

LEGISLATIVE COUNCIL

PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND
LANDSCAPES) BILL 2017

(Amendments to be proposed in Committee by Mr DAVIS)

1. Clause 3, lines 7 and 8, omit all words and expressions on these lines and insert—

"declared area means the following—

- (a) an area to which an order under section 46AO applies;
- (b) an area of land taken to be a declared area under section 46AZO;'

2. Clause 4, page 22, after line 32 insert—

**"Division 6—Localised Planning Statement policy areas and
other matters**

46AZM Definitions

In this Division—

localised planning statement means a statement that is described as a localised planning statement and prepared by the Department in partnership with one or more municipal councils and adopted by the Minister, in relation to land sufficiently identified in the statement—

- (a) that has distinctive areas or landscapes; and
- (b) that is located within one or more relevant municipal districts;

relevant municipal district means the municipal district of any of the following municipal councils—

- (a) the Borough of Queenscliffe Council;
- (b) the Greater Geelong City Council;
- (c) the Macedon Ranges Shire Council;
- (d) the Mornington Peninsula Shire Council;
- (e) the Yarra Ranges Shire Council;

VPP Amendment VC110 means the amendment to the Victoria Planning Provisions and planning schemes in respect of which a notice of approval of amendment was published in the Government Gazette on 27 March 2017 under section 4D.

46AZN VPP Amendment VC110 not to apply in relation to declared areas

Despite anything to the contrary in this Act or in a declared area planning scheme, the amendments made to that declared area planning scheme by VPP Amendment VC110 do not apply in relation to a declared area.

46AZO Certain localised planning statement policy areas are declared areas

- (1) Subject to subsection (2), an area of land that is identified as the subject of a localised planning statement is taken to be a declared area.
 - (2) If, at the commencement of this section, there is no localised planning statement for any areas of land located in a relevant municipal district—
 - (a) the Minister must cause a localised planning statement for land in the municipal district to be prepared and adopted within 2 years after that commencement; and
 - (b) on the adoption of the localised planning statement, an area of land that is identified as the subject of the statement is taken to be a declared area.
 - (3) An area of land to which subsection (1) or (2) applies is taken—
 - (a) to have a majority of the attributes set out in section 46AP(1); and
 - (b) to be under threat of significant or irreversible land use change as described in section 46AP(2)."
3. Clause 4, page 23, line 1, omit "6" and insert "7".
 4. Clause 4, page 23, line 2, omit "46AZM" and insert "46AZP".