

Terms of Reference

Yarra Activity Centres Standing Advisory Committee



Department
of Transport
and Planning

Yarra Activity Centres Standing Advisory Committee

Standing Advisory Committee appointed under Part 7, section 151 of the *Planning and Environment Act 1987* (the PE Act) to advise the Minister for Planning (the Minister) and Yarra City Council (the Council) on referred planning matters and associated draft Yarra planning scheme provisions for areas of urban change.

Name

The Standing Advisory Committee is to be known as the 'Yarra Activity Centres Standing Advisory Committee' (the Committee).


1. The Committee is to have members with the following skills:
 - a. Strategic and statutory planning
 - b. Built form, heritage and urban design
 - c. Economic development and urban geography
 - d. Traffic and transport planning.
2. The Committee will include a Chair, a Deputy Chair and not less than two other appropriately qualified members.
3. The Committee may engage specialist advice as required.

Purpose

4. The purpose of the Committee is to provide consistent, timely, and transparent advice to the Minister and Council through a cost-efficient process on matters referred to it by the Minister relating to strategic and built form work undertaken in relation to areas of urban change, and any associated draft planning scheme amendments.

Background

5. Plan for Victoria designates the City of Yarra as a Train and Tram Zone Activity Centre to deliver housing growth and diversity close to services, jobs and transport. Plan for Victoria also sets a housing target for the City of Yarra of 44,000 dwellings by 2051.
6. New planning tools have been implemented into the Victoria Planning Provisions, including the Built Form Overlay, Precincts Zone and Housing Choice and Transport Zone, to support housing growth in and around activity centres, and provide certainty to communities, landowners and the development industry.
7. Areas along major train and tram corridors in the City of Yarra are experiencing development pressure with the addition of mid-rise commercial development and apartments. These areas will continue to accommodate most of the city's growth because of their proximity to transport infrastructure, shops and services, making them the most suitable locations for development.
8. The City of Yarra has capacity for employment growth. Council is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth. These areas include the municipality's health and education precincts, Cremorne and the Gipps Street precinct in Collingwood.


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9. A key challenge in planning for this development pressure is the need to accommodate new development through built form that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. A balanced approach is required that enables opportunities for new built form in areas of urban change. Protecting heritage buildings and streetscapes while allowing appropriate development and increased housing is a key driver in the municipal area.
 10. Council has set high-level strategic direction through the Yarra Housing Strategy and the Yarra Spatial, Economic and Employment Strategy, both of which were adopted in 2018. These strategies were implemented through Yarra Planning Scheme Amendment C269 which was gazetted on 21 December 2023.
 11. While Council has carried out a significant amount of strategic work in recent years, including for the areas listed in **Appendix A**, there is a need to provide an appropriate planning framework for other areas to provide certainty to the community and proponents about appropriate height, built form and decision criteria to manage new development.
 12. It is important that the Committee's process complements Council's commitment to community engagement and addresses the requirements of section 4(2)(h) of the PE Act which outlines the critical standard for any planning approval process, which is to meet the objective of establishing a clear procedure for amending planning schemes, with appropriate public participation in decision making.

Method

13. The Minister for Planning may refer one or more proposals to the Committee, including, but not limited to those areas specified in **Appendix A**.
14. The Committee must comprise a quorum of at least two members, one of whom must be a Chair or Deputy Chair, for any forums, hearings, meetings or workshops conducted by the Committee.
15. The Committee can undertake its proceedings in stages, including considering and reporting on any draft planning scheme amendments referred to it either separately or together.
16. The Committee may apply to the Minister to vary these Terms of Reference in any way it sees fit.
17. The Committee may conduct any briefing, forum, hearing, meeting or workshop by electronic means.
18. The Committee will be provided with background information, material and reports by the Department of Transport and Planning (DTP) and/or Council, including:
 - a. Relevant strategic work undertaken by Council;
 - b. Recent panel reports and VCAT decisions relating to land in the City of Yarra and other places relevant to the matters referred to the Committee; and
 - c. Other relevant strategic work undertaken by either Council or DTP.
19. The Committee may invite DTP, Council and any other party to identify or address any matters through forums, meetings, workshops or written comments.

Stage 1 – Notice and submissions

20. Council may seek the written consent of the Minister or the Minister's delegate to prepare and give notice of a draft planning scheme amendment.
21. As directed by the Minister, Council will prepare and give notice of a draft planning scheme amendment and receive submissions. Council will consider all submissions and where possible seek to resolve issues with submitters prior to requesting matters be referred to the Committee.
22. When preparing documentation for public notice, Council must liaise with the Committee to agree to:

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- a. A directions hearing date
 - b. The public hearing dates.

The agreed dates are to be included on all notices for public exhibition.

23. When preparing documentation for public notice, Council must liaise with DTP to agree to:
- a. The type of notice
 - b. The extent of notice
 - c. The public exhibition dates.
24. The Committee is not expected to carry out any additional public referral or notice but may do so if it considers it to be appropriate.

Stage 2 - Referral

25. Council will consider all submissions and form a position on the matters raised including whether any changes are required to the proposal.
26. Once all submissions are considered, Council will request the Minister refer the proposal to the Committee. The request must include:
- a. a copy of all submissions received in response to notice and
 - b. a detailed response to those submissions including a copy of Council's preferred draft amendment.
27. The Minister will consider requests to refer matters to the Committee and may seek advice on any other relevant strategic planning matters.
28. The Minister will provide a letter of referral to the Committee Chair, seeking its advice on particular matters. The letter of referral will be a public document.

Stage 3 – Hearings and consideration of planning scheme amendments

29. Following referral from the Minister, including receipt of submissions and Council's response, the Committee may undertake any of the following:
- a. a directions hearing
 - b. a public hearing to provide an opportunity for submitters to be heard
 - c. forums, meetings or workshops with one or more submitters or parties and any government agency
 - d. prepare its advice on the referred matters based on documents, subject to the requirements of sections 158F and 158G of the PE Act.
30. To facilitate targeted, timely and consistent advice, the Committee may:
- a. subject to the requirements of sections 158F and 158G of the PE Act, assess matters through a written process without oral hearings and invite any person or party to identify or address matters through further written comments or submissions
 - b. direct that parties meet to resolve or refine issues in dispute
 - c. require the use of expert conclaves
 - d. consider unresolved issues by grouping in themes or issues, and
 - e. set time limits for oral submissions, expert evidence and cross-examination



Stage 4 –Committee report and recommendations

31. For each matter referred to it, the Committee must produce a written report for the Minister. The report must include:
 - a. an assessment of the matters referred by the Minister including any submissions relevant to the matters contained in the referral letter.
 - b. recommendations and reasons for its recommendations on the draft planning scheme amendment
 - c. a preferred version of the draft planning scheme ordinance
 - d. a record of the date, location, attendees and purpose of any forum, meeting or workshop it held
 - e. a list of persons who made submissions and provided evidence to the Committee
 - f. a list of tabled documents
32. The Committee may address more than one draft amendment and/or relevant strategic planning matters and combine its assessment of the draft amendments in a report.
33. The Committee may inform itself in any way it sees fit, but must consider:
 - a. the matters contained in the referral letter from the Minister
 - b. the provisions of the PE Act, relevant Ministerial Directions, advisory and practice notes and Plan for Victoria
 - c. the provisions of the Yarra Planning Scheme, including any adopted plans, strategies or planning scheme amendments
 - d. all referred submissions and evidence received relevant to the matters contained in the referral letter
 - e. all relevant material provided to it by all participating parties.

Submissions and records of forums, meetings or workshops are public documents

34. The Committee must retain a library of any written submissions or other supporting documentation provided to it, or tabled in any forum, meeting or workshop, until a decision has been made on its report or five years has passed from the time of its appointment.
35. Any written submissions or other supporting documentation provided to the Committee must be available for public inspection until the submission of its report, unless the Committee specifically directs that the material is to remain confidential.

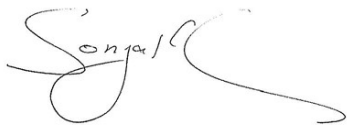
Timing

36. The Committee is required to commence its process by issuing written notice of a referral to all submitters, Council and DTP within 10 business days after the receipt of a letter of referral.
37. The Committee is required to submit each report to the Minister and provide a copy to the Council no later than 40 business days from the later of the final day of its consultation process or tabling of submissions or other material directed by the Committee. The Minister may vary this timing in the letter of referral, in which case the Committee must use its best endeavors to meet the revised timeframe.
38. Council must publish the report of the Committee on its website within 10 days of its receipt.

Fee

39. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the PE Act.

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40. The costs of the Committee and any associated public consultation notification will be met by Council unless an alternative is specified in the letter of referral from the Minister to the Committee.



Hon Sonya Kilkenny MP

Minister for Planning

Date: 22/12/2025




Appendix A

Council built form work program areas

- Alexandra Parade
- Brunswick Street
- Cremorne
- Fitzroy West
- Gertrude Street
- Gipps Street
- Smith Street
- Victoria Parade

Note: The Committee has completed reports for the following built form work program areas:

- *Bridge Road*
- *Collingwood South*
- *Heidelberg Road*
- *Johnston Street*
- *Victoria Street*



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

Project Management

1. Administrative and operational support to the Committee will be provided by:
 - Joerg Langeloh, Project and Policy Coordinator, Yarra City Council, joerg.langeloh@yarracity.vic.gov.au
 - Lauren Peek, Principal Planner, Department of Transport and Planning, lauren.peek@transport.vic.gov.au
2. Day to day liaison for the Committee will be through Planning Panels Victoria on (03) 5381 9457 or office@planningpanels.vic.gov.au