

Planning and Environment Act 1987

MURRINDINDI PLANNING SCHEME

AMENDMENT C64

PRESCRIBED AMENDMENT

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The amendment has been made at the request of Murrindindi Shire Council on behalf of Hancock Victorian Plantations.

Land affected by the amendment

The Amendment applies to various parcels of Crown Land in the Buxton, Narbethong and Kinglake West / Pheasant Creek areas, comprising a total area of 5,509 hectares.

What the amendment does

The Amendment rezones various parcels of Hancock Victorian Plantations land in the Buxton, Narbethong and Kinglake West / Pheasant Creek areas from Public Conservation and Resource to Farming.

The Amendment will correct an anomaly in the Murrindindi Planning Scheme by rezoning land under private management from a public zone to an appropriate zone suitable for private timber production, that is the Farming Zone. The rezoning proposed under this amendment will best reflect the private management and land use of the land. The zoning of Hancock Victorian Plantations assets should have been corrected when the land was originally licensed to Hancock Victorian Plantations under the *Victorian Plantations Corporation Act 1993* or through the approval of the 'new format' Murrindindi Planning Scheme in 1999.

Although the land parcels subject to this amendment are Crown land, they have been vested in perpetuity under Section 8H of the *Victorian Plantations Corporation Act 1993* for plantation forestry use since 1993. Under the Act, Hancock Victorian Plantations has a perpetual licence for the use of the land for plantation forestry. Although the Department of Environment, Land, Water and Planning has no direct role in the ongoing management of the vested land subject to this amendment, it has given its formal consent to this amendment.

The proposed rezoning to Farming is considered to be the most appropriate zoning for the land parcels subject this request. As 'timber production' falls under the definition of 'agriculture', the use does not require a planning permit under the Farming Zone. Under the Public Conservation and Resource Zone, the use is prohibited by a private operator, resulting in timber production being required to operate through existing use rights provisions.

The rezoning of the land complies with the Planning Practice Note 2, *Public Land Zones*, June 2015 and 42, *Applying the Rural Zones*, June 2015.

The practice note *Applying the Public Land Zones* indicates:

- *Public land zones are not intended to identify the legal status of the land nor indicate the existing land use. They are intended to set out appropriate statutory requirements which*

apply to the use and development of the land in addition to the relevant land management legislation.

- *It is intended that a public land zone be applied to public land where the surrounding zoning is inappropriate or where there is a special reason to identify separately the public land for planning purposes. This will commonly be where land management arrangements apply under legislation other than the Planning and Environment Act 1987.*

As the land subject to this amendment is no longer in public usage and management, a public zoning is no longer appropriate for the land and the most appropriate zoning to reflect the private use of the land should be applied.

The practice note *Applying the Rural Zones* specifically notes:

- That the Farming Zone is a zone that is strongly focussed on protecting and promoting farming and agriculture.
- The Farming Zone is primarily concerned with keeping land in agricultural production and avoiding land uses that could limit future farming or constrain agricultural activities.
- In this zone farming is the dominant land use and all other land uses are subordinate to farming.
- Possible areas for the application of the Farming Zone include forestry plantation areas.

The Farming Zone is the appropriate zoning for the land subject to this amendment as it is the standard zone for rural areas and applies adjacent to or in the general vicinity of the land parcels subject to this amendment.

Only one planning scheme overlay applies to any parcel of land affected by this amendment, this overlay being the application of the Environmental Significance Overlay 1 (High quality agricultural land) to Crown Allotment 9M, Section C, Parish of Flowerdale, immediately west of the Kinglake West township (Planning Scheme Map 27ESO). With the proposed rezoning of this land to Farming, it is intended to retain the present application of the Environmental Significance Overlay 1 to the land.

Prescribed amendment

The Amendment is a prescribed class of amendment listed in regulation 8 of the Planning and Environment Regulations 2015. The amendment has been prepared under section 20A of the *Planning and Environment Act 1987* (the Act). Exhibition and notification requirements of sections 17, 18 and 19 of the Act do not apply in respect of this amendment.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Murrindindi Shire Council
Perkins Street
Alexandra 3714

Murrindindi Shire Council
Civic Centre
Semi Circle
Yea 3717

Murrindindi Shire Council
19 Whittlesea-Kinglake Road
Kinglake 3763

Murrindindi Shire Council
Website: msc@murrindindi.vic.gov.au

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Planning and Environment Act 1987

MURRINDINDI PLANNING SCHEME

AMENDMENT C64

INSTRUCTION SHEET

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

The Murrindindi Planning Scheme is amended as follows:

Planning Scheme Maps

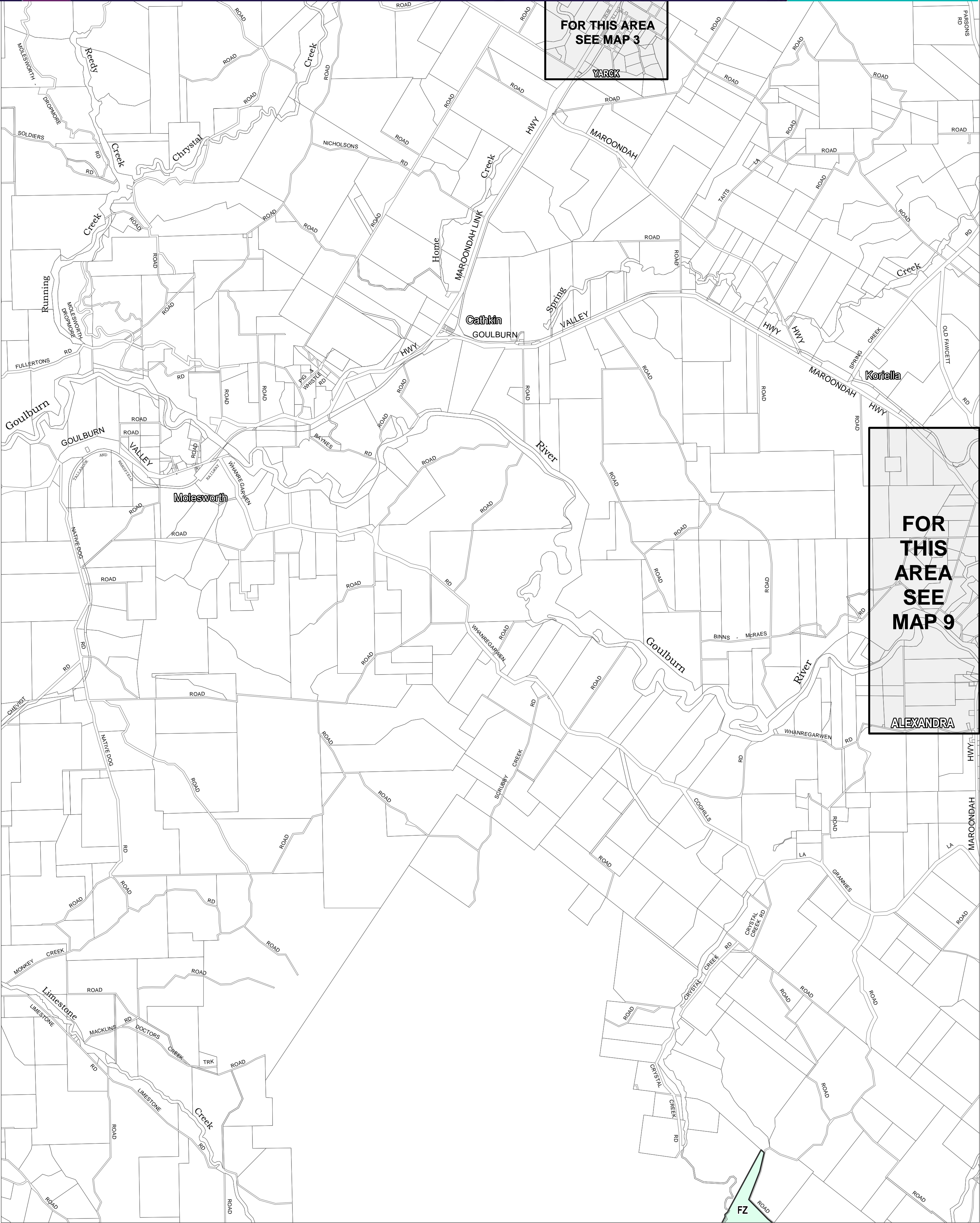
The Planning Scheme Maps are amended by a total of nine (9) attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map Nos 8, 16, 21, 22, 24, 26, 27, 32 and 33 in the manner shown on the nine (9) attached maps marked "Murrindindi Planning Scheme, Amendment C64".

End of document

MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 - State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary
(If shown)

1000 0 1000 2000 3000 m
AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

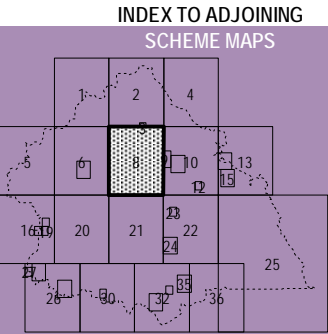


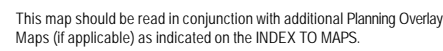
Printed: 18/1/2017

AMENDMENT C64

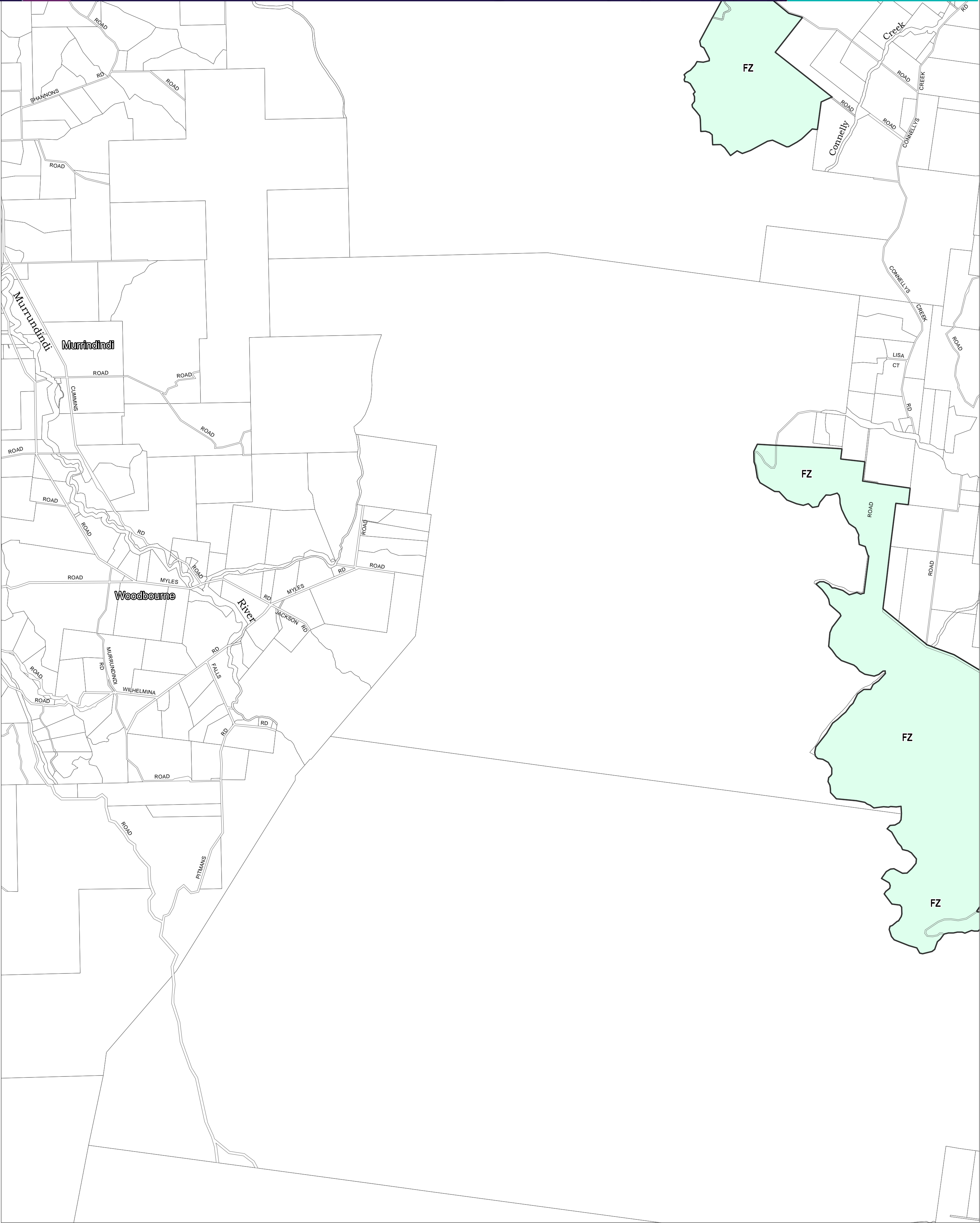
VICTORIA
State Government

Environment,
Land, Water
and Planning





MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 - State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural

FZ Farming Zone

Municipal Boundary (If shown)

1000 0 1000 2000 3000 m

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

Printed: 18/1/2017

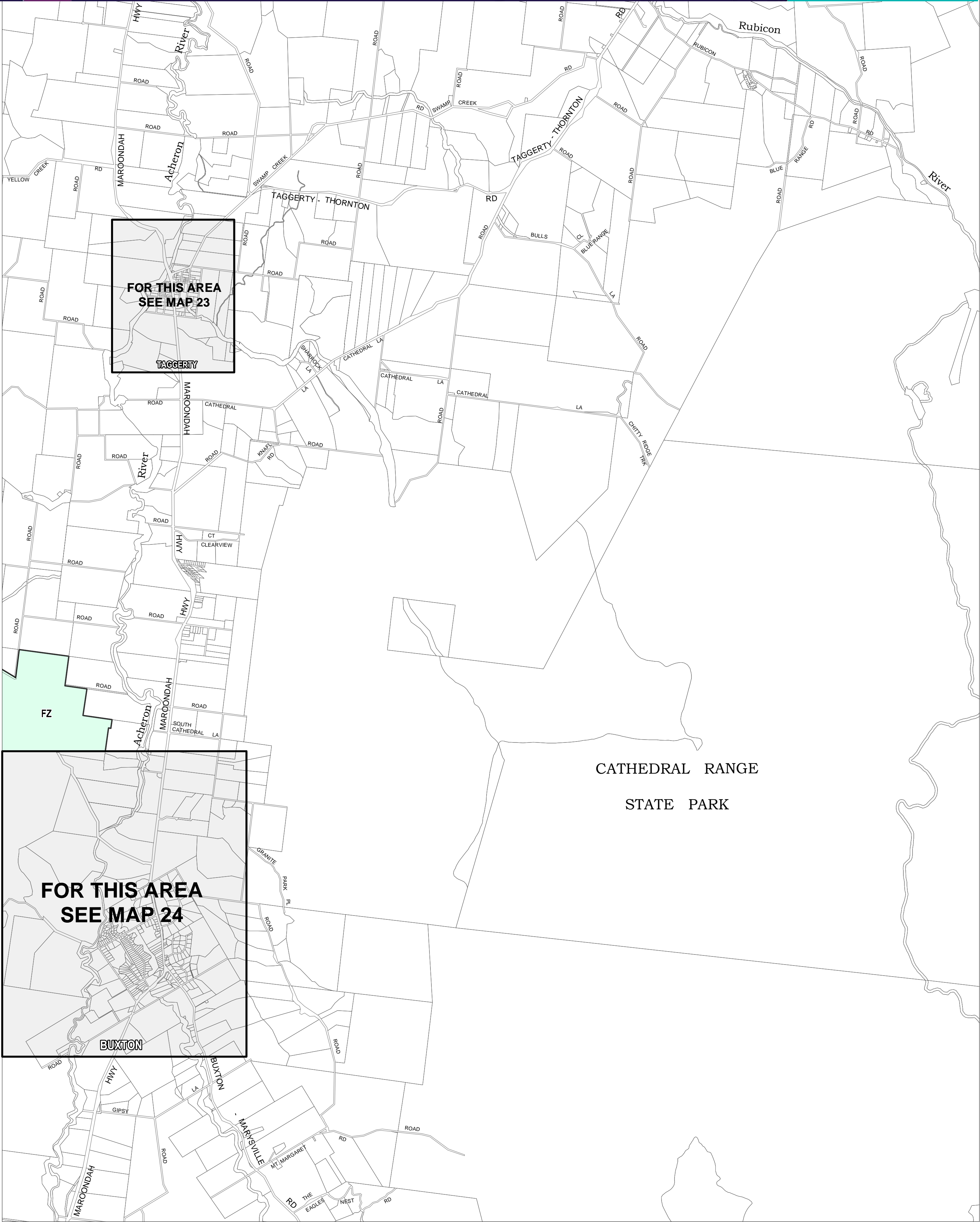
AMENDMENT C64

VICTORIA
State Government

Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 - State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary (If shown)

1000 0 1000 2000 3000 m

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

Printed: 18/1/2017

AMENDMENT C64

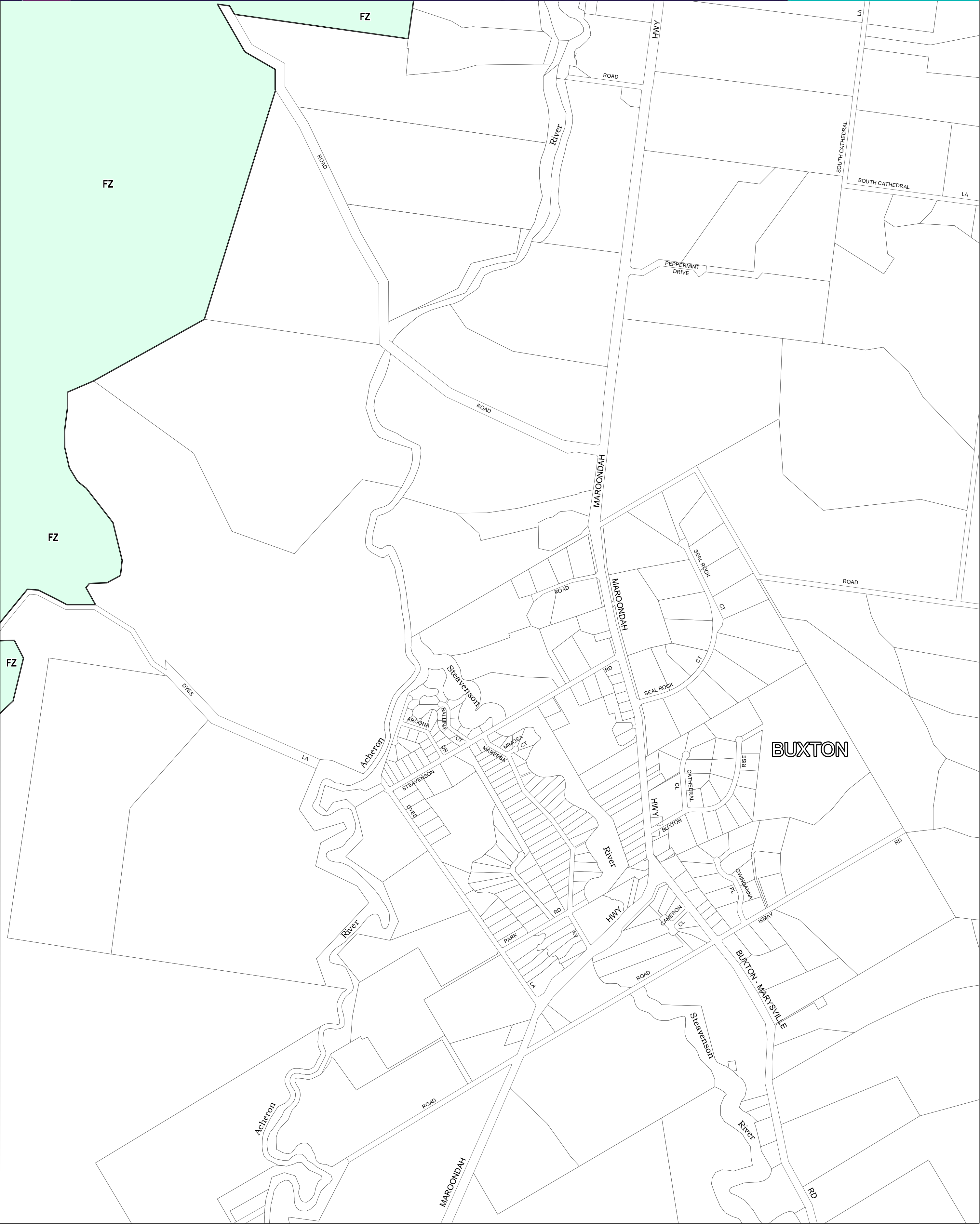
VICTORIA
State Government

Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

1	2	4
5	8	10
14	20	21
16	22	25
26	28	30

MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural

FZ Farming Zone

Municipal Boundary (If shown)

500 0 500 m

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

VICTORIA
State Government

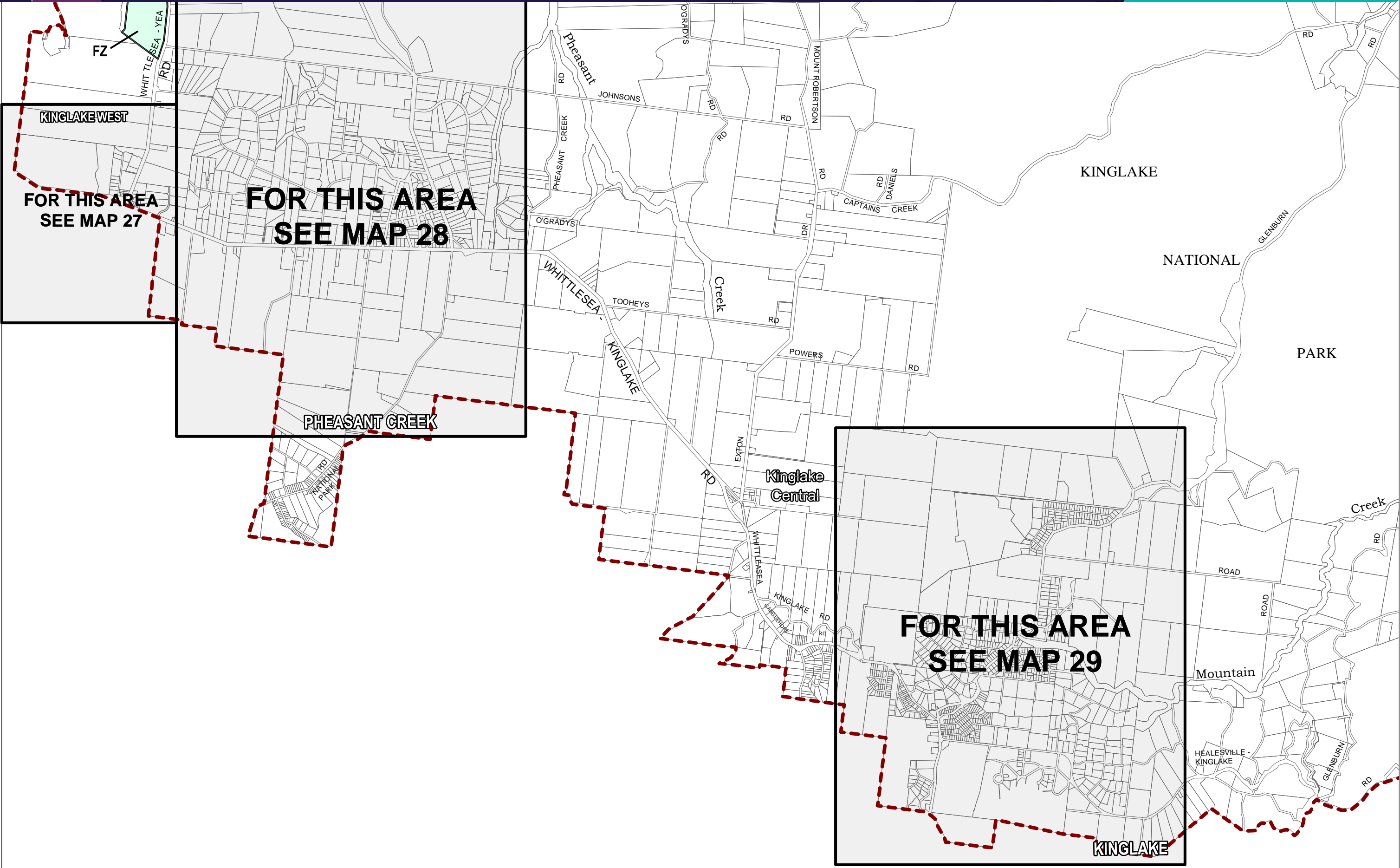
Environment,
Land, Water
and Planning

INDEX TO ADJOINING
SCHEME MAPS

Printed: 18/1/2017

AMENDMENT C64

MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1969 State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary (if shown)

1000 0 1000 2000 3000 m

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

Printed: 18/1/2017

AMENDMENT C64

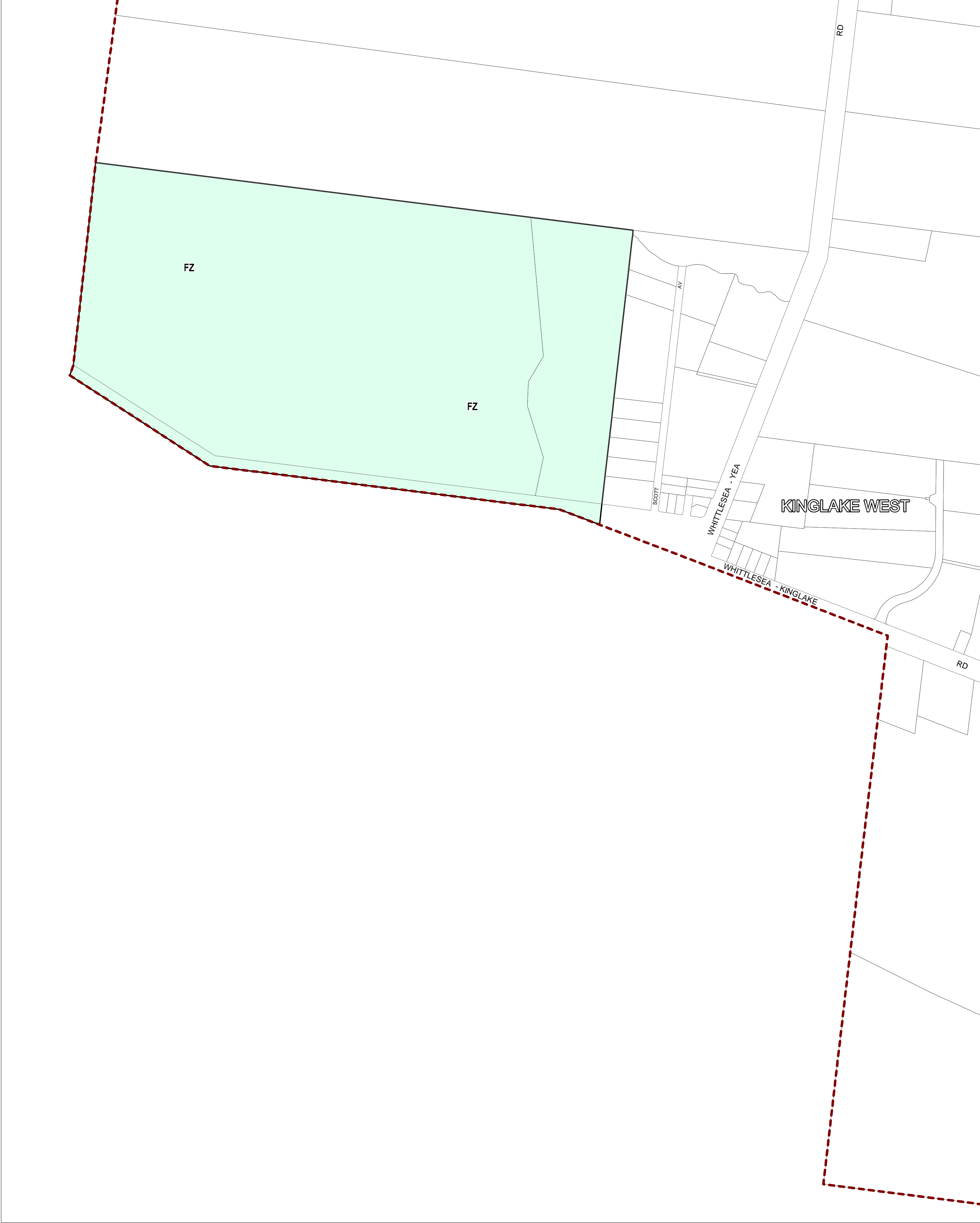
VICTORIA
State Government

Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

1	2	4
5	8	10
14	20	21
15	22	24
16	23	25

MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary
(If shown)

200 10 200 m

AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

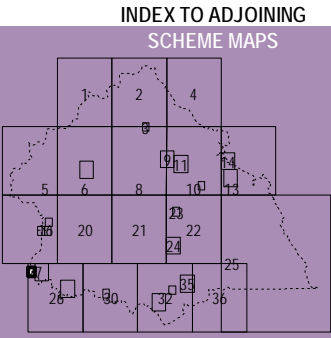


Printed: 18/1/2017

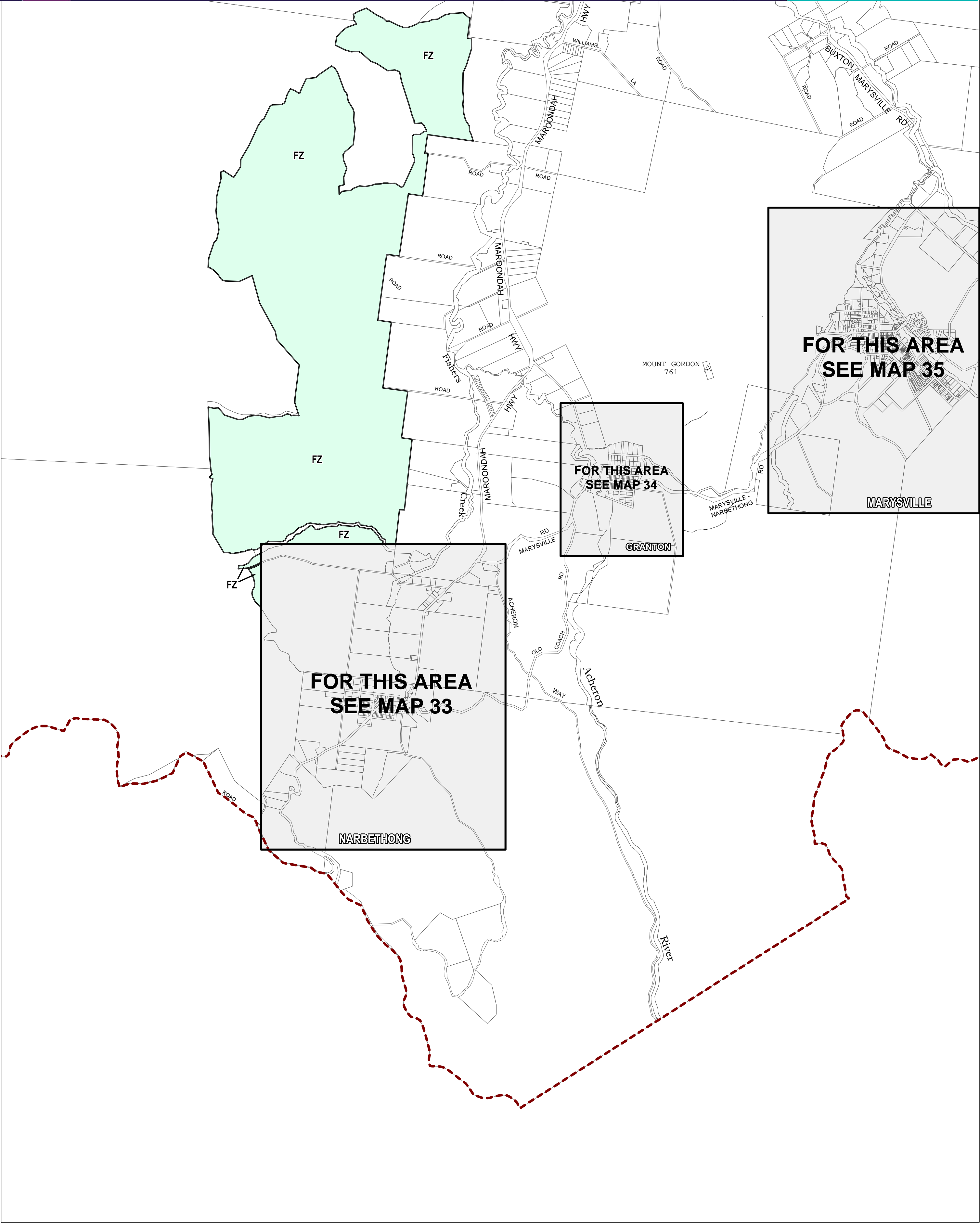
AMENDMENT C64

VICTORIA
State Government

Environment,
Land, Water
and Planning



MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1969 State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary
(If shown)

1000 0 1000 2000 3000 m
AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services

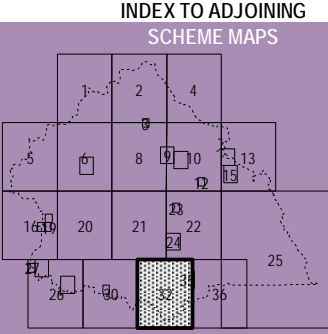


Printed: 18/1/2017

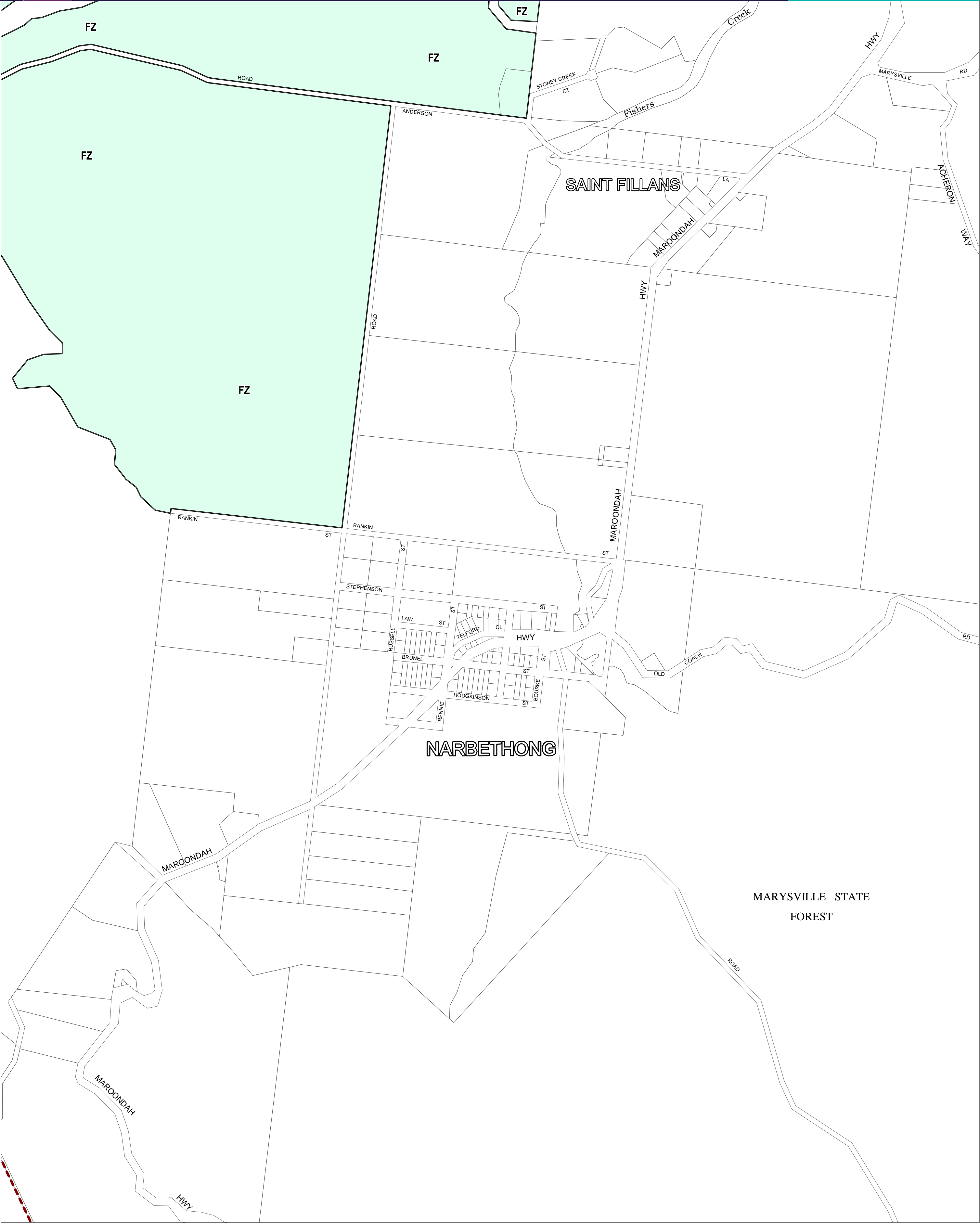
AMENDMENT C64

VICTORIA
State Government

Environment,
Land, Water
and Planning



MURRINDINDI PLANNING SCHEME - LOCAL PROVISION



This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 State of Victoria.

This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Rural
FZ Farming Zone

Municipal Boundary
(If shown)

500 0 500 m
AUSTRALIAN MAP GRID ZONE 55

PREPARED BY: Planning Mapping Services



Printed: 18/1/2017

AMENDMENT C64

VICTORIA
State Government

Environment,
Land, Water
and Planning

