



Hon Richard Wynne MP

Minister for Planning

Mr Stuart Burdack  
Chief Executive Officer  
Nillumbik Shire Council  
PO Box 476  
GREENSBOROUGH VIC 3088

| NILLUMBIK SHIRE COUNCIL |                                 |
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8 Nicholson Street  
East Melbourne, Victoria 3002  
Telephone: 03 8683 0965  
DX210098

Ref: MBR031178



28 NOV 2016

Dear Mr Burdack

**PROPOSED NILLUMBIK PLANNING SCHEME AMENDMENT C109 (A03367)**

I refer to the Nillumbik Shire Council's application for authorisation to prepare an amendment to the Nillumbik Planning Scheme. The amendment proposes to insert an Urban Growth Boundary around the township area of Yarrambat, and introduce the Development Plan Overlay Schedule 8 (DPO8) to the extent of the area.

In accordance with section 8A of the *Planning and Environment Act 1987*, I authorise the council as planning authority to prepare the amendment subject to the following conditions:

- Removal of the proposed Urban Growth Boundary from the amendment.
- Amend Nillumbik Planning Scheme Local Planning Policy Framework (Clause 21 - Municipal Strategic Statement (MSS)) to give local strategic support for the amendment. The MSS should be updated to identify a clear strategic vision for Yarrambat and provide clear objectives and guidance on how the area is to be developed into the future. Such work should include a specific framework plan or similar for the Yarrambat township. Thought should be given to the creation of a new local policy in Clause 22 to strengthen any framework plan to be included in the MSS.
- Inclusion of a re-zoning component with the application. This will need to include strategic work that identifies issues with the existing zones and options to mitigate these issues, including recommendations for best fit zones. Prior to exhibition liaise with the Department of Environment, Land Water and Planning regarding the appropriate zoning consistent with DPO8.
- Investigate whether the existing Design and Development Overlay Schedule 2 applying to the subject land is still relevant.
- The following minor changes to the proposed DPO8: a requirement for sewerage and water to be connected to all new lots and not just residential lots; a requirement for a development plan to be put on public consultation prior to council adoption; additional decision guidelines for consideration in the Environmental Management Plan and relevant state policy.
- The amendment documents including explanatory report to be updated to reflect the above changes.

It is encouraged that notice of a detailed development plan is undertaken with notice of the amendment.

The amendment must be submitted to me 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).

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

I may decide to 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 me at least 10 business days before council first gives notice of the amendment.

Please submit the amendment electronically to [planning.amendments@dtpli.vic.gov.au](mailto:planning.amendments@dtpli.vic.gov.au).

If you have any queries, please contact Fawn Goodall, Planner in Statutory Planning Services with the Department of Environment, Land Water and Planning, on (03) 8392 5540.

Yours sincerely



**HON RICHARD WYNNE MP**  
**Minister for Planning**

24/11/16