Terms of Reference

Flemington Hill and Epsom Road Advisory Committee
Version: August 2015

Advisory Committee appointed pursuant to Part 7, Section 151 of the Planning and Environment Act 1987 to report on the suitability of two draft planning scheme amendments that seek to rezone and facilitate development of two precincts within the Flemington Racecourse to a Comprehensive Development Zone. The two precincts are known as ‘Flemington Hill’ and ‘Epsom Road’ (as shown on the attached plan).

Name
1. The Advisory Committee is to be known as the ‘Flemington Hill and Epsom Road Advisory Committee’.
2. The Advisory Committee is to have members with strategic and statutory planning, social planning, traffic engineering and urban design/architectural skills.

Purpose
3. The purpose of the Advisory Committee is to provide advice to the Minister for Planning on all relevant matters associated with the proposed redevelopment of Flemington Racecourse including:
   - The proposed Flemington Hill Comprehensive Development Plan June 2014 and the proposed Epsom Comprehensive Development Plan June 2014;
   - The draft Planning Scheme Amendment documentation.
4. The draft amendments seek the following:
   - The ‘Flemington Hill’ precinct, which straddles the municipal boundary between Melbourne City Council and Moonee Valley City Council, is proposed to be rezoned from a Special Use Zone – Schedule 1 and General Residential Zone to a Comprehensive Development Zone (CDZ). The CDZ provisions, and associated Flemington Hill Comprehensive Development Plan June 2014, propose the development of this precinct with three residential towers, varying in height up to 25, 26 and 32 storeys and a low rise commercial precinct of 5-6 storeys.
   - The ‘Epsom Road’ precinct, located wholly within the City of Melbourne, is proposed to be rezoned from a Special Use Zone – Schedule 1 to a CDZ. The CDZ provisions, and associated Epsom Road Comprehensive Development Plan June 2014, propose the development of this precinct with a single residential tower up to 31 storeys including podium, with ground level commercial. The existing building on the site, the Jockey’s Convalescent Lodge is listed on the Victorian Heritage Register and will be retained.

Background
5. The Minister for Planning is the Responsible Authority for all land proposed to be rezoned. Within the Melbourne Planning Scheme, this is specified as all land zoned Special Use Zone – Schedule 1 (SUZ1). Within the Moonee Valley Planning Scheme the land is shown on a map and matches the boundaries of the ‘Flemington Hill’ precinct.
6. The two precincts have been declared by the Victoria Racing Club as surplus and funds raised from their sale will be used to contribute to a series of investments the Victoria Racing Club will be making over the next fifteen years, including the construction of a new Members grandstand.
7. In February 2014, the Victoria Racing Club wrote to the former Minister for Planning seeking support for a ‘specialised planning approval process’ to facilitate the redevelopment of the two identified precincts.

8. Since this time further design and planning work has been undertaken in consultation with representatives of Melbourne City Council, Moonee Valley City Council, VicRoads, Public Transport Victoria, Office of the Victorian Government Architect, Department of State Development, Business Innovation and the former Department of Transport, Planning and Local Infrastructure.

9. In June 2014, the VRC again wrote to the former Minister for Planning formally requesting amendments to the Melbourne and Moonee Valley Planning Schemes, with an exemption from formal notice to Section 20(4) of the Planning and Environment Act 1987 (the Act). Instead a period of community consultation for 28 days was proposed.

10. On 18 April 2015 the Department of Environment, Land, Water and Planning, on behalf of the Minister, wrote to the Victoria Racing Club and advised them to approach the Cities of Melbourne and Moonee Valley seeking their support for the joint amendment of both planning schemes.

11. The Victoria Racing Club have now, with the support of both Councils, requested the appointment of an Advisory Committee to consider the development proposals and the best way to progress.

12. The Flemington Racecourse is listed on the Victorian Heritage Register and any approvals required under the Heritage Act 1995 will be considered separately at the appropriate time.

Method

13. The overall purpose of this Advisory Committee is to provide advice to the Minister for Planning on the draft planning scheme amendment controls and current proposal provided by the Victoria Racing Club. The Advisory Committee should undertake this in the form of four clear stages.

Stage 1: Review and Consultation

14. The Advisory Committee must meet with the Melbourne City Council, Moonee Valley City Council, Victoria Racing Club, the Department of Environment, Land, Water and Planning and the Royal Agricultural Showgrounds to initiate consideration of this matter.

15. The Advisory Committee must review and provide written comments on the proposed Comprehensive Development Plans and associated draft Planning Scheme Amendment documentation prepared by Urbis, on behalf of the Victoria Racing Club.

16. The Advisory Committee shall identify whether there is sufficient information before it to enable the Department of Environment, Land, Water and Planning to consult with the community in Stage 2 and if necessary, seek further information.

Stage 2: Public Consultation

17. The Advisory Committee will pre-set hearing dates.

18. The Department of Environment, Land, Water and Planning will exhibit the draft Planning Scheme Amendments and proposed Comprehensive Development Plans for a period of six weeks.

19. All submissions are to be collected at the office of Planning Panels Victoria and copies be made to the Department of Environment, Land, Water and Planning, Melbourne City Council and Moonee Valley City Councils within 5 working days from the close of the submission period.

20. The Department of Environment, Land, Water and Planning will give notice of the proposal to the following stakeholders:
a) The proponent;
b) Royal Agricultural Showgrounds;
c) Prescribed Ministers;
d) Melbourne City Council;
e) Moonee Valley City Council;
f) Maribyrnong City Council;
g) VicRoads;
h) Public Transport Victoria;
i) Department of State Economic Development, Jobs, Transport and Resources;
j) Department of Treasury and Finance;
k) Heritage Victoria;
l) Melbourne Water;
m) Surrounding land owners; and
n) Any other affected parties.

Stage 3: Public Hearing

21. The Advisory Committee is expected to carry out a public hearing and provide all submitters with an opportunity to be heard.

22. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.

23. The Advisory Committee may conduct workshops or forums to explore design issues or other matters. Any workshops or forums will be a public process.

24. The Advisory Committee may limit the time of parties appearing before it and may prohibit or regulate cross-examination.

25. The Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of its report.

Stage 4: Outcomes

26. The Advisory Committee may inform itself in any way it sees fit, but must consider:
   - The objectives of the Planning and Environment Act 1987 and any other relevant provisions of the Melbourne and Moonee Valley Planning Schemes;
   - All relevant documentation prepared by the proponent for the redevelopment or otherwise provided to the Advisory Committee;
   - All submissions made in regard to the proposed Comprehensive Development Plans and associated draft Planning Scheme Amendment documentation.

27. The Advisory Committee must produce a written report for the Minister for Planning providing:
   - A strategic assessment of the proposed content of the Comprehensive Development Zone schedules.
   - An assessment of the proposed Flemington Hill Comprehensive Development Plan June 2014 and Epsom Road Comprehensive Development Plan June 2014 against the requirements of the proposed Comprehensive Development Zone schedules.
- An assessment of the following issues as they relate to the use and development of each precinct:
  - General built form and design of the proposed buildings;
  - Height limits and building envelopes proposed;
  - Response to significant heritage elements;
  - Floor space caps for office, shop and place of worship;
  - Direct interface with adjoining residential properties (‘Flemington Hill’) and with the wider residential area for both precincts;
  - Amenity considerations/attenuation response, to protect future residents and the ongoing, commercially sustainable operation of the Racecourse and Showgrounds on event days and evenings;
  - Integrated Transport and Access Plan (ITAP) response to traffic, car parking and public transport movement, provision and access, including the proposal’s response to Showground traffic management and significant events; and
  - Pedestrian access and movement through the precincts, in particular on event days, and connections to the existing networks.
- Advice as to whether the proposed changes to the planning scheme should be approved, subject to any recommended changes to the proposed zone schedules, Comprehensive Development Plans and any other relevant clauses of the Melbourne Planning Scheme and the Moonee Valley Planning Scheme.
- Recommendations on the appropriate form and process of the amendments to introduce the planning controls into the planning schemes.
- An assessment on the current Responsible Authority status and whether the Minister for Planning should continue as Responsible Authority for the development sites.
- Rationale in reviewing whether a municipal boundary re-alignment is required for the ‘Flemington Hill’ development site to ensure that the site is located within one municipality.
- An assessment of submissions to the Advisory Committee.
- Any other relevant matters raised in the course of the Advisory Committee hearing.
- A list of persons who made submissions considered by the Advisory Committee.
- A list of persons consulted or heard.

Submissions are public documents
28. The Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it directly to it until a decision has been made on its report or five years has passed from the time of its appointment.

29. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report, unless the Advisory Committee specifically directs that the material is to remain ‘in camera’.

Timing
30. The Advisory Committee should complete Stage 1 within twelve weeks of being appointed.

31. The Department of Environment, Land, Water and Planning is required to complete Stage 2 within eight weeks of the completion of Stage 1, including receipt of exhibition material.

32. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than eight weeks from the completion of hearings.
Fee

33. The fee for the Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the Planning and Environment Act 1987.

34. The costs of the Advisory Committee and associated public consultation notice (including collation and distribution of submissions) will be met by the project proponent, Victoria Racing Club.

HON RICHARD WYNNE MP
Minister for Planning

Date: 29/8/15
The following information does not form part the Terms of Reference.

**Project Management**

1. Day to day liaison for this matter from Department of Environment, Land, Water and Planning will be through Jason Close, Manager Central Metro, Department of Environment, Land, Water and Planning, 9098 8938 or by email jason.close@delwp.vic.gov.au.

2. Day to day liaison for the Advisory Committee will be through Elissa Bell, Senior Project Manager of Planning Panels Victoria on 9223 5317 or by email elissa.bell@delwp.vic.gov.au.