

22.07 COAL BUFFERS POLICY

22/06/2017
C51

This policy applies to land covered by the Environmental Significance Overlay – Schedule 3 (Urban and Construction Buffer)

Policy basis

The coal industry is of national and State importance due to its use as the primary energy source for the electricity generating industry in Victoria. Buffers protect those elements of the policy area, such as urban settlements, from the impact of the radical change to the environment from the coal industry.

The coal buffers identified are areas between urban development and existing or future coal resource development.

The urban buffer distance has been established on the basis of the known impacts of earth subsidence, noise, dust, fire hazard, and visual intrusion. Buffer areas extend for a distance of 750(±75) metres from any urban settlement boundary to the perimeter of a 250 metre wide coal operational area. The total separation area between an urban settlement boundary and the crest of any future open cut development should not be less than 1 kilometre in width.

Objectives

To ensure that the use, development, and management of land in coal resource areas mutually protects urban amenity and coal resource development as well as the continued social and economic productive use of land.

To minimise land use conflict between the coal resource development and other development or use in the municipality.

To ensure that adequate spatial separation is provided between existing and proposed urban and industrial uses and existing or proposed coal development so as to reduce the likely effects of earth subsidence, the emission of noise, dust, fire hazard, and visual intrusion.

To provide for uses or developments which are compatible within a buffer area and for services ancillary to coal development within the buffer area.

To maximise the protection of the coal resource to ensure resource security in the future.

Policy

It is policy that:

- On the basis of known impacts of earth subsidence, noise, dust, fire hazard, and visual intrusion an adequate buffer area between an urban settlement boundary and the crest of any existing or future open cut development is to be not less than one kilometre in width.
- Proposals for residential, rural living, commercial or non-coal related industrial land use and development be strongly discouraged.
- The subdivision of land to create allotments of less than one hectare be strongly discouraged.
- The subdivision of land which would create average allotment densities of more than one allotment per 10 hectares be strongly discouraged.
- The construction of a house on an allotment of less than one hectare created prior to 13 April 1988 be strongly discouraged.
- The construction of a house on land more than 200 metres from the nearest urban side of the urban buffer boundary be strongly discouraged. If the following criteria are met, however, the responsible authority may consider an application to construct a house more than 200 metres from the nearest urban side of the urban buffer boundary. The criteria are that the land:

- Is vacant.
- Existed as a separate lot prior to 13 April 1988.
- Is not capable of having a house erected within 200 metres of the nearest urban side of the urban buffer boundary.
- Uses of land in the policy area which are high amenity and low intensity uses, such as farming and broad scale recreation uses, will be encouraged.
- Rural living may be appropriate, subject to assessment, within 200 metres of the nearest urban side of the buffer area boundary.

Decision guidelines

- A planning authority in preparing an amendment and a responsible authority in deciding an application will consider the following:
 - The desirability of using land in the buffer area for social and economically productive purposes.
 - The protection of the urban area from the adverse impacts of coal development.
 - The protection of coal development areas from fire.
 - The establishment of a character in the buffer area of low intensity and high amenity land uses.

Policy references

Framework for the Future – Latrobe Region (October 1987) – Minister for Industry, Technology and Resources and the Minister for Planning and Environment.