



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: mir.faruque@yarracity.vic.gov.au

Dear Ms Vaidyanath

PROPOSED YARRA PLANNING SCHEME AMENDMENT C280

I refer to your council's application for authorisation to prepare an amendment to the Yarra Planning Scheme. The amendment proposes to amend the existing Incorporated Plan Overlay, Schedule 1 (IPO1) at 32-68 Mollison Street, Abbotsford and associated incorporated plan, and remove the IPO1 from 61-69 William Street, Abbotsford.

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. Make change to the proposed IPO1 as follows:
 - a) In section 2.0, modify the wording to clarify that only permits that provide for the specified minor works can be considered.
 - b) In section 3.0:
 - i. Include separate sub-headings for permit conditions and permit requirements.
 - ii. Modify wording to clarify the first condition requirement applies to only relevant development/types or development in relevant locations.
 - iii. Delete the requirement that development must not 'appear as one building mass along Mollison Street'.
 - c) In section 4.0, review the proposed decision guidelines and remove those that are not relevant to consideration of buildings and works that can be considered under section 2.0 of the proposed IPO1.
2. Make changes to the proposed incorporated plan titled *32-68 Mollison Street Incorporated Plan (March 2020)* as follows:
 - a) Under 'Performance measures', delete the 'Design and appearance' performance measures.
 - b) In Table 1:
 - i. Specify the street wall height requirement in metres as well as storeys.
 - ii. Provide clarity as to what 'visually recessive materials, while lower level materials should be detailed and robust' means under the 'material definition (podium / lower level and upper levels)' buildings and works requirement.

The amendment must be submitted to the Minister for approval.

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 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).

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.

The amendment must be prepared and submitted electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact James Sutherland, Department of Environment, Land, Water and Planning, on 8392 5529 or email james.sutherland@delwp.vic.gov.au.

Yours sincerely,



Jason Close
Manager, State Planning Services

Dated: 19 February 2021