



Department of Transport and Planning

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Mr Steven Piasente
Chief Executive Officer
Latrobe City Council
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Morwell VIC 3840

Email: stewart.saunders@latrobe.vic.gov.au

Dear Mr Piasente

PROPOSED LATROBE PLANNING SCHEME AMENDMENT C143latr

I refer to your council's application for authorisation to prepare an amendment to the Latrobe Planning Scheme. The amendment proposes to apply the Public Acquisition Overlay (PAO - Schedule 2 or 3) to a number of properties across the municipality to reserve land for road, open space and drainage projects identified in the *Lake Narracan Precinct Structure Plan & Development Contribution Plan (DCP)*, *Morwell North West Development Plan (DP) & DCP* and *Traralgon North DP & DCP*.

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:

- Amend the Schedule to Clause 45.01 Public Acquisition Overlay so that the purpose of the acquisition for PAO3 is Drainage/Open Space Reserves.
- Revise the Explanatory Report in accordance with the recommended changes provided by Department of Transport & Planning (DTP) officers.
- Where only part of a lot/parcel is affected by the amendment revise all documentation to state "part of" where necessary and include the title details in the Mapping Reference table.
- Revise Site Assessment Reports to reference either Open Space/Drainage Reserves or Road Projects in their title, headers and footers.
- Provide an Attachment to either the exhibited Explanatory Report or as a Supporting Document which clearly shows the application of the PAO overlaid on each affected property.
- Notice be given to Head of Transport Services, DTP (attention to Kate Stapleton, Director Planning & Heritage Practice) and the West Gippsland Catchment Management Authority.
- As the land is within Recognition and Settlement Agreement area give notice to the applicable traditional owner group.

DTP officers also provide the following substantive issue for consideration by your council:

- Council should take into consideration the creation of small residual parcels of land when acquiring any land within the PAO via the Land Acquisition and Compensation Act 1986.

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 Skye Knight, Regional Planner, Department of Transport and Planning, on 8508 0542 or email skye.knight@delwp.vic.gov.au.

Yours sincerely



Tom Anderson

Manager, Regional Planning Services Gippsland

1/7/2024

Encl: Revised Explanatory Report (Track Changes)