

# "JP-3"

Latrobe Planning Scheme planning permit triggers for timber production

Zone(s)/Overlay(s) within close proximity to Hazelwood Mine	Planning permit required? (Yes or no)	What is the planning permit trigger for timber production?	Other comments
Clause 32.01 Residential 1 Zone	Yes	Section 2 use (permit required) and works	
Clause 33.01 Industrial 1 Zone	No	Section 1 use (no permit required) and no permit required for works	Defined as 'crop raising'
Clause 33.02 Industrial 2 Zone	No	Section 1 use (no permit required) and no permit required for works	Defined as 'crop raising'
Clause 33.03 Industrial 3 Zone	No	Section 1 use (no permit required) and no permit required for works	Defined as 'crop raising'
Clause 35.07 Farming Zone	No (provided condition is met)	Section 1 use (no permit required) and no permit required for works	<p><b>Condition states-</b> <i>Must meet the requirements of Clause 52.18. The plantation area must not exceed any area specified in a schedule to this zone (it should be noted no amount is specified). Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</i></p> <p><i>The plantation must not be within 100 metres of:</i></p> <ul style="list-style-type: none"> <li>• Any dwelling in separate ownership.</li> <li>• Any land zoned for residential, commercial or industrial use.</li> <li>• Any site specified on a permit which is in force which permits a dwelling to be constructed.</li> </ul> <p><i>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</i></p>

<b>Clause 36.01 Public Use Zone</b>	Yes	Section 2 use (permit required) and works (unless a condition is met)	
<b>Clause 36.02 Public Park and Recreation Zone</b>	Yes	Section 2 use (permit required) and works (unless a condition is met)	No permit is required if the following is met - <i>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</i>
<b>Clause 36.04 Road Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 37.01 Special Use Zone- Schedule 1 (Brown Coal)</b>	No (provided condition is met)	Section 1 use (no permit required) and no permit required for works	<b>Condition states</b> - <i>All of the land must be at least 1000 metres from land covered by a mining licence, or Order made by the Governor-in-Council under Section 47A of the Electricity Industry Act 1993.</i>
<b>Clause 37.03 Urban Floodway Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 42.01 Environmental Significance Overlay - schedule 1 (urban buffer)</b>	No		Planted vegetation is exempt if it has been seeded for crop raising. Works associated with plantation establishment and works associated with forestry are exempt from needing a planning permit.
<b>Clause 43.01 Heritage Overlay</b>	Yes	Works	
<b>Clause 43.02 Design and Development Overlay Schedules 1 to 9</b>	Yes	works	
<b>Clause 44.03 Floodway Overlay</b>	Yes	works	
<b>Clause 44.04 Land Subject to Inundation Overlay</b>	Yes	works	

<b>Clause 44.06 Bush/Wild Fire Management Overlay</b>	Yes	works	
<b>Clause 44.07 State Resources Overlay</b>	No	works	44.07 only applies if the underlying zone triggers the need for a planning permit.

<b>Zone(s)/Overlay(s) not within close proximity to Hazelwood Mine</b>	<b>Planning permit required? (Yes or no)</b>	<b>What is the planning permit trigger for timber production?</b>	<b>Other comments</b>
<b>Clause 32.03 Low Density Residential Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 32.04 Mixed Use Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 32.05 Township Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 34.01 Commercial 1 Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 34.02 Commercial 2 Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 35.03 Rural Living Zone (Schedules 1 – 6)</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 35.06 Rural Conservation Zone</b>	Yes	Section 2 use (permit required) and works	
<b>Clause 36.03 Public Conservation and Resource Zone</b>	No subject to condition being met	Section 1 use (no permit required) and no permit required for works provided condition is met	Condition to be met, otherwise the use is prohibited "A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978."
<b>Clause 37.01 Special Use Zone-Schedule 2 (urban gateway)</b>	Prohibited		
<b>Clause 37.01 Special Use Zone-Schedule 3 (Gippsland Heritage park)</b>	Yes	Section 2 use (permit required) and works	

<b>Clause 37.01 Special Use Zone- Schedule 4 (Victor Street Exchange)</b>	Yes	Section 2 use (permit required) and works
<b>Clause 37.01 Special Use Zone- Schedule 6 (Earth and Energy Resources Industry)</b>	Yes	Section 2 use (permit required) and works
<b>Clause 37.01 Special Use Zone- Schedule 7 (Latrobe Regional Airport)</b>	Yes	Section 2 use (permit required) and works

Note: Works is defined as follows under *the Planning and Environment Act 1987* (as amended) – *works* includes any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil.

Latrobe Planning Scheme Clause 52.18 Timber production - includes an exemption from requiring a planning permit for timber production on crown land managed and controlled by relevant Ministers. However, crown land that has been leased is subject to all other provisions of the Latrobe Planning Scheme. All timber production activities (except agroforestry and plantations less than 5 hectares in size) must comply with the *Code of Practice for Timber Production 2007* (as amended).