



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: MBR043743



Dear Ms Mitchell

**BUILDING VICTORIA'S RECOVERY TASKFORCE INTERVENTION RECOMMENDATION –  
50 ELLOURA DRIVE AND VICKERS ROAD, NAGAMBIE**

I refer to Victorian Civil and Administrative Tribunal (VCAT) proceeding no. P1151/2020 relating to the proposed removal of native vegetation (51 large trees) to facilitate the development of a 'lifestyle village/tourist park' on part of land at 50 Elloura Drive and Vickers Road, Nagambie. A permit is required under Clause 52.17 'Native Vegetation' of the Strathbogie Planning Scheme. The project was referred to me by the Building Victoria's Recovery Taskforce.

I advise that I have decided to call in the proceeding from VCAT under Clause 58(2)(a) of Schedule 1 to the *Victorian Civil and Administrative Tribunal Act 1998* and refer the matter to the Priority Projects Standing Advisory Committee for advice and recommendations on whether a planning permit should issue, and if not, whether a reduction in the number of trees to be removed would result in a more acceptable planning outcome. The primary issues of dispute are consistency with relevant state and local policy on the removal of native vegetation and the 'Guidelines for the removal, destruction or lopping of native vegetation' (DELWP, 2017) and whether the proposal achieves an appropriate balance between conflicting state and local policy directions.

I note that planning policies encourage the development of appropriately zoned land within an identified growth area of Nagambie, particularly for an affordable housing option that may be suitable for older people, but seek to avoid, minimise or offset the removal of significant native vegetation such as the 51 large trees that are proposed to be removed. I further note that the site has a lengthy planning history and has already been substantially developed.

The council gave notice of the application under section 52 of the *Planning and Environment Act 1987* and received 64 objections, one of which was later withdrawn. Three letters of support were also received. The Strathbogie Shire Council issued a notice of decision to grant a permit on 29 June 2020.

On 20 July 2020, Longwood Plains Conservation Management Network Inc. and Euroa Environment Group Inc. jointly applied to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the council's decision under section 82 of the *Planning and Environment Act 1987*. Parties to the proceeding include the joint applicants for review, Strathbogie Shire Council, the proponent and the Secretary to DELWP. A VCAT hearing date is currently set for two days commencing on 5 May 2021. A compulsory conference took place on 18 November 2020 and an administrative mention is scheduled for 22 December 2020 to enable VCAT to be updated on any resolution of the issues.



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The cost of the advisory committee will be met by the applicant, Hallmarc.

If you have any questions 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](mailto:jane.homewood@delwp.vic.gov.au).

Yours sincerely



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

7 / 2 / 21