

Planning and Environment Act 1987  
No. 45 of 1987  
Part 3—Amendment of planning schemes

## 20 Exemption from giving notice

S. 20(2)  
amended by  
No. 128/1993  
s. 6(1)(a)(i)(ii).

- (1) A planning authority may apply to the Minister to exempt it from any of the requirements of section 19 or the regulations in respect of an amendment.
- (2) If the Minister considers that compliance with any of those requirements is not warranted, or that the interests of Victoria or any part of Victoria make such an exemption appropriate, the Minister may—
  - (a) exempt a planning authority from any of those requirements; and
  - (b) impose conditions on that exemption, including a condition which requires the planning authority to give notice of the amendment in any specified manner.
- (3) The Minister cannot exempt a planning authority from the requirement to give notice—
  - (a) to the owner of any land, of an amendment which provides for—
    - (i) the reservation of that land for public purposes; or
    - (ii) the closure of a road which provides access to that land; or
  - (b) to any Minister prescribed under section 19(1)(c); or
  - (ba) under section 19(2) or (3), if the amendment proposes a change to provisions relating to land set aside or reserved as public open space; or
  - (c) to the Minister administering the **Land Act 1958** under section 19(1)(d).

S. 20(3)(ba)  
inserted by  
No. 53/1988  
s. 45(Sch. 2  
item 32).

(4) The Minister may exempt himself or herself from any of the requirements of sections 17, 18 and 19 and the regulations in respect of an amendment which the Minister prepares, if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

S. 20(4)  
amended by  
No. 128/1993  
s. 6(1)(b)(i)(ii).

(5) The Minister may consult with the responsible authority or any other person before exercising the powers under subsection (2) or (4).

S. 20(5)  
substituted by  
No. 128/1993  
s. 6(2).

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S. 20(6)  
inserted by  
No. 66/2009  
s. 3,  
substituted by  
No. 58/2010  
s. 36,  
repealed by  
No. 3/2013  
s. 3.

**20A Minister may determine to prepare prescribed amendments—exception to sections 17, 18 and 19**

S. 20A  
inserted by  
No. 3/2013  
s. 44.

- (1) The regulations may prescribe a class or classes of amendment to a planning scheme for the purposes of this section.
- (2) The Minister may determine to prepare an amendment in a prescribed class or classes in accordance with this section.
- (3) If the Minister determines to prepare an amendment in a prescribed class or classes in accordance with this section, sections 17, 18 and 19 do not apply in respect of that amendment.
- (4) In preparing an amendment referred to in subsection (3) to a planning scheme applying in a municipal district, the Minister must consult with the municipal council for the municipal district unless—