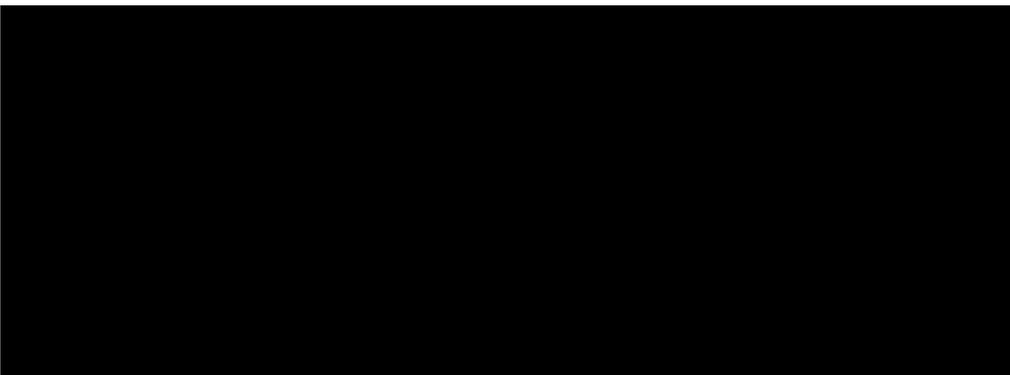
Dear Sir/Madam

Thank you for considering submissions in response to the *Reforming the Victoria Planning Provisions* discussion paper to improve the operation of the Victoria Planning Provisions (VPP).

Jacobs Australia Pty Ltd represents a wide range of clients within the water, transport, defence, energy and utilities sectors.

We are pleased to provide our comments on the proposed reforms to the VPPs. Additional suggestions on Clauses 52.17 (Native Vegetation) and 62.02-1 (Buildings and works not requiring a permit) are also included on the following page.

Please contact Steve Tuck, Land Use Planning consultant on 8668 3440, should you have any questions or wish to discuss our submission.





Additional suggestions

52.17 Native Vegetation

The following suggestions are made:

Exemption from notice and review

- *An application for the removal, destruction or lopping of native vegetation, including dead native vegetation, associated with the use and development of a minor utility installation is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application within 30 metres of a dwelling or land (not a road) which is in a residential zone.*

Such a change would provide greater guidance as to the giving of Section 52 notice to third parties in instances where native vegetation is the only planning permit trigger and where the application is associated with a minor utility installation. Section 52 of the *Planning and Environment Act 1987* suggests that notice must ordinarily be given to the owners and occupiers of adjoining land and any other persons who may be caused 'material detriment' by the approval of an application. In the case of many native vegetation permit applications (associated with minor utility installations) it would be difficult for any party to demonstrate that they are likely to suffer material detriment as a result of a small amount of vegetation removal to facilitate the construction of the powerline or a pipeline.

62.02-1 Buildings and works not requiring a permit

The following suggestions are made:

- *A temporary shed or temporary structure for construction purposes.*
- *A temporary portable land sales office located on the land for sale.*
- **Geotechnical investigations**

Separating the exemptions into two dot points would remove confusion as to permit requirements associated with temporary construction sheds and structures. Adding an unambiguous exemption for geotechnical investigations would also remove the potential for unnecessary permit applications.