



## Department of Environment, Land, Water and Planning

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[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

Ms Noelene Duff  
Chief Executive Officer  
Whitehorse City Council  
By email: [anne.north@whitehorse.vic.gov.au](mailto:anne.north@whitehorse.vic.gov.au)

Dear Ms Duff

### **PROPOSED WHITEHORSE PLANNING SCHEME AMENDMENT C213WHSE STUDENT ACCOMMODATION POLICY**

I refer to your council's application for authorisation to prepare an amendment to the Whitehorse Planning Scheme. The amendment proposes to amend Clause 22.14 (Student Accommodation) of the planning scheme and make minor changes to several other clauses within the MSS.

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. Remove definitions of 'student accommodation' and 'purpose-built student accommodation' from proposed Clause 22.14. Local provisions should only use terms that have already been defined within the planning scheme.
2. Do not amend the existing parking rates contained within Clause 22.14. Sufficient strategic justification has not been provided for the proposed changes.
3. Amend Clauses 21.01, 21.06 and 21.07 to change the reference document to background document in accordance with *Ministerial Direction - Form and Content of Planning Scheme requirements*.
4. Update the Explanatory Report to list all proposed changes to current clauses within the MSS/LPPF and acknowledge the VC148 changes to the Victoria Planning Provisions.
5. Revise all documentation to reflect correct amendment number, including suffix (C213whse).

The changes proposed to the Municipal Strategic Statement (MSS) / Local Planning Policy (LPP) must be drafted to take into consideration the Local Planning Policy Framework (LPPF) translation which will be undertaken as part of the Smart Planning program. The LPPF translation will have the effect of changing the way the local policy is ultimately presented in the planning scheme, by integrating the content into the new Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) introduced by Amendment VC148. Council needs to ensure that changes to local policy content are consistent with the rules in Section 4 and writing instructions in Section 6 of *A Practitioner's Guide to Victorian Planning Schemes*.

It is recommended that council provide revised documents to DELWP for review before formally submitting the amendment for exhibition in the Amendment Tracking System.

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.

#### 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



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.

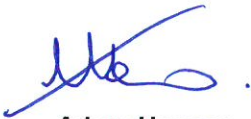
The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

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.

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

If you have any further queries in relation to this matter, please contact Robert Wilkinson, Planner of State Planning Services on (03) 9637 9359 or email [robert.wilkinson@delwp.vic.gov.au](mailto:robert.wilkinson@delwp.vic.gov.au).

Yours sincerely



**Adam Henson**  
Acting Manager, State Planning Services

16/4/2019