Advisory Committee appointed pursuant to Part 7, Section 151 of the Planning and Environment Act 1987 to provide advice on options for a proposed amendment to the Ballarat Planning Scheme to facilitate redevelopment of the Ballarat Railway Station Precinct.

Name

1. The Advisory Committee is to be known as the ‘Ballarat Station Precinct Advisory Committee’ (the Committee).

2. The Committee is to have members with the following skills:
   - Statutory and strategic planning
   - Economics and tourism
   - Urban design/built form/architecture/heritage
   - Transport planning

3. The Committee may seek specialist advice as appropriate.

Purpose

4. The purpose of the Committee is to provide advice on the appropriate form and process of a proposed amendment to the Ballarat Planning Scheme to facilitate redevelopment of the Ballarat Railway Station Precinct (the Precinct).

Background

5. The Victorian Government has committed $25 million from the Regional Jobs and Infrastructure Fund towards the development of an integrated hotel and convention centre, including the remediation and adaptive re-use of the Goods Shed, and transport related outcomes at the Precinct in partnership with the private sector.

6. The project proposes to deliver substantially on two key catalyst projects identified in Stage 1 of the Ballarat Station Precinct Master Plan, April 2014; a vision document to guide public and private investment in the Precinct.

7. The Master Plan was adopted by Council in August 2014 and developed in partnership with VicTrack, PTV, the former Department of Transport, Planning and Local Infrastructure, and Regional Development Victoria. The Master Plan was prepared with extensive community consultation and input throughout 2013 and 2014.

8. Regional Development Victoria expects to sign a Development Agreement for the Precinct with a successful private consortia in September 2016 following an Expressions of Interest process and subsequent Request for Proposal process from a shortlist of respondents.

9. Ballarat City Council, with support from the Minister for Regional Development, has requested the Minister for Planning to prepare an amendment to the Ballarat Planning Scheme under section 20(4) of the Planning and Environment Act 1987 to facilitate the redevelopment of the Ballarat Railway Station Precinct.
Two options for a draft amendment have been proposed for exhibition and the Committee's review:

**Option 1:**
- Rezone to Special Use Zone (SUZ) with integrated development plan requirements and Clause 52 requirements; and
- Apply an Incorporated Document to switch off Particular Provision permit triggers at Clause 52.

![Figure 1: Area of Option 1 rezoning.](image1)

**Option 1a:**
- Rezone to Special Use Zone (SUZ); and
- Apply a Development Plan Overlay (DPO).

![Figure 2: Area of Option 1a rezoning and DPO.](image2)
Option 2:

- Rezone proposed commercial development area only to Commercial 1 Zone (C1Z); and
- Apply a Development Plan Overlay (DPO).

Figure 3: Area of Option 2 rezoning and DPO.

All options proposed to have the Minister for Planning be the responsible authority for future planning approvals on the development site.

10. The Committee process has been established to provide a consistent and transparent process for considering the appropriate form and content of a draft planning scheme amendment to facilitate redevelopment of the Precinct.

11. The Committee must also provide advice on the most appropriate planning tool to address any soil contamination in the Precinct.

Method

General

12. The Minister for Planning will refer the proposed amendment options to the Committee for advice.

13. The 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 to the Minister for Planning.

14. The Committee will generally undertake its work in three stages:
   - Stage 1: Exhibition
   - Stage 2: Public Hearings
   - Stage 3: Outcomes.

Stage 1: Exhibition

15. Once the referral has been received, the Committee will pre-set the hearing dates.

16. The Department of Environment, Land, Water and Planning (DELWP) will give notice of the proposed planning scheme amendment options for a minimum of four weeks. Notice will include:
   - A notice in a local newspaper generally circulating in the area.
• Direct notice to relevant government agencies and servicing authorities.
• Direct notice to land owners and occupiers who may be materially affected by the proposal.

17. All submissions are to be collected at the office of Planning Panels Victoria (PPV) in accordance with the ‘Guide to Privacy at PPV’. Hard copies will be made for council and DELWP, and electronic copies may also be provided to other submitters upon request.

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 Committee matters.

Stage 2: Public Hearings

19. The Committee is expected to carry out public hearings and provide all submitters with an opportunity to be heard.

20. The Committee may limit the time of parties who wish to appear before it at a public hearing and may prohibit or regulate cross-examination.

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

22. The Committee may inform itself in any way it sees fit, but must consider:
   • Any relevant provisions in the State Planning Policy Framework.
   • Any relevant provisions in the Ballarat Planning Scheme.
   • Any relevant Ministerial Direction.
   • Any relevant documentation prepared by or for Council, or otherwise provided to the Committee.
   • All submissions and evidence made in relation to the proposed planning scheme amendment.
   • Options other than the changes proposed in the draft amendment that may provide an improved planning and facilitative outcome.

Stage 3: Outcomes

23. The Committee must produce a written report for the Minister for Planning providing:
   • A recommendation on the appropriateness of the proposed planning scheme amendment in light of the relevant local provisions of the Ballarat Planning Scheme, the State Planning Policy Framework and Ministerial Direction No. 1, including whether the proposal should proceed and in what form.
   • A recommendation on the planning controls to best facilitate redevelopment of the Ballarat Railway Station Precinct including, but not limited to, whether the Minister for Planning should be the responsible authority for approving matters in relation to future planning approvals and, if relevant to the recommended approach, whether there should be exemptions from notice and review provisions.
   • A recommendation of a process to implement any new planning controls.
   • Any other relevant matters raised in the course of the Committee hearing/s.
   • A list of persons who made submissions.
   • A list of persons consulted and/or heard.

24. The report should be brief to reflect the key findings and recommendations of the Committee.
Submissions are public documents

25. The 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.

26. 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 'in camera'.

Timing

27. Once the referral has been received, Ballarat Council should complete Stage 1 within 40 business days.

28. The Committee is required to begin its hearing process no later than 10 business days from the final date of submissions or as otherwise agreed.

29. The Committee is required to submit its report in writing as soon as practicable but no later than 30 business days from the completion of its hearings.

Fee

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

31. The costs of the Committee will be met by Regional Development Victoria.

Hon Richard Wynne MP
Minister for Planning
Date: 9/12/15
The following information does not form part of the Terms of Reference.

**Project Management**

32. Administrative and operational support to the Committee will be provided by Mark Rowntree, Senior Project Manager, Planning Project Implementation, Department of Environment, Land, Water & Planning on (03) 9223 5306 or mark.rowntree@delwp.vic.gov.au.

33. Day to day liaison for the Committee will be through Elissa Bell, Senior Project Manager Planning Panels Victoria on (03) 9223 5317 or elissa.bell@delwp.vic.gov.au.