

## Amendment 243 – fact sheet

Amendment VC243, gazetted Friday 22 September 2023, is arguably the most significant change to Victoria’s residential zones since they were last reformed in 2017. The changes were foreshadowed in the [Housing Statement](#) released two days prior. There are no transitional provisions meaning the changes apply immediately.

The amendment does several things, namely:

- codifies key residential development standards
- removes permit requirements for single dwellings on lots of 300 square metres or more
- introduces VicSmart permits for single dwellings on lots less than 300 square metres
- implements the [Future Homes](#) project across Victoria

Despite the significance of the changes, councils were not consulted on the changes nor were they provided with advanced notice of the amendment’s gazettal.

The following outlines the changes in a bit more detail:

### Many Residential Development Standards are now codified

A number of Residential Development Standards (known as ResCode) have been codified as *deemed to comply* with the planning scheme if measurable standards are met. The codified standards generally relate to setbacks, wall heights on boundaries, building heights, daylight access, and access to private open space, and apply to all single dwelling and multi-unit development up to 4 storeys.

Previously, if a proposal met the measurable standards *and* objectives for desired outcomes outlined in the code it would comply. Removing assessment against the objectives is meant to streamline applications by making it more of a ‘tick the box’ exercise than an assessment. We are concerned that removing assessment against policy-based objectives and local context will lead to poor outcomes for the amenity and character of the local area as well as on residents of these new homes. The standards currently in place in ResCode were never intended as outcomes that would be deemed to comply, yet this is how they will be treated going forward.

### New dwelling provisions in the residential zones

The General Residential, Mixed Use, Township, Residential Growth and Neighbourhood Residential Zones have all been amended to streamline dwelling approvals by:

- removing permit requirements for single dwellings on lots of 300 square metres or more in the residential zones where an overlay does not apply. Prior to this amendment, councils were able to specify in a schedule that a permit is required for dwellings on lots between 300sqm and 500sqm. This capacity has now been removed.
- introducing VicSmart permits for single dwellings on lots less than 300 square metres in the residential zones where an overlay does not apply and certain ResCode standards are met. Applications do not have to meet permeability, energy efficiency, or solar access standards to qualify for the VicSmart pathway, but those will be part of a permit assessment. Applications under this clause are exempt from other requirements in the planning scheme and are not subject to submission and appeal rights.

These changes do not apply to applications for subdivision, multi-unit developments or apartment developments of 5 storeys or above.

We are still expecting the Government to gazette changes to streamline processes for second dwellings on a lot.

### [Future Homes expanded across the state](#)

The [Future Homes project](#) has been a state government-led pilot in the City of Maribyrnong over the past 2 years. The project used 4 exemplar small apartment project templates that if used by a developer, can be streamlined for a faster permit approval process.

Amendment 243 introduces a new provision (Clause 53.24) which expands the program state-wide. The new clause outlines the assessment process and development standards for planning permit applications for state government and Office of the Victorian Government Architect (OVGA) developed exemplar apartment designs. Key features are:

- The application must be for an apartment development in the General Residential Zone only, but not covered by a Heritage Overlay or a Neighbourhood Character Overlay
- The apartment development must be a design copied or adapted from the Future Homes templates in consultation with the Department of Transport and Planning
- Councils will be responsible for assessing and issuing planning determinations for applications made under this clause
- The development must be located within 800 metres of an activity centre or passenger railway station
- Certain requirements such as car parking, bike parking, communal open space, and accessibility must be met. Included within these requirements are most Better Apartment Design Standards
- Environmentally Sustainable Design standards are mandatory, including:
  - At least 7.5 NatHERS average across all dwellings, and at least 6.5 star for individual dwellings
  - An excellent, or equivalent score, in environmentally sustainable design as outlined in the Building Future Homes Adaptation Guide.
  - 100 percent Stormwater Treatment Objective-Relative Measure (STORM) rating for the site.

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