*Planning and Environment Act 1987*

Section 12(2)(a)

**DIRECTION NO.20**

**MAJOR HAZARD FACILITies**

# Purpose

# The purpose of this Direction is to require planning authorities to seek and have regard to the views of WorkSafe Victoria and the Minister for Economic Development when preparing a planning scheme amendment which rezones land for, or is within the threshold distance of, a major hazard facility.

# Objective

# The aim of this Direction is to minimise potential human and property exposure from the risk of incidents that may occur at a major hazard facility and ensure their ongoing viability.

# Definition

# In this Direction:

# *major hazard facility* has the same meaning as in the *Occupational Health and Safety Regulations 2017*;

# *approved major hazard facility* means a major hazard facility that has been licensed or registered under the *Occupational Health and Safety Regulations 2017* but has not yet commenced operating.

# *threshold distance* means the distance specified opposite the type of production, use or storage listed in the table to Clause 53.10-1 of the applicable planning scheme. If the type of production, use or storage is not listed in the table to Clause 53.10-1 of the applicable planning scheme, the threshold distance is 1000 metres.

# Application

# This Direction applies to the preparation of a planning scheme amendment that provides for:

# a new major hazard facility.

# the expansion of an existing major hazard facility.

# any change to planning controls within a threshold distance of an existing or approved major hazard facility.

# *Note*: A threshold distance is measured from the outer property boundary of an existing or approved major hazard facility.

# Requirement

# In preparing a planning scheme amendment, a planning authority must:

# Seek the views of WorkSafe Victoria and the Minister for Economic Development about the amendment.

# Include in the explanatory report a statement about how the amendment addresses the views of WorkSafe Victoria and the Minister for Economic Development.

# Exemption by Minister

# The Minister may grant an exemption from the need to comply with this Direction in relation to an amendment. An exemption may be granted subject to conditions.

**RICHARD WYNNE MP**

Minister for Planning

Date: 7 October 2018

|  |
| --- |
| Commencement Details |
| Commenced | 25 October 2018 |
| Amended | 23 January 2020 |
| Amended | 26 May 2020 |