Implementing the *Better Decisions Made Faster* planning reforms

– Local Government Sector Brief



MAV
MUNICIPAL ASSOCIATION OF VICTORIA

Published 29 October 2026



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Municipal Association of Victoria acknowledges the Traditional Owners of Country throughout Victoria, and recognise their continuing connection to lands, waters, and culture. We pay our respect to Elders past and present who carry the memories, traditions, cultures, and aspirations of First Peoples, and who forge the path ahead for emerging leaders.

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Executive Summary

The *Planning Amendment (Better Decisions Made Faster) Act 2026* is the most substantial overhaul of Victoria's planning laws in decades. It creates opportunities to make planning decisions more proportionate, transparent and timely. Realising those benefits, however, depends on subordinate instruments and technology that 79 councils can deliver in practice.

This sector brief provides an update on implementation of the reforms. It is published at the theoretical half way point: the Bill was introduced exactly one year ago, and it set a commencement date for exactly one year from today.

Implementation is progressing unevenly. Phase 1 reforms (straightforward matters) are now in force, with early benefits such as notice to councils before most VPP amendments are approved.

Phase 2 (strategic planning reforms) is progressing towards completion. The compensation reforms commenced on 28 October 2026. The planning scheme amendment, distinctive areas and landscapes, and state and regional planning strategy reforms – including their supporting regulations – are approved to commence on 1 March 2027. The final planning scheme amendment regulations reflect several significant local government recommendations, including stronger consideration of third-party participation in strategic planning, new low-impact classes for a broader range of scenarios, and clearer pathways for precinct structure plan amendments.

Phase 3 (statutory planning reforms) presents the greatest risk. It requires extensive changes to regulations, the Victoria Planning Provisions, Ministerial Guidelines, other guidance and responsible and referral authorities' ICT systems. All these components are still at the very early stages of implementation, and no funds were appropriated in the 2026 Victorian Budget for systems upgrades.

The current default commencement date of 29 October 2027 is therefore not feasible.

Even if the best case scenario is achieved whereby draft regulations are released in April 2027, there is simply not the funds or time available to upgrade systems ahead of the commencement date. If the commencement date is kept, the permit and related reforms will fail on day one.

The Government must provide funding certainty and set a clear, workable commencement timetable for those reform elements that are significantly delayed and off track. The MAV will continue to engage with the Department, and the Government sworn in after the election, to bring about a realistic pathway to implementing the reforms as intended.

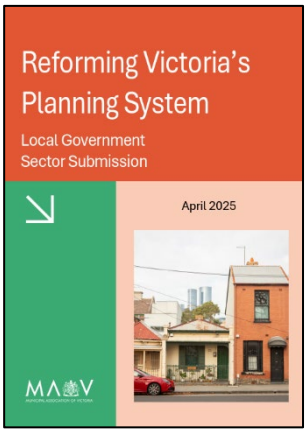
Affordable housing	Phase 1 Straightforward matters	Phase 2 Strategic planning reforms	Phase 3 Statutory planning reforms
Significantly delayed	**Completed**	**On track**	**Unfunded and off track**
Page 6	Page 7	Page 9	Page 11

Timeline

From Bill to Act

25 February 2025: Victorian Government announces that the *Planning and Environment Act 1987* will be rewritten, with a focus on reducing the time and cost involved with planning scheme amendments and planning permit decisions. Single workshops are held with groups of Council Planning Directors (or their delegates) about the concept of three-speed planning scheme amendment and permit frameworks between 24 and 27 February, without detail.

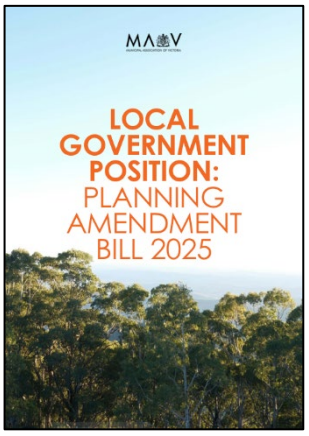
April 2025: The MAV publishes *Reforming Victoria's Planning System*, an alternative strategy for reforming the *Planning and Environment Act 1987* and Victoria's planning system. The sector submission synthesises local government positions on the February 2025 conceptual ideas, as well as the many other matters that should form part of a comprehensive program of reform.



(In August, the MAV and planning and industry peak bodies were provided further details about reform options for the Bill and an opportunity to provide comment. Councils were excluded from consultation.)

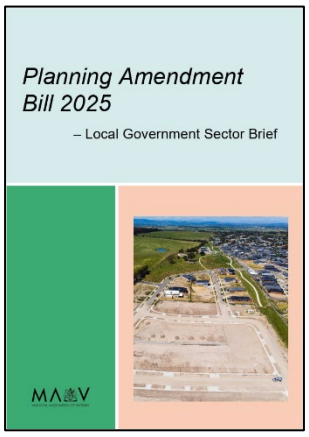
28 October 2025: *Planning Amendment (Better Decisions Made Faster) Bill 2025* introduced to the Legislative Assembly. Councils are surprised to discover that, in addition to addressing the planning scheme amendments and permits frameworks, the Bill also rewrites the objectives of the Act; reforms the restrictive covenants, enforcement, compensation and infrastructure contributions frameworks; and creates a new gifts and donations disclosure and reporting framework. Detail about the three-speed planning scheme amendment and permit frameworks are also made known to all councils and the public for the first time.

6 November 2025: Local Government Position paper released. The paper includes 32 recommendations for improvements to the Bill and planning system, grouped in four themes: public trust, safe homes, affordable homes, and government partnerships.



9 December 2025: Bill debated in the Legislative Council. A series of amendments are agreed on the subjects of affordable housing and the Parliament's disallowance powers over planning scheme amendments, along with minor amendments to the objectives of the Act and notice requirements for 'type 2 applications.' The Minister also clarifies the Government's intentions in relation to some of the new provisions.

22 December 2026: MAV publishes a *Planning Amendment Bill 2025* sector brief, accounting for the 32 recommendations.



3-4 February 2026: Both Houses confirm the amendments.

17 February 2026: The Royal Assent.

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From enactment to commencement

17 February 2026: The Royal Assent.
18 February 2026: Section 11(2) and (3) of the Reform Act commence (head of power for **affordable housing** contributions). ▶

Affordable housing
Significantly delayed
Page 6

31 March 2026: First meeting of the 'Planning Regulations Advisory Committee' (PRAC), a committee established under s 151 of the *Planning and Environment Act 1987* to advise the Minister for Planning on implementation matters. The PRAC includes 7 local government sector representatives, 4 industry peak body reps and 3 planning and legal peak body reps. The Department of Transport and Planning (DTP) provides the Chair and the secretariat.

(MAV provides local government discussion paper to DTP out of session: 'Proposed planning scheme amendment reforms')

5 May 2026: Victorian Budget. No funds are appropriated for the ICT systems upgrades necessary to implement the reforms, rendering the legislated commencement date for the permit reforms (29 October 2027) unfeasible.

26 May 2026: Second meeting of the PRAC.

2 June 2026: **Phase 1 proclamation**: sections of the Reform Act come into operation on 3 June and 3 August 2026. ▶

Phase 1
Straightforward matters
Completed
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(MAV provides local government discussion papers to DTP out of session: 'Reviewing the Planning and Environment Regulations' and 'Principles for restructuring the VPPs')

28 July 2026: Third meeting of the PRAC.

July and August 2026: New regulations and VPPs advisory bodies established by the DTP start to meet.

Phase 2
Strategic planning reforms
On track
Page 9

(MAV provides local government discussion papers to DTP out of session: 'Extent and method of notice of permit applications' and 'Regulatory approaches to enlivening the affordable housing contributions head of power')

29 September 2026: Fourth meeting of the PRAC.

27 October 2026: **Phase 2 proclamation**: most planning scheme amendment and compensation sections of the Reform Act come into operation on 28 October 2026 and 1 March 2027, along with changes to the *Planning and Environment Interim Regulations 2026.*

29 October 2027: **Phase 3 default commencement**: the Reform Act currently provides that all remaining sections of the Reform Act will commence. ▶

Phase 3
Statutory planning reforms
Unfunded and off track
Page 11

Affordable housing reforms

Affordable housing
Significantly delayed

The reforms

The Reform Act creates a clear statutory basis for planning schemes to require an affordable housing contribution as a condition of a planning permit. The contribution can only be required where the planning scheme identifies a need for affordable housing in the area and the application exceeds a threshold to be set by regulation, based on dwelling numbers or development value. Regulations must also prescribe the form of the contribution and may set maximum contributions, including different maximums for different zones or overlays.

Where a monetary contribution is collected, the responsible authority must keep separate accounts and records and spend the money on a project to construct new affordable housing in the municipality where it was collected. The Act therefore ringfences the funds geographically, while allowing them to contribute to affordable housing projects however they are delivered.

These provisions were added to the Bill after its introduction, following advocacy for a clearer head of power and a requirement that monetary contributions benefit the same municipal community from where the contributions are collected. Parliament agreed to the amendments unanimously. (See the *Planning Amendment Bill 2025* sector brief for full details of how these amendments work and how they came about.)

Implementation progress

The affordable housing provisions were not part of DTP's original implementation program, so their place in the program had to be considered after the Act was passed. Although the head of power commenced in February 2026, regulations are needed before the contribution mechanism can operate.

It appears almost certain that the affordable housing regulations will require a full Regulatory Impact Assessment. MAV and local government representatives pressed for the work to be prioritised and commence in 2026, but this did not occur.

MAV has since provided DTP with a discussion paper on regulatory approaches to enlivening the head of power. Options have not yet come before the Ministerial and Departmental advisory bodies.

Next steps

The Government formed after the upcoming Victorian election will need to decide whether to prioritise the regulations and the associated Regulatory Impact Assessment.

If the regulations are to be developed alongside the Phase 3 reforms, and the commencement date remains fixed at 29 October 2027, completing them on time is now in serious doubt.

Phase 1 reforms (straightforward matters)

Phase 1
Straightforward matters
Completed

The reforms

Phase 1 brought forward reforms considered capable of commencing without the larger regulatory and system changes required for later phases. It covered several distinct areas: notice to councils of Victoria Planning Provisions amendments; changes to Distinctive Areas and Landscapes (DALs) and compensation; greater flexibility in Infrastructure Contributions Plans (ICPs) and Growth Area Infrastructure Contributions (GAIC); and stronger planning compliance and enforcement powers.

- **Notice of VPP amendments** – Reform Act sections 7(1) and 10, inserting section 4K into the Planning and Environment Act 1987. Commenced 3 June 2026.

  The Minister must give affected councils at least 30 days' notice before approving a VPP amendment, subject to exemptions for technical changes and environmental risks.

- **Distinctive Areas and Landscapes (DALs)** – Reform Act sections 65, 68(3), 71 and 72. Commenced 3 June 2026.

  The time for the Minister to prepare a Statement of Planning Policy (SPP) after declaring a DAL was extended from one year to two, and the process for correcting SPPs was streamlined.

- **Compensation interest** – Reform Act section 203. Commenced 3 June 2026.

  The Supreme Court or VCAT can pause or reduce interest on disputed compensation claims where there is good cause, including delay caused by the claimant.

- **Infrastructure Contributions Plans (ICPs) and Growth Area Infrastructure Contributions (GAIC)** – Reform Act Part 9, Divisions 1 and Part 9, Division 2 (except s 223). Commenced 3 June 2026.

  ICPs can provide more flexibility over infrastructure funding and timing. They can fund land acquisition through monetary contributions and can fund infrastructure outside the plan area where it serves the subject land. GAIC can support regionally significant infrastructure outside contribution areas where it serves those areas; the Growth Areas Transport Fund can also fund state roads, walking and cycling infrastructure.

- **Compliance and enforcement** – Reform Act sections 215–222 and 224–232. Commenced 3 August 2026.

  New and stronger enforcement tools include higher penalties and the option of civil penalty orders. The separate monitoring, compliance and enforcement policy is the only section not to have commenced within the compliance and enforcement reforms.

Implementation progress

Notice of VPP amendments

Ten proposed amendments to the Victoria Planning Provisions were referred to councils between 1 and 8 September 2026 under the new 30-day notice requirements of section 4K of the *Planning and Environment Act 1987*. The purpose of these reforms was to allow councils sufficient time to prepare for the commencement of new statewide provisions, including the preparation of systems changes, forms, manuals and practices.

Given the more than 1,200 pages of amendment documentation to consider under these ten amendments, the MAV coordinated council questions about how to implement the amendments effectively and referred these to the DTP on 6 October 2026. Since then, some amendments have been approved – without any response to those implementation questions.

The MAV considers that, notwithstanding the unusually high volume of amendments, the purpose of the 30-day notice requirements has not yet been achieved, and after the election a significant program of work will be required to build a continuous improvement and feedback mechanism.

The state-hosted Amendment Tracking System also needs updates to properly facilitate the section 4K notice process. Those upgrades have not yet been commissioned.

Case study

VC319: maximum disruption without lasting benefit

One of the ten VPP amendments, VC319, extends VicSmart to qualifying applications for up to four dwellings on a lot. It was approved and came into effect on 22 October 2026. No assessment of the impact on responsible authorities was undertaken to inform the amendment.

MAV estimates that moving these applications from the ordinary permit pathway to VicSmart will reduce local government revenue by $1.5–$2.5 million a year: the average fee will fall by 87.4% (from $3,980.70 to $500.80), while the statutory timeframe would fall from 60 days to 10 business days without a corresponding reduction in actual assessment work.

This amendment pre-empts the *Better Decisions Made Faster* reforms. The Government made it clear during debate on the Bill that codified residential development will become type 2 (anticipated to be a 30-or-more business days assessment pathway) and retain public notice. VC319 undermines both.

If the Government's undertakings about type 2 applications are still to be implemented, four-dwelling assessments will have gone from a 60 day process to an unworkable 10 day process (with public notice switched off), back to a 30+ day process (with public notice switched on again) once the Type 1, 2 and 3 permit reforms commence.

The MAV considers this to be an entirely inappropriate and unnecessarily disruptive way of reforming the planning system.

Infrastructure contributions

The ICP reforms have begun to be used to implement the Government's Activity Centres program. On 7 August 2026, the Minister for Planning gazetted new Ministerial Directions for Infrastructure Contributions Plans. The expanded reporting obligations on councils are substantial, and those councils are working through the new ICP process..

Compliance and enforcement

The enforcement reforms create a further resourcing concern. A civil penalty order requires payment into the State's Consolidated Fund, while councils are expected to provide the staff and resources needed to investigate and enforce planning requirements. This breaks the link between enforcement activity and the revenue that could help resource it, potentially discouraging the use of the civil penalty regime. As no councils were consulted, this flaw was not identified in the Bill.

Next steps

Phase 1 is complete, but councils and the State will need to refine how the reforms work in practice. This includes: upgrading the Amendment Tracking System to support the 30-days notice and exemption requirements for VPPs amendments; considering how drafting and implementation problems can be addressed when identified during the notice period; reviewing the reporting requirements for ICPs; and considering how to sustainably resource council enforcement functions.

Phase 2 reforms (strategic planning)

Phase 2
Strategic planning reforms
On track

The reforms

Phase 2 introduces new pathways for planning scheme amendments, based on their impact. Low-impact amendments will have a more streamlined process; medium-impact amendments will follow a formal notification and exhibition process without an automatic panel; and high-impact amendments will ordinarily be referred to a panel.

More information: the finished regulations

Final planning scheme amendment and compensation regulations and summary of feedback on the draft

Department of Transport and Planning

The reforms also clarify how proponents can request amendments, establish new public engagement and transparency requirements, and change the role of panels and the combined amendment and permit process. The supporting regulations are finished and will commence on 1 March 2027.

The phase 2 reforms also give state and regional planning strategies a statutory status. Once endorsed, their broader visions and strategic directions must be reflected in planning schemes and amendments. Reforms to the Distinctive Areas and Landscapes (DAL) framework will align its statement-of-planning-policy processes with the new amendment framework. These changes will also commence on 1 March 2027.

The final regulations covering the planning scheme amendment reforms reflect substantial work by council planning officers during the public consultation phase, and by MAV and local government representatives through the advisory process. Improvements to the regulations secured by the MAV include:

- **Third-party rights are now an express general consideration** when the impact category of an amendment is assessed. This helps ensure that an amendment proposing to remove notice or review rights at the later permit stage does not also remove the opportunity to be heard during the amendment process. Related low-impact classes also protect specified notice, review and decision-making requirements from being substantially altered.
- **The precinct structure plan (PSP) amendment classes are clearer and more predictable.** The final regulations provide a more defined route for amendments giving effect to a PSP, including how specified infrastructure contribution and public acquisition components may be treated. This will allow more amendments to be classed as ‘medium impact’ if the process that foreshadowed the PSP was already a substantial program of consultation.
- **Low-impact classes cover more scenarios.** They allow streamlined treatment where a tree or heritage fabric has been unlawfully destroyed or removed, and allow corrections to addresses of heritage places in precincts.
- **Regulation 8A** gives planning authorities a clearer route to seek consent to abandon a proponent-initiated amendment in exceptional circumstances. A new ground requested by the MAV addresses unforeseen changes in strategic context (such as an amendment to the VPPs being made after the council agreed to facilitate a proponent-initiated amendment).

The planning scheme amendment reforms are a strong result of sector engagement. The MAV is grateful to the DTP for the engagement with the issues raised by councils. The reforms have the potential to bring about significant efficiency gains for all planning authorities and landowners.

The remaining compensation reforms commenced on **28 October 2026**. They amend Part 5 of the *Planning and Environment Act 1987* to clarify when compensation may be claimed, who may claim it and how it is assessed.

Implementation progress

The regulations were made following public consultation held from 22 July to 19 August 2026 and subsequent consultation with the PRAC. They will commence with the relevant Act provisions on 1 March 2027. DTP has said it will provide guidance and support before commencement, with further detail expected in early 2027.

There are important matters that will need further attention as the reformed planning scheme amendment framework is used and reviewed:

Advocacy update

Planning scheme amendment regulations



A full account of the difference between the draft and final planning scheme amendment regulations, and the extent to which the MAV and local government recommendations influenced the outcome, is found at the attachment to this brief.

- **Bushfire and flood amendments:** the final approach makes specified hazard-control amendments low impact where the Minister or a public authority, rather than a council, is the planning authority. This reflects the Government's move towards Minister-led planning scheme amendments involving bushfire and flood mapping. The PRAC was assured that hazard amendments, including low-impact amendments, will always be published online throughout and after the amendment process, and that affected landowners and occupiers will be notified, consultation will run for at least one month, and issues raised will be properly engaged with.

- **Erosion management:** MAV and local government representatives sought a corresponding low-impact class for Erosion Management Overlay amendments. It was not included because the centralised arrangements used for bushfire and flood amendments are not yet in place for erosion. DTP indicated the issue could be revisited in future.

- **Amendment Tracking System and new administrative requirements:** the final regulations establish new registers and information requirements, but they will not be integrated with the ATS at commencement. The planned ATS changes that will be ready for 1 March 2027 are expected to be minimal, with further upgrades a possibility for the future, subject to funding.

Next steps

The immediate priority is practical implementation. Councils will need clear guidance on categorising amendments, preparing public engagement plans, meeting new information and register requirements, and applying the new pathways consistently. Much of the framework's operation will depend on that guidance, so its timing, usability and consistency will matter.

DTP has undertaken to hold a public engagement plan guidelines workshop with a group of council strategic planners. MAV will facilitate this workshop in November or December 2026.

DTP has also undertaken to conduct a review of the performance of the planning scheme amendment reforms, likely commencing 6 months after the reforms come into operation.

Sections 15 and 16 of the Reform Act, concerning the objectives of municipal planning scheme reviews and the Minister's power to intervene where a council has not completed a review, were carved out of Phase 2 at MAV's request. Deferring them separates those changes from the municipal scheme reviews due by 31 October 2026, and aligns their commencement with the new objectives of planning in Victoria, which were always intended to commence in Phase 3. This avoids changing the objectives of a planning scheme review mid-cycle.

Phase 3 reforms (statutory planning)

Phase 3
Statutory planning reforms
Unfunded and off track

The reforms

Phase 3 is the largest and most complex part of the reform program. Its centrepiece is a new system for assessing planning permit applications through three pathways – Type 1, Type 2 and Type 3 – intended to match the process to an application's complexity, risk and impact. The reforms also affect notice and review rights, referral authorities, minor permit amendments and the information required with applications.

Making the new system work requires more than changing the Act. The Planning and Environment Interim Regulations and the planning and subdivision fees regulations must be remade. The Victoria Planning Provisions (VPPs) need extensive changes so controls identify application types and provide consistent decision-making criteria. New or revised Ministerial guidelines and other guidance will also be needed.

Above all, responsible and referral authorities' ICT systems must be upgraded to allow for the new and complicated statutory pathways to be administered effectively.

Phase 3 also includes other remaining reforms, such as the revised 'objectives of planning in Victoria', the new gifts and donations disclosure regime, the new monitoring, compliance and enforcement policy, and changes to the Metropolitan Planning Levy. **The Act's default commencement date for all remaining reforms is 29 October 2027.**

Implementation progress

The Department has begun the technical work on regulations and VPP changes, with two advisory groups inclusive of local government and industry participants established to work through the detail. These began meeting in July and August 2026 respectively.

The MAV established and maintains an online collaboration hub for the council planner members of these advisory groups. The consideration and testing of options for subordinate instruments would be impossible without these groups, and the MAV extends every gratitude to the 30 planners directly or indirectly involved in this work.

A prospective third advisory group considering ICT systems upgrades (including a business case for a future statewide planning permit system) was foreshadowed in July 2026 but has not been convened, and no engagement by the DTP with councils about the current state of ICT systems and a needs analysis for the future has been initiated to date.

A review of all statutory fees is underway, drawing on information from 22 councils about the time and resources required for assessment – including some functions that currently attract no fee.

The scale of the remaining work and the time available create a serious delivery risk. Draft regulations and a Regulatory Impact Statement are expected to be released for consultation no earlier than April 2027. Achieving even that timeframe will be a challenge given the complexity and interrelationship of over 40 prescribed timeframes – a mix of business and calendar days to give effect to a mix of deadlines, pauses, resets and suspensions – none of which have yet progressed to testing of preferred options. The VPPs restructure, also necessary to specify which applications fall into Types 1, 2 and 3, is progressing more slowly than the regulations.

Not until regulations are released in draft form will any responsible authority know how to procure ICT systems upgrades. And not until the Victorian Budget in May 2027 will responsible authorities know if sufficient funds have been appropriated for this purpose. Even if sufficient funds are made

available, it would ordinarily take years to properly design new or upgraded ICT systems to facilitate reforms of this complexity.

This renders the legislated default commencement date of 29 October 2027 unfeasible. Either Parliament will need to legislate to move this date to allow adequate time for ICT systems upgrades, or the permit and related reforms will not be viable.

Next steps

The immediate priority is a coordinated delivery plan covering regulations, VPP changes, guidance, fees, ICT and transition. In particular, Government and DTP, after the upcoming Victorian election, will need to:

- provide funding certainty and decide whether implementation will rely on a statewide system in future, and the quantum of support for upgrades to 80 responsible authorities' ICT systems in the meantime;
- confirm the detailed statutory timeframes and process requirements early enough for councils and providers to build and test systems;
- complete a preliminary allocation of all application types to the type 1, 2 and 3 framework and subject it to testing;
- complete the VPP changes, regulations, forms and guidance, including the rules for public notice, standard permit conditions and the extent of referral triggers;
- settle a fee framework that recognises the cost of performing statutory functions now and under the reformed system; and
- set a realistic, explicit commencement timetable that allows councils and system providers to prepare.

The overarching test for Phase 3 is whether the supporting systems, resources and guidance are ready when the new statutory duties begin. If systems cannot apply the new pathways, timeframes and information requirements reliably, it matters little what the regulations require: responsible authorities and referral authorities simply will not be able to apply them.

The MAV will continue to engage with the Department, and will re-engage with the Government sworn in after the upcoming election, to ensure that the foundations for reform are in place and the intent of the reforms have an opportunity to succeed. Both funds and time are necessary to achieve that aim and neither are available at this time.

Attachment: Comparison of draft and final planning scheme amendment regulations and account of MAV recommendations

Draft regulations (released 22 July 2026)	MAV recommendation	Final regulations (made 27 October 2026)	Outcome
Regulation 5A | Request under section 16A for municipal council to prepare amendment Simple additions to the list of prescribed information to be provided with a request by a proponent for a council to prepare an amendment.	That the proposed additions be supported.	**Regulation 5A | Request under section 16A for municipal council to prepare amendment** The proposed additions were carried through, and another was also added: a requirement on the proponent to justify the proposed impact category.	**MAV recommendation carried.**
Regulation 5AA | Register of requests to prepare a planning scheme amendment Sets out the information that must be kept on the new 'register of requests to prepare a planning scheme amendment.'	That the proposed register requirements be supported, subject to integration of the register with the Amendment Tracking System in the interests of administrative efficiency.	**Regulation 5AB | Register of requests to prepare a planning scheme amendment** Final regulations are essentially the same as the draft regulations.	**MAV recommendation carried in part.** The register requirements were carried through to the final regulations, but these will not be integrated with the Amendment Tracking System at this time. (See below.)
Regulation 5B | Notice of decision under section 16C on request to prepare amendment Simple and necessary update to existing regulation to give effect to the Reform Act.	That the proposed addition be supported.	**Regulation 5B | Notice of decision under section 16C on request to prepare amendment** Same as the draft.	**MAV recommendation carried.**
Regulation 5C | Application for authorisation under section 16F Sets out the information that must be provided with an application by a planning authority to the Minister for authorisation to prepare a planning scheme amendment.	That the proposed information requirements be supported, subject to integration with the Amendment Tracking System in the interests of administrative efficiency.	**Regulation 5C | Application for authorisation under section 16F** The final regulation makes editorial changes to the draft but has the same effect.	**MAV recommendation carried in part.** The information requirements were carried through to the final regulations, but these will not be integrated with the Amendment Tracking System at this time. (See below.)
5CA | Information to be included in a proposed public engagement plan The draft regulation sets out the minimum standards that a public engagement plan must include.	That the minimum standards be supported subject to: (1) the public engagement plan guidelines being reviewed with Local Government strategic planners from a representative sample of councils ahead of commencement; (2) the public engagement plan guidelines being reviewed by early 2028 as part of a review of the performance of the reformed planning scheme amendment framework.	**5D | Information to be included in a proposed public engagement plan** The final regulation makes editorial changes to the draft but has the same effect.	**MAV recommendation carried.** The regulated minimum standards are essentially the same as found in the draft. The two conditions for support were met: DTP has undertaken to hold the public engagement plan guidelines workshop; and to conduct a review of the reformed planning scheme amendment framework. This may occur 6 months after commencement, i.e. September 2027.
Regulation 5CB | Amount of time from date of decision to refuse extension of time to new lapse date under section 16GD(6) "The prescribed time after the date of the decision is 10 business days."	That the prescribed period be extended from 10 to 20 business days.	**Regulation 5E | Amount of time from date of decision to refuse extension of time to new lapse date under section 16GD(6)** "the prescribed time is 20 business days."	**MAV recommendation carried.**
Regulation 5D | Application for authorisation under section 16I Draft regulation mirrors draft regulation 5C, but for amendments that relate to planning schemes outside of the municipal district of the planning authority.	That the proposed information requirements be supported, subject to integration with the Amendment Tracking System in the interests of administrative efficiency.	**Regulation 5F | Application for authorisation under section 16I** The final regulation makes editorial changes to the draft but has the same effect, with the exception that the information requirements relating to proponent-initiated amendments are deleted: proponent-initiated amendments cannot be made to adjoining planning schemes.	**MAV recommendation carried in part.** The information requirements were carried through to the final regulations, but these will not be integrated with the Amendment Tracking System at this time. (See below.)
Regulation 5F | Circumstances where the Minister may determine to change the impact category of an amendment before the amendment is adopted The draft regulation proposes two logical circumstances.	That the two circumstances be supported.	**Regulation 5H | Circumstances where the Minister may determine to change the impact category of an amendment before the amendment is adopted** Same as draft, but with a third logical circumstance added.	**MAV recommendation carried.**
Regulation 5G | Consultation on a low-impact amendment under section 18A The draft regulation lists the information that must be given to people or bodies consulted on a low-impact amendment.	That the proposed requirements be supported.	**Regulation 5I | Consultation on a low-impact amendment under section 18A** The final regulation makes editorial changes to the draft but has the same effect.	**MAV recommendation carried.**
Regulation 7 | Notices under section 19 Proposed paragraph (ka) inserted into the existing regulation: "if the amendment is a high-impact amendment, state that the amendment will be referred to a panel for independent review".	That paragraph (ka) clarify that referral will occur only if the amendment is not later abandoned, re-categorised or treated as medium impact, so as not to mislead the reader.	**Regulation 7 | Notices under section 19** The proposal to add the paragraph was not carried through to the final regulations, due to the complexity in providing a strictly accurate statement for the template notice.	**MAV recommendation substantially carried.** The withdrawal of proposed paragraph (ka) satisfies the concerns raised in the MAV recommendation.
Regulation 8A | Exceptional circumstances for consent to abandon a proponent-initiated amendment under section 27A(4) The draft regulation sets out the exceptional circumstances in which the Minister may give written consent to the planning authority to abandon a proponent-initiated amendment, above and beyond those circumstances already provided for in the Act. These were proposed to be: "(a) the amendment includes, or is based on, false or misleading information; and (b) the proponent has died; and (c) in the case of a proponent that is a body corporate, the proponent has been deregistered; and (d) the proponent has not responded to any requests by the planning authority for a period not less than two years."	That the drafting make clear that each circumstance is an alternative ground for seeking consent to abandon an amendment. That the inactivity period in (d) be reduced from two years to six months. That additional exceptional circumstances be added to cover: changed strategic circumstances, unpaid fees, an independent body's recommendation, serious governance risk from improper influence, no continuing need, and disaster or hazard impacts.	**Regulation 8A | Exceptional circumstances for consent to abandon a proponent-initiated amendment under section 27A(4)** The four exceptional circumstances in the draft regulations were carried through to the final version but (a) is narrower than the draft: it applies only where a court finds a statement or information false or misleading under section 126A of the Act. The circumstances are each made alternative grounds rather than cumulative grounds. The inactivity period in (d) was reduced from two years to one. A new exceptional circumstance was added by the PRAC at MAV's request: "(e) an amendment to the Victoria Planning Provisions or the planning scheme has been approved and … the planning authority has submitted to the Minister in writing that the planning authority would have refused the request under section 16B of the Act had the request been made after the amendment…"	**MAV recommendation substantially carried.** Despite not every additional ground proposed by MAV being carried through to the final regulations, the most significant concerns of the MAV and councils were addressed by the proposed new 'changed strategic context' circumstance, and the other recommendations (making the grounds alternative and not cumulative, and reducing the inactivity period) were also substantially addressed.
Regulation 9 | Information to be submitted to the Minister under section 31(1) Simple and necessary updates to existing regulation 9 to give effect to the Reform Act.	That the proposed amendments be supported.	**Regulation 9 | Information to be submitted to the Minister under section 31(1)** The final regulation makes editorial changes to the draft but has the same effect.	**MAV recommendation carried.**
Regulation 12 | Documents to be lodged with an approved amendment Simple and necessary updates to existing regulation 12 to give effect to the Reform Act.	That the proposed amendments be supported.	**Regulation 12 | Documents to be lodged with an approved amendment** The final regulation makes editorial changes to the draft but has the same effect.	**MAV recommendation carried.**
Regulation 41 | Notices under section 96C Mirroring the proposed changes to regulation 7, paragraph (ka) inserted into the existing regulation: "if the amendment is a high-impact amendment, state that the amendment will be referred to a panel for independent review".	That paragraph (ka) clarify that referral will occur only if the amendment is not later abandoned, re-categorised or treated as medium impact, so as not to mislead the reader.	**Regulation 41 | Notices under section 96C** The proposal to add the paragraph was not carried through to the final regulations, due to the complexity in providing a strictly accurate statement for the template notice.	**MAV recommendation substantially carried.** The withdrawal of proposed paragraph (ka) satisfies the concerns raised in the MAV recommendation.

Draft regulations (released 22 July 2026)	MAV recommendation	Final regulations (made 27 October 2026)	Outcome
Impact criteria | Step 1 parliamentary ratification "If any part of an amendment requires ratification by Parliament, the amendment will be categorised as a high-impact amendment."	That all seven listed parliamentary-ratification circumstances remain high impact.	**Regulation 5G(7)(c)** Regulation 5G(7)(c) identifies Table 3 as the high-impact criteria; Table 3 includes parliamentary ratification as item HOA-04.	**MAV recommendation carried.**
Impact criteria | Step 2 operating rule "An amendment cannot be categorised as low impact if any part of the amendment is not of a class listed below."	That an amendment remain low impact where unlisted components are only incidental, consequential or corrective and do not materially increase its overall impact.	**Regulation 5G(3) to (5)** The final regulations apply a different approach to the operational text for impact categorisation to that found in the draft. "(3) If a part of the amendment may be categorised as a low-impact category and another impact category under Schedule 2, that part of the amendment is to be categorised as a low-impact amendment." See also (4) and (5).	**MAV recommendation carried in part.** Regulation 5G(3) should assist to ensure that a greater number of amendments intended to be low-impact will be so categorised. The class descriptions themselves have also been made broader in some instances. The intent of the MAV recommendation is therefore partly addressed.
Impact criteria | Step 2 Low Impact | Technical and corrective classes Six low-impact classes include correction of "an obvious error or anomaly" in a planning scheme map and deletion of an unused schedule.	That the technical classes be supported subject to minor drafting changes.	**Schedule 2, Table 1, classes LT-01 to LT-08** The six classes become eight classes, with drafting refinements.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Overlay transfer "An amendment to delete land from a schedule to an overlay and include that same land in a schedule to a different overlay, providing the new overlay aligns with the intended effect of the original schedule, and providing that permit requirements, requirements applicable to the use and development of land, and decision guidelines are not substantially altered."	That the class be supported subject to clearer language, including a requirement that there be no reduction in the application of sections 52, 64 or 82 (the distribution of notice and review rights) under this low-impact class.	**Schedule 2, Table 1, class LO-03** The class is broadly similar to the draft but responds to the MAV recommendation by clarifying that the class will not include amendments that "substantially alter" "exemptions from the requirements of sections 52(1), 64(1), (2), or (3) or 82(1)". The wording was raised at and agreed by the PRAC.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Traditional Owner land "An amendment to rezone land where freehold title has been granted to a Traditional Owner group entity for that land pursuant to a Recognition and Settlement Agreement under the Traditional Owner Settlement Act 2010."	That the scope of the class be clarified via minor drafting changes.	**Schedule 2, Table 1, class LZ-05** The class reads: "An amendment to include land currently in a public land zone in any other zone where freehold title has been granted to a Traditional Owner group entity for that land pursuant to a recognition and settlement agreement under the Traditional Owner Settlement Act 2010".	**MAV recommendation substantially carried.**
Impact criteria | Step 2 Low Impact | Planning Policy Framework and Municipal Planning Strategy Two 'low-impact' classes were proposed relating to amendments to the PPF or MPS required to be consistent with any State or regional planning strategy, and an amendment to the context or vision sections of the MPS only.	Insert new class: "An amendment to the Municipal Planning Strategy that is necessary to make it consistent with a Council Plan adopted under Section 90 of the Local Government Act 2020."	**Schedule 2, Table 1, after class LPM-02** No new class was inserted.	**MAV recommendation not carried.**
Impact criteria | Step 2 Low Impact | Public land zones and Urban Growth Zone The draft proposed classes of amendment to rezone land to or from a public land zone if the land was acquired or disposed of by the Crown, a public authority or a municipal council, within 12 months.	That the 12-month limit be removed, and other clarifications be made through minor redrafting.	**Schedule 2, Table 1, classes LZ-03 and LZ-04** The 12-month limit was removed and the classes rewritten.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Amendments relating to zones and overlays "An amendment to include land in a zone, overlay or schedule … that does not alter any of the following applicable to any land: a requirement to obtain a permit; an exemption from a requirement to obtain a permit; a requirement applicable to use and development; … a requirement to refer a permit application under section 55; [or] a public benefit uplift framework."	That the list of matters that must not be altered be expanded to include "the application of the requirements of section 60".	**Schedule 2, Table 1, classes LZ-01, LZ-02, LO-01, LO-02 and LPP-01** These classes now all list "an exemption from the requirement to consider any matter in section 60 of the Act" as a matter which, if altered, excludes an amendment from the low-impact category. These classes also clarify the third party rights alterations issue as discussed four rows higher.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Additional tree-removal class The draft had no class for this purpose.	That a new class be inserted: "An amendment to remove a tree from the schedule to the Vegetation Protection Overlay or Environmental Significance Overlay where the tree has been destroyed or removed, unless that destruction or removal was unlawful."	**Schedule 2, Table 1, classes LO-04 and LO-05** The final regulations prescribe as low-impact an amendment that deletes a tree or schedule reference where the tree was destroyed or removed, unless this was in contravention of the Act or planning scheme.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Heritage deletion class "An amendment to delete a heritage place from the schedule to the Heritage Overlay where the heritage place has been lawfully demolished or removed."	That the class be rewritten: "An amendment to delete a heritage place from the schedule to the Heritage Overlay where the building, structure, tree, feature or other heritage fabric for which the Heritage Overlay was applied has been demolished, destroyed or removed, unless that demolition, destruction or removal was unlawful."	**Schedule 2, Table 1, class LO-08** "An amendment to delete a heritage place from the schedule to the Heritage Overlay and delete land from the overlay where the building, structure, tree, feature or other heritage fabric for which the Heritage Overlay was applied has been demolished, destroyed or removed, unless that demolition, destruction or removal was done in contravention of the Act. This does not apply to a heritage place that is a precinct."	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Heritage address change classes "An amendment to modify the identification of a heritage place in the schedule to the Heritage Overlay to reflect a new or updated statement of significance or incorporated plan…"	That a similar class be created for addresses of properties affected by a precinct heritage overlay, given those addresses are often found in incorporated documents rather than schedules to the heritage overlay.	**Schedule 2, Table 1, class LG-04** New class added: "An amendment to the schedule of documents incorporated into a planning scheme to change an incorporated document that is identified in the schedule to the Heritage Overlay to reflect a change in address of a heritage place."	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | Flood controls "An amendment to include land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay with the written consent of Melbourne Water or a floodplain management authority…"	That low-impact treatment of legacy flood controls require consent from both the planning authority and the relevant floodplain authority, and allow land to be removed as well as added. That the new flood management controls (Flood Management Zone and Flood Management Overlay), when added to the VPPs and regulations, be left for the general considerations (i.e. not automatically be low-impact without exception).	**Schedule 2, Table 1, class LO-10 and LO-11** The final regulations take a substantially different approach to that found in the draft. The bushfire and flood control-based classes of application are now low impact *if* the Minister or a public authority (not a council) is the planning authority. Hazard control-based amendments are now the only type of amendment where the impact category turns on the identity of the planning authority. This aligns with Government policy to centralise planning scheme amendment processes for flood and bushfire.	**Substantially different approach taken.** The PRAC has been assured that all hazard mapping planning scheme amendments, including all low-impact amendments, will always be reported and published on the Amendment Tracking System and 'planning schemes online' throughout and after the statutory amendment process; that notice of low-impact amendments would have to be given to all affected landowners and occupiers and the consultation period would last for a minimum of one month; and that this would allow for questions to be asked and answered, and comments received would have to be taken into account by the planning authority.

Draft regulations (released 22 July 2026)	MAV recommendation	Final regulations (made 27 October 2026)	Outcome
Recommendation made direct to PRAC **Impact criteria | Erosion controls** Upon learning of the new approach taken for bushfire and flood amendments, as described in the row above, the MAV and Local Government PRAC members sought to apply the new 'low impact if Minister is planning authority' approach to erosion management, for consistency.	That a new class be created: ""For an Erosion Management Overlay, an amendment to include land in or delete it from the overlay or include land in or delete it from a schedule to the overlay; where the amendment has the written consent of the Minister for Environment."	No such class was included in the final regulations.	**MAV recommendation not carried.** The new class was not supported by DTP for the reason that the centralised institutional arrangements are not yet in place as they are for flood and bushfire amendments, but that the matter could be revisited in future.
Impact criteria | Step 2 Low Impact | Environmental Audit Overlay "An amendment to include land in the Environmental Audit Overlay with the written and unconditional consent of all landowners of that land."	That a low-impact class be added where the amendment deletes land from the Environmental Audit Overlay with the EPA's written consent.	No new class was added. The deletion of the EAO remains a prescribed medium-impact amendment, or a regulation 8 'prescribed amendment' if the EAO and/or schedule can be said to have 'expired'.	**MAV recommendation not carried.**
Impact criteria | Step 2 Low Impact | PAO, Restructure Overlay and SCO Prescribed low-impact are "An amendment to delete a Public Acquisition Overlay from land made with the consent of the acquiring authority"; "an amendment to delete a Restructure Overlay … if the restructure has been completed"; and "an amendment to delete a Specific Controls Overlay … if the specific control has expired".	That the proposed classes be supported.	**Schedule 2, Table 1, classes LO-13 to LO-17** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 2 Low Impact | DCP, ICP and IPO "An amendment to modify a schedule to the Development Contributions Plan Overlay [or related overlays] to change the works, services or facilities … [if] the amendment does not increase the contribution amount"; and a class for deleting a reconciled schedule with written consents.	That the first class include changes to charge calculation where the contribution amount does not increase, and the second include removal of the corresponding overlay from land.	**Schedule 2, Table 1, class LO-18** Consolidated into one class: "An amendment to delete an existing schedule to a Development Contributions Plan Overlay, Infrastructure Contributions Overlay or Infrastructure Contributions Plan Overlay and delete land from that overlay if … the expenditure of collected funds has been reconciled; and … the planning authority and all collecting agencies and development agencies referenced in the relevant incorporated document have provided their written and unconditional consent to the deletion of the schedule."	**MAV recommendation carried in part.** The drafting correction was carried; the request to expand the class to allowing changes to charge calculations without increasing the overall amount was not carried.
Impact criteria | Step 2 Low Impact | General and operational classes Seven commonsense classes of amendment.	That the proposed classes be supported.	**Schedule 2, Table 1, classes LG-01 to LG-04** The classes were simplified, consolidated and carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 3 High Impact | subdivision and dwelling classes "An amendment that would alter the minimum subdivision area applicable to any land in a rural zone" and "an amendment that would alter the area for which no permit is required to use any land for a dwelling in a rural zone…" Each excludes rezoning out of a rural zone.	That the classes be supported subject to some redrafting of the scopes and exclusions for greater clarity.	**Schedule 2, Table 3, classes HZ-01 and HZ-02** The classes were redrafted to specify when changes to rural-zone schedules are captured. The subdivision class now refers to minimum areas specified in, or changed through, a rural-zone schedule. The dwelling class is limited to the Farming Zone schedule. The express exclusion for rezoning land out of a rural zone was not retained.	**MAV recommendation substantially carried.**
Impact criteria | Step 3 High Impact | Contributions and PSP exceptions "An amendment to introduce a financial or land contribution requirement…" and "an amendment to increase a financial or land contribution requirement…" with exceptions for all-owner consent and amendments made in conjunction with a proposed or approved PSP.	That the contribution classes and PSP exceptions be supported in principle, provided Step 5 is applied consistently and predictably to excepted amendments.	**Schedule 2, Table 3, classes HOA-01 and HOA-02** The class exceptions now cover both amendments made "in conjunction with a precinct structure plan that is proposed as part of the same amendment" and amendments "to give effect to an approved precinct structure plan". Amendments to incorporate or give effect to precinct structure plans may be medium impact under classes MG-02 or MOA-01, if they satisfy the applicable existing explicit strategy-or-policy test. Accordingly, a financial or land contribution component may avoid high-impact classification under HOA-01 or HOA-02 where the relevant exception applies. The amendment may still be high impact overall if another component attracts that category under regulation 5G(4).	**MAV recommendation substantially carried.**
Impact criteria | Step 3 High Impact | Extension of DCP or ICP life "An amendment to extend the life of a Development Contributions Plan or an Infrastructure Contributions Plan…" is prescribed as high impact, subject to an all-owner-consent exception.	That this class be deleted and extensions be assessed under the 'general considerations'.	The draft class is not carried into the final regulations. Amendments that would have fallen in the draft class may be captured to a great extent by the HOA-02 class, or will otherwise be left to the 'general considerations' under regulation 5G(6).	**MAV recommendation substantially carried.**
Impact criteria | Step 3 High Impact | Uplift framework and Restructure Overlay High-impact classes include "an amendment to insert a public benefit uplift framework in a schedule to a zone or overlay" and "an amendment to apply a Restructure Overlay to land not subject to that overlay".	That the proposed classes be supported.	**Schedule 2, Table 3, classes HO-02 and HOA-03** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 3 High Impact | Public Acquisition Overlay "An amendment to apply a Public Acquisition Overlay to land not subject to that overlay" is high impact, except for all-owner consent or an amendment made in conjunction with a proposed or approved PSP.	That the PAO class and exceptions be supported in principle, provided Step 5 is applied consistently and predictably to excepted amendments.	**Schedule 2, Table 3, class HO-01** The exceptions now cover both amendments made "in conjunction with a precinct structure plan that is proposed as part of the same amendment" and amendments "to give effect to an approved precinct structure plan". Amendments to incorporate or give effect to precinct structure plans may be medium impact under classes MG-02 or MOA-01, if they satisfy the applicable existing explicit strategy-or-policy test. Accordingly, an amendment with a public acquisition component and a PSP component may be medium impact overall where the HO-01 exception applies and no other component attracts high-impact categorisation under regulation 5G(4).	**MAV recommendation substantially carried.**
Impact criteria | Step 3 High Impact |Specific Controls Overlay high-impact class "An amendment to apply a Specific Controls Overlay to land not subject to that overlay" is prescribed as high impact.	That this class be deleted so that SCO matters can be assessed under the 'general considerations'.	**Schedule 2, Table 3, class HO-03** The class is carried through to the final regulations.	**MAV recommendation not carried.**
Impact criteria | Step 3 High Impact | Green Wedge core provisions "An amendment to the schedule to clause 51.02 … that disapplies the core planning provisions from any land" is high impact.	That the proposed class be supported.	**Schedule 2, Table 3, class HPP-01** The class is edited but retained in effect.	**MAV recommendation carried.**
Impact criteria | Step 3 High Impact | Clause 52.02 restrictions and reserves "An amendment to the schedule to clause 52.02 (Easements, restrictions and reserves)" is prescribed as high impact.	That the class be supported, subject to considering reasonable exceptions where all affected parties consent (giving rise to potential medium impact treatment).	**Schedule 2, Table 3, class HPP-02** The class is edited but retained in effect. No consent-based exception is added.	**MAV recommendation carried in part.** The high-impact class remains, but no all-parties-consent exception is included.

Draft regulations (released 22 July 2026)	MAV recommendation	Final regulations (made 27 October 2026)	Outcome
Impact criteria | Step 3 High Impact | Gaming machines "An amendment to the schedule to clause 52.28 … that prohibits the installation or use of a gaming machine … or removes an existing prohibition…" is high impact.	That the class be supported in principle, noting divergent views among councils about the preferred impact category.	**Schedule 2, Table 3, class HPP-03** The class is retained in final regulations but limited to amendments that remove an existing prohibition. Amendments that permit installation of a gaming machine will therefore be medium or high impact depending on the 'general considerations'.	**MAV recommendation substantially carried.**
Impact criteria | Step 4 Medium Impact | rezoning consistent with scheme intent "An amendment to rezone land where the amendment is consistent with existing explicit land use directions in the planning scheme applying to that land" is medium impact.	That the class be supported in principle, subject to minor clarification of "consistent with", "explicit" and "land use directions".	**Schedule 2, Table 2, class MOA-01 (giving effect to precinct structure plans)** The final regulations take a new direction, with the class limited to amendments relating to precinct structure plans: "An amendment to give effect to a precinct structure plan or a precinct structure plan that is concurrently proposed to be incorporated under item MG-02, if the amendment is consistent with an existing explicit strategy or policy in the planning scheme applying to that land." This class read together with aforementioned high impact class exemptions (HOA-01, HOA-02, HO-01) will see many amendments with component parts become medium impact, provided all parts give effect to a precinct structure plan consistent with an expectation set in, e.g., the Urban Growth Zone. This acknowledges the likely extensive consultation with landowners that would already occurred, lessening the need for the automatic panel process that comes with high impact categorisation.	**MAV recommendation substantially carried.** The limitation of the class to precinct structure plan-related amendments clarifies the meaning of 'explicit land use directions': these will generally be found in the Urban Growth Zone. This class was closely considered by the PRAC and ultimately achieved consensus support.
Impact criteria | Step 4 Medium Impact | Existing zone schedules "An amendment to apply an existing schedule to a residential, industrial, commercial, or rural zone to land where a different schedule in that same zone currently applies" and "an amendment to modify the content of an existing schedule" in those zones.	That the classes be supported.	**Schedule 2, Table 2, classes MZ-01 and MZ-02** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 4 Medium Impact | Public Use Zone and Transport Zone "An amendment to modify the designation of the purpose of public land use in the Public Use Zone" and "an amendment to modify the designation of the purpose of transport use in the Transport Zone".	That the classes be supported.	**Schedule 2, Table 2, class MZ-03** "An amendment to modify the designation of the purpose of public land use in the Public Use Zone…" **Schedule 2, Table 1, class LZ-06** "An amendment to modify the designation of the purpose of transport use in the Transport Zone…"	**MAV recommendation carried in part.** Public Use Zone treatment is retained; the Transport Zone class moves to low impact.
Impact criteria | Step 4 Medium Impact | Land management overlays and EAO "For a land management overlay … modify the content of an existing schedule … or include land in or delete land from an overlay"; and a class for inclusion or deletion of land from the Environmental Audit Overlay.	That the classes be supported.	**Schedule 2, Table 2, classes MO-01 and MO-02** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 4 Medium Impact | Signs, native vegetation, dry stone walls Amendments to modify schedules to certain particular provisions to bring about "an amendment to specify, modify or delete" certain requirements.	That the class be supported.	**Schedule 2, Table 2, classes MPP-01 to MPP-03** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 4 Medium Impact | Local VicSmart changes "An amendment to insert, delete, or alter a class of local VicSmart application in the schedule to clause 59.15…"	That the class be supported, noting it is intended to be temporary.	The class is deleted, leaving these amendments as medium-impact under regulation 5G(5), unless the amendment enlivens significant policy considerations in which case it could be made high-impact under regulation 5G(6).	**MAV recommendation substantially carried.**
Impact criteria | Step 4 Medium Impact | Public open space Amendments to reduce or increase the amount of public open space contribution applicable to land.	That the classes be supported.	**Schedule 2, Table 2, classes MPP-04 and MPP-05** The classes are carried through to the final regulations.	**MAV recommendation carried.**
Impact criteria | Step 4 Medium Impact | Referrals An amendment "to introduce or modify a referral requirement."	That the class be supported.	**Schedule 2, Table 2, class MG-01** The class is carried through to the final regulations, with a new requirement that the change comes with the consent of the relevant existing or proposed referral authority.	**MAV recommendation carried.**
Impact criteria | Step 4 Medium Impact | Incorporated documents "An amendment to the schedule to clause 72.04 (Incorporated documents) other than an amendment prescribed as a low-impact class of amendment."	That the proposed medium-impact class be supported but that the redundant words "other than an amendment prescribed as a low-impact class" be removed.	The draft class is not carried through to the final regulations. Amendments to clause 72.04 will be categorised based on other regulations and impact criteria.	**MAV recommendation substantially carried.** Considering all other changes, and the form of regulation 5G(5), the class was not necessary.
Impact criteria | Step 4 Medium Impact | Responsible authority "An amendment to the schedule to clause 72.01 (Responsible authority for this planning scheme)."	Not opposed but highly unlikely to be effective. At a minimum, changes to responsible authority status should follow an assessment of the regulatory impacts for both the council and the Department, and an exchange of letters between the Minister and council to attempt negotiated agreement.	**Schedule 2, Table 1, class LG-05** The draft medium-impact class is made low-impact in the final regulations.	**MAV recommendation carried in part.** The change of impact category was partially informed by the arguments put forward by the MAV and councils. An agreed way of assessing administrative impacts when changes to responsible authority status are considered has not been explored further; that is not a matter that the regulations alone can address.
Impact criteria | Step 5 general considerations "If an amendment cannot be categorised into a prescribed class of amendment, the planning authority and Minister will have regard to the general considerations in determining if the amendment should be categorised as high-impact."	That the approach and the five proposed general considerations be supported. That additional general considerations be added, covering prior consultation, whether third party notice and review rights are proposed to be extinguished, and a general public interest test.	**Regulation 5G(6)** The final regulation retains and clarifies the five general considerations and adds a sixth: "would significantly alter the exemptions under section 52(4), 64(4) or 82(2) of the Act for a class of application in a planning scheme". It does not override a prescribed Schedule 2 category. For example, amendments within classes MPP-01 to MPP-03 remain medium-impact classes. An otherwise unclassified part may be high impact if it meets one of the regulation 5G(6) considerations.	**MAV recommendation substantially carried.** The third-party notice and review consideration is expressly added to the general considerations. While the 'general public interest test' consideration was not added, the improvements to the other considerations and the construction of regulation 5G largely address the concerns underpinning the MAV recommendation.
Impact criteria | Step 5 interpretive guidance "Further guidance will be developed for applying the general considerations."	That DTP provide worked examples, publish an accessible record of category decisions, and offer informal advice on request, as a way of facilitating consistent approaches to impact categorisation between planning authorities.	DTP has indicated a willingness to consult on the guidance ahead of commencement of the new regulations on 1 March 2027, and test draft material with municipal planning authorities. The guidance will likely take the form of a Ministerial Direction and supplementary guidance.	**MAV recommendation substantially carried.** The MAV maintains its offer to DTP to facilitate state-and-local government workshops on this topic, after the election.

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