



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
planning.panels@delwp.vic.gov.au

Ref: MBR044073



Dear Ms Mitchell

CALL IN OF VCAT PROCEEDING P701/2020 AT 17 SMITH STREET, DAYLESFORD

I refer to Victorian Civil and Administrative Tribunal (VCAT) proceeding P701/2020 relating to the proposed subdivision of land at 17 Smith Street, Daylesford, to accommodate a residential development that includes an affordable housing component in partnership with the Women's Property Initiative and Older Women in Co-Housing (WINC). The project was recommended to me for consideration for intervention by the Building Victoria's Recovery Taskforce.

I have decided to call in the proceeding from VCAT under Clause 58(2)(a) of the *Victorian Civil and Administrative Tribunal Act 1998*. 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 4 May 2020, a joint application was made to VCAT under section 88 of the *Planning and Environment Act 1987* by a group of 36 objectors seeking a review of Hepburn Shire Council's decision to grant a permit. The notice of decision relates to a 53-lot subdivision, with condition 1 requiring revised plans that show 39 standard lots and three super lots. The proponent wishes to substitute a layout with minor revisions. The development of the super lots will be subject of a future application to include an eco-village housing concept and a community facility/common rooms in the existing 19th century dwelling. The amended plans will be provided to you.

VCAT held a compulsory conference on 19 August 2020; however, objector concerns remain unresolved. It is understood that objector party concerns include neighbourhood character, landscape values, inappropriate design response, access/egress, stormwater, servicing infrastructure capacity, not meeting objectives or standards of the Hepburn Planning Scheme, Aboriginal cultural heritage and retention of the existing 19th century dwelling.

The VCAT hearing was scheduled to start on 9 March 2021, with three parties to the proceeding (the proponent, objector group and council).

Before making a recommendation to the Governor in Council to determine the matter, I am referring the matter to the Priority Projects Standing Advisory Committee to consider the matters raised by objectors and provide advice. I seek your advice on whether the substituted plan results in an acceptable planning outcome and with respect to the unresolved objector concerns.

The cost of the advisory committee will be met by the permit applicant, Smith Development Partnership Pty Ltd.

OFFICIAL

If you would like more information about this matter, please email Dr Jane Homewood, Executive Director, Statutory Planning Services, Department of Environment, Land, Water and Planning, at jane.homewood@delwp.vic.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Richard Wynne". The signature is written in a cursive, flowing style.

HON RICHARD WYNNE MP
Minister for Planning

30 / 12 / 2020