

REQUEST TO PREPARE, ADOPT AND APPROVE A  
 MINISTERIAL AMENDMENT TO THE PLANNING SCHEME  
 under Section 20(4) of the *Planning and Environment Act 1987*

# APPLICATION FORM

This form does not apply to amendments under section 20A or section 31 of the *Planning and Environment Act 1987*.

Please ensure you have completed all the questions on this application form and have paid the prescribed amendment fee. Please attach this form along with the final adopted amendment documents and required information and send to [planning.amendments@delwp.vic.gov.au](mailto:planning.amendments@delwp.vic.gov.au).

You will receive a return email to acknowledge that your application was received. If any information, including the fees has not been submitted you will receive an email requesting further information before the request for approval can be registered.

Please be aware that [planning.amendments@delwp.vic.gov.au](mailto:planning.amendments@delwp.vic.gov.au) cannot receive emails that exceed 20mb. If you experience problems you may need to submit your application in parts or call your DELWP contact to make alternative arrangements.

|                                  |   |
|----------------------------------|---|
| <b>Planning scheme:</b>          | <b>Melbourne</b>                          |
| <b>Amendment No.:</b>            | <b>C301</b>                               |
| <b>Planning Authority:</b>       | <b>Minister for Planning</b>              |
| <b>Proponent contact details</b> |   |
| Name:                            | <b>Debbie Payne</b>                       |
| Position:                        | <b>Strategic Planner</b>                  |
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## Details of amendment

|  |  |
|--|--|
| <b>1. Amendment category (please select one or more)</b>   |  |
| <input type="checkbox"/> Correction<br><input type="checkbox"/> Combined Permit & Amendment<br><input checked="" type="checkbox"/> Heritage<br><input checked="" type="checkbox"/> Incorporated document<br><input checked="" type="checkbox"/> Interim Controls<br><input checked="" type="checkbox"/> Local policy/Strategy<br><input checked="" type="checkbox"/> Mapping Change<br><input type="checkbox"/> MSS Review / Planning Scheme Review<br><input type="checkbox"/> Overlays | <input type="checkbox"/> Residential Zones<br><input type="checkbox"/> Rezoning<br><input type="checkbox"/> Site specific (52.03)<br><input type="checkbox"/> SPPF<br><input type="checkbox"/> Structure Plan/ Activity Centre<br><input type="checkbox"/> Transitional Provision / Sunset Clause<br><input type="checkbox"/> VicSmart<br><input type="checkbox"/> Wind farm |
| <input type="checkbox"/> Other:  | <input type="text"/>   |

**2. What land is affected by the Amendment?**

The Amendment applies to various sites within the area bounded by LaTrobe Street, Elizabeth Street, Little Collins Street and Queen Street Melbourne

**3. Provide a brief description of the Amendment**

The Amendment seeks to apply the Heritage Overlay to 2 (two) new heritage precincts and 8 (eight) new individual heritage overlays on an interim basis. This will allow Council to exhibit permanent controls for the sites.

**4. Provide a detailed list of the changes to the planning scheme**

The Amendment proposes the following changes on an interim basis:

- Amend the Schedule to Clause 43.01 (Heritage Overlay) to include two (2) new Heritage Overlay Precincts, eight (8) new individual Heritage Overlays, extend the boundary of two (2) existing Heritage Overlay and fix a mapping error so that the correct site is mapped.
- Insert two (2) new incorporated documents titled, *“Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance [May 2017]”* and *“Guildford and Hardware Laneways Heritage Study 2017: Heritage Inventory [May 2017]”*, into the Schedule to Clause 81.01 (Incorporated Documents) so that the individual building classification of Significant, Contributory or Non-Contributory and the Statements of Significance are considered when making decisions relating to any of the places which are the subject of this Amendment.
- Amend Planning Scheme Maps 8HO1 and 8HO2 to reflect the changes described above.

**List of Amendments and Table of Contents**

**5. List of Amendments description** – provide a brief description of the changes to the planning scheme

Applies the Heritage Overlay to 2 (two) new heritage precincts and 8 (eight) new individual heritage overlays, extends the boundary of two (2) existing heritage overlays and fixes a mapping error (so that the correct site is mapped), on an interim basis. This will allow Council to exhibit permanent controls for the sites.

**6. Table of Contents** – list changes that need to be updated in the Table of Contents as a result of clauses or schedules being renamed, inserted or deleted in the planning scheme

Not applicable

Applicable

**Amendment documents**

**7. Have the most recent clause(s) / schedule(s) been used?**

YES

Please confirm that the entire clause and schedule has been submitted and that the date remains in the text box to identify the version of the document amended. The word 'Proposed' should be added in front of the C number.

For further information please refer to the Guidelines for 'Preparing planning scheme amendment documentation, September 2014'.

**Amendment comprises:**

- YES  N/A Ordinance change, for example changes to controls and policies  
 YES  N/A Maps  
 YES  N/A Incorporated Documents

**Amendment documents:**

- YES Explanatory Report  
 YES Instruction sheet

## Reasons for intervention

### 8. Please outline why the exemption from notice is appropriate

In deciding whether to exercise powers under section 20(4) of the Planning and Environment Act 1987 (the Act), the Minister must be satisfied that:

- compliance with any of the requirements of sections 17, 18 and 19 of the Act and the regulations is not warranted; or
- the interests of Victoria or any part of Victoria make such an exemption appropriate

Please outline why the exemption is appropriate:

Amendment C301 is now in the public domain, the area is vulnerable and we expect a lot of applications which could threaten the heritage significance of the area. Given the planning scheme amendment process takes at least a year to complete, it is crucial that the places assessed to be of heritage significance are protected throughout the process.

The exemption is appropriate as the sites have been identified as possessing heritage significance and now that the Amendment is public, it is anticipated that there will be increased development pressure which will threaten the heritage significance of the area.

It is therefore appropriate for the Minister to exercise powers under section 20(4) of the *Planning and Environment Act 1987* to apply interim heritage controls over these sites to provide immediate protection while Council pursues a separate amendment to introduce heritage controls on a permanent basis.

## Amendment fees

### 9. Amendment fee must be paid (or remittance advice provided) before or at the time of this request via:

- a)  Electronic Funds Transfer (EFT)

An EFT payment of \$3763.80 will be made to:

**BSB** – 033 222

**ACC** – 13 11 46

**ABN** – 90 719 052 204

## Decision

Please note that you may receive the Minister's decision by email.