

# Terms of Reference

## Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee

Version 5: February 2021

Standing Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* to provide advice on integrated development opportunities (IDO) created by Victorian transport projects, where the IDO has the consent of the relevant Victorian Government department or agency.

### Name

1. The Standing Advisory Committee is to be known as the 'Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee' or 'VTPSAC' (the Standing Advisory Committee).
2. The Standing Advisory Committee is to have members with the following skills:
  - a) Statutory and strategic planning
  - b) Land development and property economics
  - c) Civil engineering and transport planning
  - d) Design and built form.
3. The Standing Advisory Committee may seek specialist advice as appropriate.
4. The Standing Advisory Committee will include an appointed Chair, Deputy Chairs and other appropriately qualified members.

### Purpose

5. The Standing Advisory Committee will provide advice to the Minister for Planning on IDO created by Victorian transport projects, where the IDO has the consent of the relevant Victorian Government department or agency.

### Background

6. The Victorian Government is delivering a number of transport projects that will deliver significant improvements to the transport network and reduce congestion for communities across Victoria. These projects include the Level Crossing Removal Project and the Melbourne Metro Rail Project.
7. At some locations the projects will create newly available land. There is an opportunity to develop this newly available land and reinvest the proceeds generated back into further improvements to the public transport system.
8. The Standing Advisory Committee process has been established to provide a consistent and transparent process for considering IDO created by Victorian transport projects.

### Method

#### General

9. The Minister for Planning, or delegate, will refer a location or several locations for proposed IDO to the Standing Advisory Committee for advice.
10. The Minister for Planning may also refer any other aspect of a transport project to the Standing Advisory Committee.
11. The Minister for Planning, or delegate, may for a specific referral, vary or exclude any stage of these Terms of Reference. Any such referral must include the details of any variations.

12. In making a referral, the Minister for Planning, or delegate, must be satisfied that any future provisions for the land make proper use of the Victoria Planning Provisions.
13. The Standing Advisory Committee may apply to the Minister for Planning to vary these Terms of Reference in any way it sees fit prior to submission of its report.
14. The Standing Advisory Committee will generally undertake its work in three stages:
  - Stage 1: Exhibition
  - Stage 2: Public process, including public Hearings if required
  - Stage 3: Outcomes.

#### **Stage 1: Exhibition**

15. Once a referral has been received, the Standing Advisory Committee will pre-set the hearing dates. The hearing dates may include a Public Hearing, including a Directions Hearing.
16. The Department of Environment, Land, Water & Planning (DELWP) will give notice of the proposed IDO for a minimum of four weeks. Notice will include:
  - A notice in a local newspaper generally circulating in the area
  - Direct notice to government agencies and servicing authorities
  - Direct notice to relevant councils
  - Direct notice to owners and occupiers who may be materially affected by the proposal.
17. All submissions are to be collected by the office of Planning Panels Victoria (PPV) through Engage Victoria in accordance with the 'Guide to Privacy at PPV'. Electronic copies will be made available for each relevant council, the proponent and DELWP.
18. Petitions and pro-forma letters will be treated as single submissions and only the first name to appear on the submission will receive correspondence in relation to the Standing Advisory Committee matters.

#### **Stage 2: Public Hearings**

19. The Standing Advisory Committee may conduct hearings, workshops, forums or other meetings using video conferencing or similar technology as necessary and provide all submitters with an opportunity to participate and be heard.
20. If the Standing Advisory Committee convenes a public Hearing, it may limit the time of parties who wish to appear before it and may prohibit or regulate cross-examination.
21. The Standing Advisory Committee may meet and invite others to meet with it when there is a quorum of at least two of the Standing Advisory Committee members including a Chair or Deputy Chair.
22. The Standing Advisory Committee may inform itself in any way it sees fit, but must consider:
  - Any relevant provisions in the Plan Melbourne and the Planning Policy Framework
  - Any relevant provisions of the applicable planning scheme
  - Any relevant documentation prepared by or for the proponent, or otherwise provided to the Standing Advisory Committee
  - All submissions made in relation to the proposed IDO
  - Possible implementation methods to facilitate the proposed IDO.

### Stage 3: Outcomes

23. The Standing Advisory Committee must produce written reports for the Minister for Planning providing:
  - A recommendation on the appropriateness of the proposed IDO in light of the relevant provisions of the applicable planning scheme, the Planning Policy Framework and the Plan Melbourne, including whether the proposal should proceed and in what form
  - A recommendation on the provisions to best facilitate any appropriate IDO including, but not limited to, whether the Minister for Planning should be the responsible authority for approving matters in relation to IDO and whether there should be exemptions from notice and review provisions
  - A recommendation on whether the proposed provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on *The Form and Content of Planning Schemes*
  - A recommendation on an implementation process to facilitate the proposed IDO
  - Any other relevant matters raised in the course of the Standing Advisory Committee public process
  - A list of persons who made submissions
  - A list of persons consulted and/or heard
24. The reports should be brief to reflect the key findings and recommendations of the Standing Advisory Committee.
25. The reports may be submitted in stages.

### Submissions are public documents

26. The Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it directly until a decision has been made on its report or five years has passed from the time of its appointment.
27. Any written submissions or other supporting documentation provided to the Standing Advisory Committee must be available for public inspection until the submission of its report, unless the Standing Advisory Committee specifically directs that the material is to remain 'in camera'.

### Timing

28. Once a referral has been received, DELWP should complete Stage 1 within 40 business days.
29. The Standing Advisory Committee is required to begin its determined public process no later than 10 business days from the final date of submissions or as otherwise agreed.
30. The Standing Advisory Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the completion of its public process or hearings.
31. All submissions, evidence and other material received will be treated as public documents and will be placed online as part of the exhibition and public notification process.

### Fee

32. The fee for the Standing Advisory Committee will be set at the current rate for a panel appointed under Part 8 of the *Planning and Environment Act 1987*.
33. The costs of the Standing Advisory Committee will be met by the relevant proponent.



Richard Wynne MP  
Minister for Planning

Date: 31/ 03/2021

The following information does not form part the Terms of Reference.

### **Project Management**

34. Administrative and operational support to the Standing Advisory Committee will be provided by the Government Land Planning Service, State Planning Services, Department of Environment, Land, Water & Planning which can be contacted via [glp.service@delwp.vic.gov.au](mailto:glp.service@delwp.vic.gov.au).
35. Day to day liaison for the Standing Advisory Committee will be through Andrea Harwood, Senior Project Manager, Planning Panels Victoria at [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).