



Hon Richard Wynne MP

Minister for Planning  
Minister for Housing

8 Nicholson Street  
East Melbourne, Victoria 3002

Ms Kathy Mitchell  
Chair (Lead), Priority Projects Standing Advisory Committee  
Planning Panels Victoria  
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Ref: MBR044239



Dear Ms Mitchell

**DEVELOPMENT FACILITATION PROGRAM INTERVENTION RECOMMENDATION –  
11 MALMSBURY STREET, KEW**

I refer to VCAT proceeding no. P1792/2020, which relates to the proposed use and development of land at 11 Malmsbury Street, Kew, for the demolition of existing buildings and to extend an existing education centre for autistic children and young adults to increase the number of students from 35 to 80 and staff from 28 to 72, along with a reduction in the bicycle facilities requirement. The project was referred to me by the Development Facilitation Program (DFP).

I advise that I have decided to call in the proceeding from VCAT under Clause 58(2)(a) of the *Victorian Civil and Administrative Tribunal Act 1998* as I consider that the proceeding raises a major issue of policy and the determination of the proceeding may have a substantial effect on the achievement or development of planning objectives. I have also decided to refer the matter to the Priority Projects Standing Advisory Committee for advice and recommendations on whether a planning permit should be issued and, if so, the appropriate permit conditions that should be imposed.

On 9 December 2020, the permit applicant lodged an appeal under section 77 of the *Planning and Environment Act 1987* after the Boroondara City Council determined to refuse to grant a permit for planning permit application P19/1085.

A two-day hearing is scheduled for 22 July 2021.

The development site is subject to a council request to apply interim heritage controls through Amendment C336boro, which informed the council's ground of refusal. It is also understood the VCAT matter has two third-party objectors who have joined as parties to the proceeding. Therefore, specific advice and recommendations are sought on:

- whether the proposed development appropriately responds to the heritage significance of the site and surrounding heritage/neighbourhood character of the area
- whether the proposal would result in unacceptable impacts on safety, amenity, noise and traffic within the surrounding area.

The cost of the advisory committee will be met by the applicant, Giant Steps Melbourne Ltd.



If you would like more information, please contact Dr Jane Homewood, Executive Director of Statutory Planning Services, Department of Environment, Land, Water and Planning, on (03) 8683 0975 or email [jane.homewood@delwp.vic.gov.au](mailto:jane.homewood@delwp.vic.gov.au).

Yours sincerely



**HON RICHARD WYNNE MP**  
Minister for Planning

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