



## Department of Environment, Land, Water and Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
PO Box 500  
East Melbourne, Victoria 8002

Ms Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council  
Email address: michael.ballock2@yarracity.vic.gov.au

Dear Ms Vaidyanath

### **PROPOSED YARRA PLANNING SCHEME AMENDMENT C286 YARRA OPEN SPACE STRATEGY**

I refer to your council's application for authorisation to prepare an amendment to the Yarra Planning Scheme. The amendment proposes to increase the public open space contribution rate in the schedule to clause 53.01 from 4.5% to 10.1% to collect funds to support implementation of the Yarra Open Space Strategy 2020 (OSS).

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions:

1. The explanatory report must be strengthened to provide further explanation of the basis for calculating the total POS improvement cost of \$569,388,045.
2. Clause 22.12 – Public Open Space Contribution must form part of this amendment which reflects the new OSS and which updates policy and form and content as appropriate.
3. The OSS must form a background document for the purpose of Clause 72.08. Council should consider whether to also include any of the other associated documents in Clause 72.08 which provide supporting information to the OSS.
4. The OSS, the *Yarra Open Space Strategy 2020 Technical Report, July 2020* and the *Yarra Open Space Strategy 2020 Public Open Contributions Report December 2020* must form part of the exhibition documents.
5. All amendment documents must be updated, including the amendment description, to reflect the above conditions.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

#### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



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The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process.](#)

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Donnie Lussier, Senior Planner, State Planning Services of the Department of Environment, Land, Water and Planning, on 8508 2769 or email [Donnie.lussier@delwp.vic.gov.au](mailto:Donnie.lussier@delwp.vic.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'J. Close', is written over a faint dotted line.

**Jason Close**  
Manager State Planning Services

18 June 2021