



29 April 2009

Statutory Planning Systems Reform
Department of Planning and Community Development
GPO Box 2392
Melbourne Victoria 3001

SUBMISSION ON THE PROPOSED REVIEW OF THE PLANNING AND ENVIRONMENT ACT 1987

This submission is made on behalf of CitiPower Pty and Powercor Australia Limited (CP/PAL) being two of Victoria's Electricity Distribution Businesses (DBs).

The CitiPower distribution network supplies over 300,000 residential and business customers in Melbourne's Central Business District and inner suburbs, covering approximately 157 square kilometres. A large proportion of CitiPower's electricity infrastructure is located underground, with an additional overhead network containing more than 60,000 poles.

Powercor's distribution network supplies over 684,000 customers in central and western Victoria, as well as Melbourne's outer western suburbs. It is the largest of Victoria's five electricity distribution networks, covering almost 150,000 square kilometres, and supplying key regional centres from Mildura and Shepparton through Bendigo and Ballarat to Warrnambool and Geelong. The majority of Powercor's electricity infrastructure is overhead, and contains almost 528,000 poles.

CP/PAL are defined as *utility service providers* our activities are generally exempt from the requirement to obtain planning permits under the VPPs, and the utility assets are defined as a *Minor Utility Installations* i.e; *Land used for a utility installation comprising any of the following:*

- *power lines designed to operate at less than 220,000 volts;*
- *an electrical sub-station designed to operate at no more than 66,000 volts*

One of the objectives of planning in Victoria as set out in section 4(1) of the Act is *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;* we believe that some definitions within the VPPs are confusing and have in the past been misinterpreted when referred internally to municipal planners resulting in confusion and unreasonable delays in providing electricity services to customers.

The interpretation of some zonings and overlay requirements by some planning authority result of imposition controls and requirements for permits for our activities which we believe are outside of the intent of the zoning or overlay. Further revision on the clarification and understanding of the impacts of DB works needs to be assessed in these cases. Also misunderstandings are encountered when a reference to a minor utility installation is omitted from the table of uses for particular zoning needs to be reviewed. The adoption of precedence in judgement handed down by VCAT also should be reflected in the VPPs.

Examples being the:

- 1. restrictions on the placing of electricity poles in an area controlled by a Floodway or Land Subject to Inundation Overlay, or*
- 2. absence of referencing to the installation of underground power cables or overhead powerlines in a Public Park and Recreation Zone needs to be reviewed.*
- 3. confusion resulting in the inclusion of a minor utility installation under the same umbrella a utility installation within some zonings*

The rationale behind this revision proposal is that:

- ensures the revised legislation does not needlessly impede small scale utility works including day to day new customer connections to the electricity distribution system.
- Victorian electricity DBs are recognised as a provider of an essential service with a responsibility to extend the electricity distribution networks to supply power to new connection.

Sincerely

Signed

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