



The Hon Sonya Kilkenny MP

Minister for Planning  
Minister for the Suburbs

1 Spring Street  
Melbourne, Victoria 3000 Australia

Ref: [REDACTED]

Mr Con Tsotsoros  
Chair of the Yarra Activity Centres Standing Advisory Committee  
Planning Panels Victoria  
Level 5, 1 Spring Street  
MELBOURNE VIC 3000  
[planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au)

Dear Mr Tsotsoros

**REFERRAL OF DRAFT AMENDMENT C273YARA (HEIDELBERG ROAD) TO THE YARRA  
ACTIVITY CENTRES STANDING ADVISORY COMMITTEE**

On 12 December 2023, Yarra City Council resolved to request that I refer draft Amendment C273yara to the Yarra Activity Centres Standing Advisory Committee (SAC) for consideration and advice.

The amendment proposes to apply the Design and Development Overlay (DDO18) to commercial land along Heidelberg Road on a permanent basis, apply the Heritage Overlay to two places and make other associated changes to the Yarra Planning Scheme.

The council has requested referral of Amendment C273yara including changes endorsed on 12 December 2023, submissions and the council's response to submissions to the SAC in accordance with Stage 2 of the SAC Terms of Reference (10 June 2021). Stage 1 of the process included the preparation and notification of the amendment.

The council received a total of 117 submissions including 112 submissions from residents (70 proforma submissions), three submissions from landowners and a submission each from Melbourne Water and Darebin City Council.

I have decided to refer the amendment including recommended changes endorsed by the council, submissions and the council's response to submissions to the SAC for consideration and to provide recommendations on whether I should proceed with the council's preferred version of the amendment to the Yarra Planning Scheme under section 20(4) of the *Planning and Environment Act 1987*.

I request your specific advice on the following matters for the amendment:

- The application of mandatory provisions in accordance with *Planning Practice Note 59: The role of mandatory provisions in planning schemes* and whether the built form and shadow modelling prepared by the council supports the application of mandatory controls. This will involve assessment of whether exceptional circumstances exist to warrant the application of mandatory interface requirements such as setbacks and heights along rear boundaries.
- The strategic justification to include 730-734 Heidelberg Road, Alphington (HO451) and 760-764 Heidelberg Road, Alphington (HO455) in the Heritage Overlay and whether changes to the intactness of these places has compromised their heritage significance.
- The impact of the amendment on the area and growth and function of the centre across municipal boundaries (Darebin and Yarra).
- The council's recommended changes to the amendment endorsed on 12 December 2023.

I recommend the SAC refer to the provisions approved via Amendment C269yara (Planning Policy Framework translation) in the Yarra Planning Scheme to ensure the current ordinance is tracked in the SAC report, if necessary.

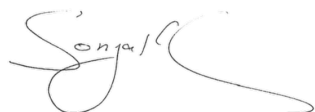
For your information, interim Design and Development Overlay (DDO18), which applies to the land affected by the amendment, was due to expire on 22 April 2024. Amendment C323yara has been approved to extend the expiry date of DDO18 to 30 June 2025. The amendment will come into effect when notice of its approval is published in the *Victoria Government Gazette*.

Any new or modified submissions received will be referred to the SAC by DTP before the scheduled directions hearing.

The amendment documents, submissions and council's response to the submissions are enclosed for your consideration.

If you would like more information, please contact Stuart Menzies, Director State Planning Services, DTP, on email [REDACTED].

Yours sincerely



**The Hon Sonya Kilkenny MP**  
Minister for Planning

Date: 2 July 2024

Enc: Amendment documents, submissions and the council's response to submissions.