



Department of Transport and Planning

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Mr Stephen Wall
Chief Executive Officer
Wyndham City Council
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Werribee VIC 3030

Email: johnny.zhang@wyndham.vic.gov.au

Dear Mr Wall

PROPOSED WYNDHAM PLANNING SCHEME AMENDMENT C266wynd

I refer to your council's application for authorisation to prepare an amendment to the Wyndham Planning Scheme. The amendment proposes to update the Municipal Planning Strategy to align with the *Wyndham Plan* (Wyndham City Council, 2023) to guide future development and includes the plan as a background document.

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. Unless otherwise agreed in writing with the Department of Transport and Planning (DTP), prior to exhibition the council must review Clauses 02.02 (Vision), 02.03 (Strategic Direction) and 02.04 (Strategic Framework Plan) to make changes as appropriate, having regard to the marked-up versions provided with this letter and the *Practitioner's Guide to Victoria's Planning Schemes*.
2. Unless otherwise agreed in writing with the Department of Transport and Planning, prior to exhibition the council must review and update the Explanatory Report to make changes as appropriate, having regard to the marked-up version and the following:
 - a. Address the requirements of Ministerial Direction No. 9 Metropolitan Strategy and Ministerial Direction No. 15. The planning scheme amendment process.
 - b. Expand on the section relating to the views of any relevant agencies to include a brief discussion on the views of the Victorian Planning Authority.
 - c. Make additional changes to the report as per the tracked changes, to improve clarity and consistency.

The following is also noted:

1. DTP officers are not wholly supportive of the use of language within the MPS that is not 'plain English' such as 'The Wyndham Heart' and 'Wyndham City Pulses', especially since there are suitable alternative descriptors that are commonly used throughout the Victoria Planning Provisions. It is acknowledged that this has been

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discussed with the council at length and that while the council have made some changes in this regard, the council's position is to utilise language from The Wyndham Plan (2023) to ensure strong links between the background document and the MPS.

2. In line with previous engagement with DTP, the council is reminded that *'the Department does not object to core transport ideas being proposed (in the Wyndham Plan), however notes a number of these are heavily reliant on the provision of future State infrastructure which is currently not committed. Consideration for funding and the scope of these future initiatives are subject to state-wide prioritisation processes and business case evaluation.'*

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.

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.

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 would like further information, please contact Kellinde Chester, Planner, Department of Transport and Planning, on email kellinde.chester@delwp.vic.gov.au.

Yours sincerely



Steven Cox
Manager State Planning Services

24 May 2024