

Terms of Reference

Advisory Committee appointed pursuant to section 151 of the *Planning and Environment Act 1987* to consider applications for review P839/2017, P840/2017, P1090/2017 and P1091/2017 called in from the Victorian Civil and Administrative Tribunal

Name

1. The Advisory Committee is to be known as the 'Launch Housing Applications for Review Advisory Committee'.

Purpose

2. The purpose of the Advisory Committee is to provide advice to the Minister for Planning in relation to the determination of the applications for review P839/2017, P840/2017, P1090/2017 and P1091/2017 called in from the Victorian Civil and Administrative Tribunal.

Background

3. Launch Housing along with major philanthropic donors Geoff and Brad Harris, VicRoads and the Department of Health and Human Services have a proposal to locate new affordable transportable homes on nine different parcels of vacant VicRoads-owned land in Footscray and Maidstone. The proposal involves the development of 57 transportable homes that aim to provide a boost to affordable housing support for low income singles and couples.
4. The City of Maribyrnong (Council) received nine separate planning permit applications in relation to the proposal, for sites located at 118 Ballarat Road, Footscray, 121 Ballarat Road, Footscray, 125 Ballarat Road, Footscray, 131-133 Ballarat Road, Footscray, 153-155 Ballarat Road, Footscray, 175-77 Ballarat Road, Footscray, 185-189 Ballarat Road, Footscray, 211 Ballarat Road, Footscray and 151 Ballarat Road, Maidstone.
5. The Council decided to grant permits for all nine applications and gave notice of these decisions in March and April 2017. Applications for review of four of these decisions were lodged with the Victorian Civil and Administrative Tribunal (Tribunal) under section 82 of the *Planning and Environment Act 1987*, being together, the "applications for review":
 - 121 Ballarat Road, Footscray; TP767/2016(1), VCAT ref P839/2017;
 - 125 Ballarat Road, Footscray; TP772/2016(1), VCAT ref P840/2017;
 - 175-77 Ballarat Road, Footscray; TP785/2016(1), VCAT ref P1090/2017; and
 - 185-189 Ballarat Road, Footscray; TP795/2016(1), VCAT ref P1091/2017.
6. The Minister for Planning subsequently decided, under clause 58(2)(a) of schedule 1 to the *Victorian Civil and Administrative Tribunal Act 1998*, to call in the applications for review from the Tribunal.

Outcomes

7. The Advisory Committee must produce a written report for the Minister for Planning setting out:
 - an assessment of all relevant matters relating to the applications for review.
 - an assessment of the submissions to the Advisory Committee and any other relevant matters raised in the course of the Advisory Committee hearing.
 - recommendations and reasons in relation to the determination of the applications for review P839/2017, P840/2017, P1090/2017 and P1091/2017, including recommendations as to whether permits should be granted and if so, with what conditions.
 - a list of persons consulted and/or heard.

Method

8. The Advisory Committee is to inform itself in any way it sees fit, but must consider:
 - Relevant documentation prepared by or for the Applicant for Application for Planning Permit TP767/2016(1), TP772/2016(1), TP785/2016(1) and TP795/2016(1);
 - All Notices of Decision prepared by Council and all written reports prepared in respect of Application for Planning Permit TP767/2016(1), TP772/2016(1), TP785/2016(1), and TP795/2016(1);
 - All written objections, submissions made in regard to Applications for Planning Permit TP767/2016(1), TP772/2016(1), TP785/2016(1) and TP795/2016(1);
 - All documentation, including statements of grounds, filed in the Tribunal by parties to the applications for review.
9. The Advisory Committee is to hold a public hearing and invite all parties in respect of each application for review to make verbal and/or written submissions, including the bringing of evidence.
10. The Advisory Committee may limit the time of parties appearing before it. The Advisory Committee may prohibit or regulate cross-examination.
11. The Advisory Committee is to retain a library of any written submissions or other supporting documentation provided to it, which must be available for public inspection up to the end of the last day of the hearing.
12. The Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of its report.

Timing

13. The hearing is to be conducted as soon as practicable being no later than six weeks from the date of the appointment of the Advisory Committee.
14. The 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 the hearing.

Fee

15. 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*.



Richard Wynne MP
Minister for Planning

Date: 6/7/17

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

Project Management

16. Day to day liaison, administrative and operational support to the Advisory Committee will be provided by Mr Steven Cox, Manager, the Department of Environment, Land, Water and Planning, (03) 8683 0996 and steven.cox@delwp.vic.gov.au.