

# Extractive industry and resources

## Planning Practice Note 89

February 2019

This practice note provides information and guidance about:

- the current extractive industry approvals process
- protecting existing extractive industry operations
- protecting Victoria's extractive resources
- the Victorian Government's initiatives for improving the regulation and protection of extractive industry and resources.

### What is extractive industry?

Extractive industry is extraction or removal of stone from land for sale or commercial use of the stone in construction, building, road or manufacturing works.

### Extractive industry approvals

Before land can be developed for extractive industry, in most cases:

- a work plan must be statutorily endorsed under the *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act)
- a planning permit must be issued under the *Planning and Environment Act 1987* (PE Act)
- the final work plan must be approved, and a work authority granted, under the MRSD Act.

Exceptions to these requirements are explained further in this practice note. The overall approval process is summarised in Figure 1.

The approval processes under the MRSD Act are administered by Earth Resources Regulation (ERR) within the Department of Jobs, Precincts and Regions (DJPR).

More information about ERR, work plans, work authorities and other related matters is available on the ERR website: [earthresources.vic.gov.au](http://earthresources.vic.gov.au)

The planning permit application process under the PE Act is administered by the responsible authority (usually the local council). Planning policies and controls that apply to the use and development of land for stone extraction are contained in planning schemes.

More information about planning schemes and the planning permit application process is available at: [planning.vic.gov.au](http://planning.vic.gov.au).



## Work plan and work authority approvals process

### When is a work plan required?

A person who proposes to apply for a work authority to carry out an extractive industry must lodge a work plan with ERR.

However, this requirement does not apply to:

- extractive industry that:
  - is on land that has an area not exceeding five hectares and at a depth not exceeding five metres
  - does not require blasting or the clearing of native vegetation
- extractive industry exempted under section 5AA(1) of the MRSD Act.

If a work plan is not required, compliance with the *Code of Practice for Small Quarries* is required as a condition of the work authority. The Code does not apply to quarries that are less than one hectare in area and less than two metres in depth. These quarries are exempt from regulation under the MRSD Act.

### What is a work plan?

A work plan is a document that needs to:

- describe the nature and scale of the proposed extractive industry activities
- identify and assess risks the extractive industry activities may pose to the environment, to the public, or to nearby land, property or infrastructure (known as 'quarrying hazard')
- include a risk management plan that specifies the measures the proponent will use to eliminate or minimise identified risks and monitor performance
- include a rehabilitation plan that addresses the end use of the proposed quarry site and include proposals for rehabilitation, landscaping and revegetation
- include a community engagement plan that identifies any community likely to be affected by the extractive industry activities and includes proposals for providing information to and receiving feedback from the community.

A work plan must be prepared in accordance with the MRSD Act and contain the information required by the Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2010 (the regulations).

Typically, the work plan and ERR conditions will cover a range of matters, including:

- topsoil management
- landform design
- noise
- dust control
- blasting (ground vibration)
- control of noxious weeds, pest animals and plant disease (invasive species)
- drainage and erosion control
- water storage and discharge control
- groundwater
- fire and hazardous materials management
- progressive rehabilitation.

Guidelines about what information to include in a work plan are available on the ERR website.

To assist the responsible authority's assessment of the planning permit application for stone extraction, it is recommended that a submitted work plan should be accompanied by information explaining how it relates to matters the responsible authority must consider under Clause 52.09-5 of planning schemes.

### Engagement with ERR and other authorities and agencies

Before submitting a work plan, the proponent should arrange a preliminary site meeting to discuss the proposal and the matters that must be addressed in the plan. The meeting should include:

- a representative from ERR
- the relevant referral authorities specified in the planning scheme
- a representative from the responsible authority
- any other relevant government agencies.

The proponent should engage further with relevant authorities as necessary to address in the work plan application matters raised by them.

### Initial ERR assessment

After receiving a work plan, ERR will check that it:

- addresses the matters raised at the preliminary site meeting
- has been prepared in accordance with the MRSD Act and regulations.



## Referral and statutory endorsement of the work plan

If the proposed extractive industry work requires a planning permit, the work plan must be first statutorily endorsed in accordance with the process set out in Part 6B of the MRSD Act.

A key feature of the statutory endorsement process is referral of the work plan to referral authorities specified in Clause 66 of planning schemes.

This process was introduced in 2010 to remove the duplication of referrals under work plan and planning permit processes. ***If the work plan is given to a referral authority, any future planning permit application for the work may not be referred to that referral authority.*** In this circumstance, it is appropriate for a referral authority in responding to a work plan to have regard to relevant matters under the planning scheme that provide guidance on the suitability of works.

A referral authority must consider every work plan given to it by ERR and must within 30 days:

- tell ERR that it:
  - does not object to statutory endorsement; or
  - does not object to statutory endorsement subject to conditions; or
  - objects to statutory endorsement on any specified ground
- give ERR its comments (if any) in relation to the work plan.

If a referral authority does not respond to ERR, it is taken to have not objected to the statutory endorsement.

Following the referral process, ERR will only provide statutory endorsement of a work plan if:

- the plan meets appropriate standards for content, technical accuracy and risk assessment, and is satisfactory for submission with a planning permit application
- no referral authority has objected to statutory endorsement.

Statutory endorsement must include conditions consistent with conditions specified by a referral authority.

Once the work plan has been endorsed by ERR, the proponent may proceed to apply for a planning permit.

## Work plan approval

After a planning permit is issued, ERR will review the permit to determine whether it aligns with the work plan. Changes may be required to be made to the work plan before it is approved.

## Grant of the work authority

Extractive industry activities cannot commence until a work authority has been granted by the Minister for Resources. The Minister will not grant the work authority unless satisfied that the applicant has:

- an approved work plan (if required)
- entered into a rehabilitation bond
- complied with any relevant planning scheme and obtained any necessary planning permit
- obtained all necessary consents and other authorities required by or under the MRSD Act or any other Act
- obtained the consent of the Crown land Minister if the extractive industry is on Crown land.

The Minister may impose conditions on the grant of the work authority.

It is an offence under the MRSD Act to carry out extractive industry without, or not in accordance with, a work authority or work plan, or not in accordance with the MRSD Act and the regulations.

## Rehabilitation and bond requirements

Section 78A of the MRSD Act requires the holder of an extractive industry work authority to rehabilitate land in accordance with the approved rehabilitation plan and the conditions of the work authority.

Section 80 of the MRSD Act requires a work authority applicant to enter into a rehabilitation bond for an amount determined by the Minister.

Bonds provide a guarantee that the land affected by an extractive industry will be adequately rehabilitated. The Minister may use the bond to fund necessary rehabilitation works not satisfactorily completed by the work authority holder.

If the work authority is on private land, the Minister must consult with the local government before:

- determining the bond amount
- returning a bond.



## Variations to work plans

A work authority holder may seek to change or expand their operation by, for example, increasing the size of the quarry, the rate of stone extraction, or undertake some other operational change or modification to the approved works or practices.

A variation to the existing work plan will require approval under the MRSD Act if:

- the proposed work is:
  - not approved under the existing plan or work authority (new work); or
  - is inconsistent with the existing plan or work authority (changed work); and
- the new or changed work:
  - gives rise to a new or changed quarrying hazard which will significantly increase the risks posed to public safety, the environment, land, property or infrastructure; or
  - requires change to the community engagement plan; or
  - requires a change to the rehabilitation plan.

If the new or changed work requires a planning permit, a work plan variation must be statutorily endorsed in accordance with the process outlined above.

If a variation to the work plan is not required, the operator may make an administrative update to the work plan and notify ERR of the change. In this circumstance, ERR requires evidence from the work authority holder that the responsible authority has advised whether the proposed changes to work that is the subject of the notification requires a new or amended planning permit.

## Is a planning permit required for variations to approved work?

Changes to extractive industry operations may trigger a new planning permit or amendment to an existing permit.

If requested by the work authority holder, the responsible authority should advise if the proposed change:

- requires a new planning permit or amendment to the existing permit
- can occur under the existing permit
- can occur without a permit under the planning scheme.

## Planning permit application process

### How is extractive industry defined in planning schemes?

The following land use terms and definitions apply in all planning schemes:

- **Earth and energy resources industry:** Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.
- **Stone extraction:** Land used for the extraction or removal of stone in accordance with the MRSD Act.

### When is a planning permit required?

Where permitted by the zone applying to the land, a planning permit is required to use and develop land for stone extraction.

However, a permit is not required if an Environment Effects Statement has been prepared under the *Environment Effects Act 1978* (see section 77T of the MRSD Act and Clause 52.08-1 of planning schemes). More information about EES process is available on the Environment Assessment page at: [planning.vic.gov.au](http://planning.vic.gov.au).

### Is a planning permit required to remove vegetation?

A planning permit is not required to remove, destroy or lop vegetation to the minimum extent necessary to enable the carrying out of stone extraction in accordance with a work plan approved under the MRSD Act and authorised by a work authority.

The *Memorandum of Understanding for Earth Resources Industries Approvals* between the Department of Environment, Land, Water and Planning (DELWP) and DJPR requires work plans to be referred to DELWP for assessment in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) as part of the statutory endorsement process. This includes, where applicable, the provision of native vegetation offsets.

If the stone extraction does not require a work plan under the MRSD Act, permit requirements for vegetation removal may still apply.



## What information should accompany an application?

Before applying for a planning permit (or for an amendment to a permit) the proponent should discuss the proposal with the responsible authority (usually the local council) to ensure that all requirements of the planning scheme are addressed in the application.

Under Clause 52.09 of planning schemes, the application must include:

- a copy of the statutorily endorsed work plan
- the written notice of statutory endorsement
- any conditions specified in the statutory endorsement.

This requirement does not apply if proposed stone extraction is exempt from the requirement to obtain a work plan under the MRSD Act.

In addition to information required by the planning scheme and the general requirements for submitting an application, an application should also be accompanied by the following information (as relevant):

- A site context plan showing:
  - the site shape, dimensions and size, easements, orientation and slope
  - abutting and nearest intersecting roads
  - natural and physical features of the site including waterways, drainage lines, areas subject to flooding, wetlands and wildlife corridors, boundaries and easements
  - significant views to the site from major roads
  - existing land uses and the siting and use of existing buildings on adjacent and surrounding properties
  - any other notable features or characteristics of the site and surrounds.
- A development plan and description of the proposal, including:
  - new buildings and works
  - extent of extraction
  - hours of operation

- clearly defined buffer areas that are owned or controlled by the proponent (and determined in accordance with the considerations set out in Clause 14.03 of planning schemes)
- boundary setbacks
- method of on-site processing and any products or chemicals that will be used
- landscaping and screen planting
- vegetation to be removed
- waste management
- expected vehicle movement data
- new or upgraded vehicle access points, internal roads and parking
- dams
- rehabilitation and end use.
- If a permit is required to remove, destroy or lop native vegetation under Clause 52.17 of the planning scheme, the application requirements contained in the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017)

Most of the above information will be included in a work plan that has received statutory endorsement.

## Who are the appropriate referral authorities?

Under Clause 52.09-4 of planning schemes, an application for stone extraction must be referred under section 55 of the PE Act to every applicable referral authority specified in Clause 66.

However, this requirement does not apply if the work plan or a variation to an approved work plan accompanying the application was referred to the referral authority during the statutory endorsement process.

A response by a referral authority to a draft work plan may assist a responsible authority in later considering a planning permit application, especially if the referral authority has addressed implications of the proposed works relative to pertinent aspects of the planning scheme. Such advice from a referral authority would not represent formal advice under the PE Act. ERR provides referral authorities' responses to the responsible authority.

All applications must be referred to the Secretary to the Department administering the MRSD Act (who is a determining referral authority).



### Who should be given notice of an application?

Section 52 of the PE Act sets out the requirements for giving notice of an application.

Notice of an application must be given to:

- the owners and occupiers of adjoining land unless the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person
- to any other persons, if the responsible authority considers that the grant of the permit may cause material detriment to them.

In considering the question of material detriment, the responsible authority should be aware that possible impacts from extractive industry, such as dust, noise, ground vibration (from blasting) and offsite transport, may impact on properties some distance away.

The MRSD Act does not provide for a public notification process when work plans are statutorily endorsed, approved or varied. However, ERR encourages proponents to implement an effective consultation program that is appropriate to the location and the proposal, i.e. as part of developing a work plan. This consultation program should align with the community engagement plan required to be included in the work plan. Before making an application, a proponent will likely have contacted a range of people when preparing their work plan for statutory endorsement.

### What matters must the responsible authority consider when assessing an application?

Clause 52.09 of planning schemes contains provisions relating to stone extraction and Extractive Industry Interest Areas (EIIA).

The purpose of Clause 52.09 is to ensure that:

- use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction
- excavated areas can be appropriately rehabilitated
- that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Clause 52.09-5 contains decision guidelines that the responsible authority must consider, as appropriate, before deciding an application. The matters addressed by the decision guidelines include:

- effects on the environment and landscape (native flora and fauna, natural and cultural landscapes, and groundwater and surface water quality)
- impacts on heritage (place of cultural and historic significance, and Aboriginal places)
- effects on amenity (vehicular traffic, noise, blasting, dust and vibration)
- the ability to contain emissions within the boundaries of the site
- rehabilitation of the site
- proposed provisions, conditions or requirements in a statutorily endorsed work plan.

In addition to these decision guidelines, the responsible authority must also consider:

- decision guidelines in the zone and any overlay applying to the land, and Clause 65
- applicable state and local planning policies, in particular, Clause 14.03 of the Planning Policy Framework
- the buffer requirements set out in Clause 14.03, including ensuring that an appropriate buffer area to is owned or controlled by the proponent (more information about buffers is provided below in the section titled 'Protecting extractive industry operations - buffers').

Most of the above matters will be addressed by a statutorily endorsed work plan or another approval. For example:

- The work plan (and conditions) will set out either specific measures or a management framework for dealing with aspects such as noise, blasting, dust, vibration and rehabilitation.
- Native vegetation removal will have been assessed against the *Guidelines for the removal, destruction or lopping of native vegetation* by DELWP and conditions requiring appropriate offsets will be imposed on the work plan.
- The work plan will include a rehabilitation plan.
- If required, a Cultural Heritage Management Plan will address potential impacts on Aboriginal cultural heritage.



### Is a Cultural Heritage Management Plan (CHMP) required?

Responsible authorities must check whether a Cultural Heritage Management Plan (CHMP) is required under the *Aboriginal Heritage Act 2006*.

A CHMP will be required if all or part of the area to be used and developed for stone extraction is an area of cultural heritage sensitivity.

A CHMP is a written report that contains results of an assessment of the potential impact of a proposed activity on Aboriginal cultural heritage. It outlines measures to be taken before, during and after an activity to manage and protect Aboriginal cultural heritage in the activity area.

If a CHMP is required, the responsible authority cannot:

- grant the planning permit until it receives a copy of an approved CHMP
- grant a planning permit that is inconsistent with the approved CHMP.

More information is available on the CHMP page at: [vic.gov.au/aboriginalvictoria](http://vic.gov.au/aboriginalvictoria)

### What conditions can be included on a planning permit?

Under section 62 of the PE Act, the responsible authority must:

- include any condition which the planning scheme or a relevant determining referral authority requires to be included
- not include additional conditions which conflict with a planning scheme or referral authority condition.

Under Clause 52.09-6 of planning schemes, a permit must:

- not include a condition that requires the use to cease by a specified date unless either:
  - the subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes; or
  - the condition is suggested by the applicant
- include conditions that are consistent with the requirements specified in Clause 52.09-7 (boundary setback, screen planting and parking).

A responsible authority may also include any other condition that it thinks fit. This may include conditions related to the hours of operation, landscaping and expiry of the permit.

### Permit conditions linking the work plan and work authority

Since a statutorily endorsed work plan will reflect the considered assessment of the proposed works by both ERR and relevant referral authorities, it should provide a substantial basis for regulating the use and development. Further, the final, approved work plan will take account of any requirements of a planning permit. The responsible authority might therefore include the following condition on the permit to both streamline and reinforce the alignment of requirements under the two Acts:

- **The use and development must at all times be in accordance with any work plan approved under the *Mineral Resources (Sustainable Development) Act 1990*.**

Where a work authority is required under the MRSD Act, it is recommended that the planning permit and work plan be linked through the following conditions:

- **The use and development must not commence until a work authority is granted under the *Mineral Resources (Sustainable Development) Act 1990*.**
- **This permit will expire if the work authority is cancelled under section 770 of the *Mineral Resources (Sustainable Development) Act 1990*.**

### What commencement date should be specified in the permit?

The nature of extractive industry is such that work may not commence until some years after the issue of a permit.

It is important that a reasonable commencement date is specified on permits for stone extraction. If a time limit is not specified, the provisions of section 68 of the Act specifying a two-year commencement date will apply.

### Are developments rights lost if a site is temporarily inactive?

Under section 6(4) of the PE Act and Clause 63.06 of planning schemes an existing use right expires if the use has stopped for a continuous period of two years or has stopped for two or more periods which together total two years in a period of three years.

Under sections 68(2)(b) and (3)(d) of the PE Act, a permit for the use or for the use and development of land expires if the use is discontinued for a period of two years. A permit condition cannot specify a longer period. A planning permit cannot extend the two-year discontinuance period.



Operators should be clear about the activities the permit allows and what will constitute continuing use under it. Activities that are not undertaken pursuant to the permit (for example, general or routine maintenance of the land) may not constitute continuing the use of the land under the permit.

## Protecting extractive industry operations

### Buffers

Extractive industry operations can generate ground and air vibration, dust, noise, and changes to the topography and landscape. To both safeguard extractive industry operations and the amenity, health, safety and environment of surrounding land, it is necessary to ensure an appropriate buffer (also known as a 'separation distance') is maintained between extractive industry operations and sensitive uses on surrounding land.

Under Clause 14.03 of planning schemes, it is a state planning policy strategy to develop and maintain buffers around quarrying activities. This strategy applies to both new extractive industry and new sensitive use and development.

It is also a state planning policy strategy to ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent. However, many existing extractive industries commenced operation prior to this requirement coming into effect.

Planning and responsible authorities need to give effect to clause 14.03 by ensuring an appropriate buffer is maintained around an existing quarry.

Under Clause 14.03 of planning schemes, it is state planning policy strategy to determine the buffer area on the following considerations:

- Appropriate limits on effects can be met at the sensitive locations using practical and available technology.
- Whether a change of land use in the vicinity of the extractive industry is proposed.
- Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.
- Performance standards identified under the relevant legislation.
- Types of activities within land zoned for public use.

### What notice should the responsible authority give of a proposed new sensitive use near an extractive industry?

Clause 52.09-8 of planning schemes requires that notice of a planning permit application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital within 500 metres of an existing or proposed work authority be given to the Secretary of the Department administering the MRSD Act (currently DJPR). The Secretary or delegate may respond by providing appropriate advice in the circumstances.

The responsible authority should also ensure that extractive industry operators are notified of planning permit applications for the types of use and development described above. New sensitive uses can cause material detriment to existing extractive industry by impacting on the way they operate under the approved work plan. Hence it is necessary for the responsible authority to look beyond the immediate adjoining properties when determining which properties should be notified (appropriate buffers may extend up to 500 metres depending on the nature and scale of the existing operation).

Work authorities can be identified using GeoVic, a free web mapping application on the ERR website.

## Protecting Victoria's extractive resources

The building materials used in construction – concrete, road base, asphalt, aggregates, bricks and paving – are all made from stone, sand, clay, most of which come from quarries across Victoria. These raw extractive resources are the foundation of Victoria's built environment, contributing to the State's economic development, jobs, liveability and community wellbeing.

A study commissioned by the Victorian Government to identify the future areas of highest demand and the future sources of extractive resources estimated that demand is expected to almost double between 2015 and 2050 to about 88 million tonnes annually (the *Extractive Resources in Victoria, Demand and Supply Study 2015 – 2050* is available on the ERR website).

Extractive resources are expensive to transport, so it is important to be able to source them close to where they will be needed the most, particularly around Melbourne's growth areas and major



regional centres across Victoria. This helps to keep construction costs down. Minimising the distances that trucks transporting these resources need to travel also helps to reduce traffic congestion, protect the amenity of local areas, reduce wear and tear on roads, and reduces the carbon footprint.

In the past, urban areas have been allowed to expand close to operating extractive industries or over land with potential for further extractive resource development. As a result, many quality extractive resources close to potential markets in the Melbourne metropolitan area are no longer available for extraction. If not managed, urban encroachment, rural residential expansion and other incompatible development will constrain the operations of existing quarries and curtail future supplies of extractive resources.

Extractive industries have been and will continue to be pivotal to Victoria's future prosperity and so it is necessary to identify and protect extractive resources for future extraction.

Under Clause 14.03 of planning schemes it is state planning policy to:

- encourage exploration and extraction of natural resources (including extractive resources) in accordance with acceptable environmental standards
- provide for the long-term protection of natural resources
- protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.

### What are Extractive Industry Interest Areas?

Extractive Industry Interest Areas (EIAs) are applied to land that has been identified as likely to contain stone resources of sufficient quantity and quality to support commercial extractive industry operations and where limited environmental and social constraints apply. EIAs have been defined for the Melbourne, Ballarat, Bendigo, Geelong and Latrobe supply areas.

EIAs do not imply that a quarry can be established 'as-of-right' in these areas, nor do they preclude extractive industry from being established outside EIAs. EIAs should not be regarded as totally inclusive of all attainable stone resources in Victoria.

EIA reports can be obtained from the 'Prospectivity - Extractive' page on the [ERR website](#).

EIAs can be viewed online using:

- [GeoVic](#), a free web mapping application on the ERR website.
- VicPlan at: [mapshare.maps.vic.gov.au/vicplan](http://mapshare.maps.vic.gov.au/vicplan)
- EIA spatial data can be ordered online from: [data.vic.gov.au](http://data.vic.gov.au)

### What notice must the responsible authority give of a proposed new sensitive use in an EIA?

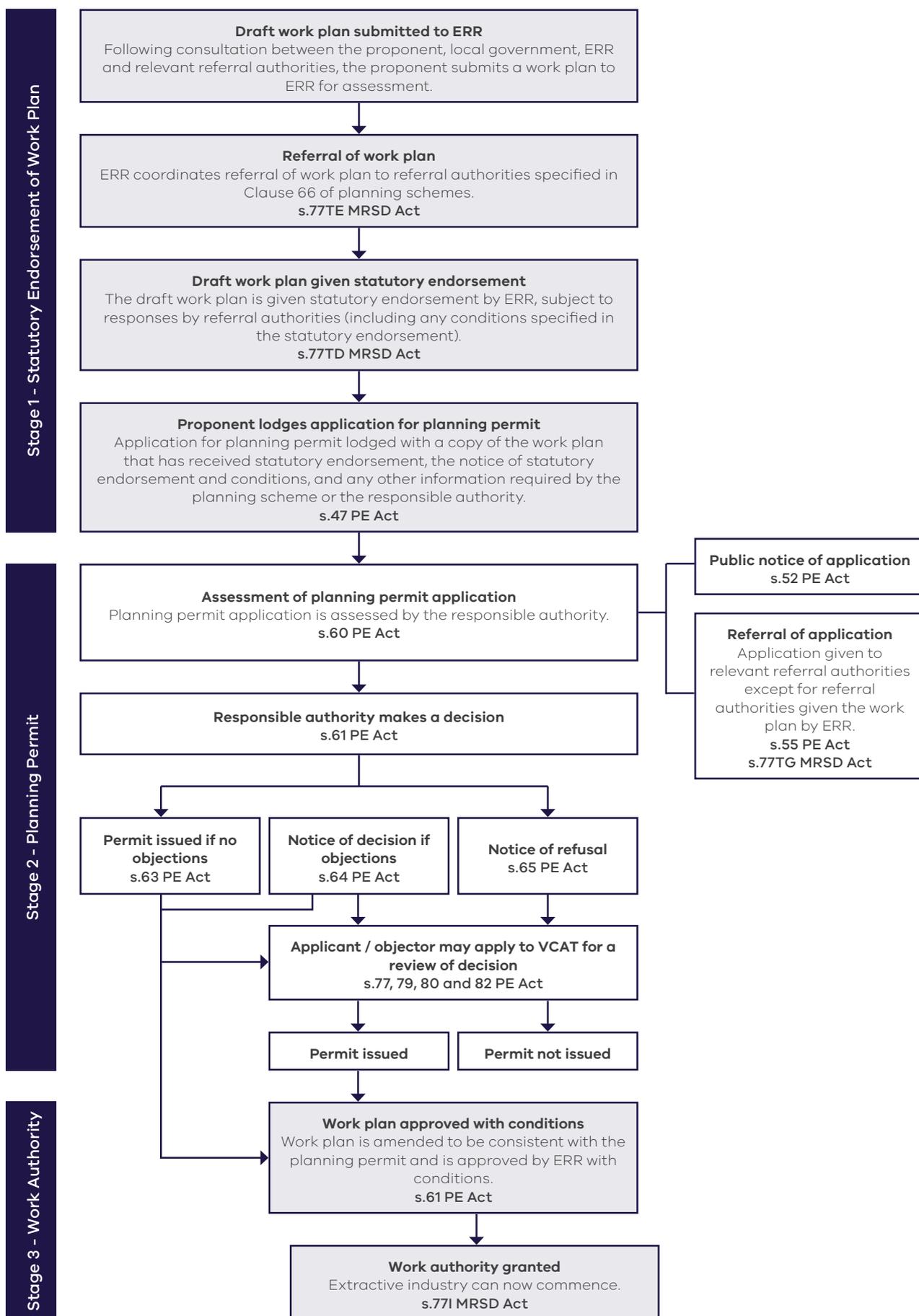
Clause 52.09-8 of planning schemes requires that notice of a planning permit application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital within an EIA must be given to the Secretary of the Department administering the MRSD Act.

### More information

More information about what the Victorian Government is doing to protect and expand extractive resources and improve the regulation of extractive industry to meet future demand is available online at [earthresources.vic.gov.au](http://earthresources.vic.gov.au):

- **Joint Ministerial Statement on Extractive Resources** (July 2018) is part of the government's proactive plan to drive the affordability of quarry materials. It maps out a better approach for securing the supply for affordable housing and lower-cost infrastructure. It includes six commitments to assist quarries to keep operating and new sites to develop alongside growing suburbs and communities. The commitments, including inactivity periods and agent of change, are currently being progressed.
- **Helping Victoria Grow: Extractive Resources Strategy** (June 2018) was developed by the government to help ensure that high quality extractive resources continue to be available at a competitive price to support Victoria's growth. It includes priority actions for implementation under six broad themes, including resource and land use planning.
- **Helping Victoria Grow: Extractive Resources in Victoria, Demand and Supply Study, 2015-2050** (May 2016) forecasts demand and supply of extractive resources statewide to 2050, by resource type and by each of Victoria's 79 local government areas.

**Figure 1:** Summary of extractive industry approval process





© The State of Victoria Department of Environment, Land, Water and Planning 2018



This work is licensed under a Creative Commons Attribution 4.0 International licence. You are free to re-use the work under that licence, on the condition that you credit the State of Victoria as author. The licence does not apply to any images, photographs or branding, including the Victorian Coat of Arms, the Victorian Government logo and the Department of Environment, Land, Water and Planning (DELWP) logo.

To view a copy of this licence, visit [creativecommons.org/licenses/by/4.0/](https://creativecommons.org/licenses/by/4.0/)

December 2018

ISBN 978-1-76077-428-8 (pdf/online/MS word)

#### Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

#### Accessibility

If you would like to receive this publication in an alternative format, please telephone DELWP Customer Service Centre 136 186, email [customer.service@delwp.vic.gov.au](mailto:customer.service@delwp.vic.gov.au), via the National Relay Service on 133 677 [www.relayservice.com.au](http://www.relayservice.com.au).

This document is also available in accessible Word format at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)