

Managing Residential Development Advisory Committee

Version: 29 November 2015

Advisory Committee appointed pursuant to section 151 of the *Planning and Environment Act 1987* to report on the application of zones that provide for residential development in metropolitan Melbourne and the four regional cities of Bendigo, Ballarat, Geelong and Latrobe, having regard to managing growth, proximity to transport and jobs, housing affordability and diversity.

Name

1. The Advisory Committee is to be known as the Managing Residential Development Advisory Committee (the Committee).
2. The Committee is to have members with the following skills:
 - a. Statutory and Strategic Planning.
 - b. Transport planning in the context of residential development.
 - c. Knowledge and understanding of land development practices, planning law and the reformed residential zones.

Purpose

3. The purpose of the Committee is to:
 - a. Consider the process by which the new residential zones were implemented.
 - b. Review the current application of the zones that allow for residential development in the context of managing Melbourne and Victoria's residential growth in a sustainable manner and improving housing affordability.
 - c. Advise on the level of evidence and justification needed when preparing relevant planning scheme amendments.
 - d. Recommend improvements to the residential zones.
 - e. Provide councils, the community and the industry with an opportunity to be heard.
4. It is not the role of the Committee to consider requests to rezone specific sites.

Background

5. The Neighbourhood Residential Zone, General Residential Zone and Residential Growth Zone (the new residential zones) were introduced into the *Victoria Planning Provisions* through Amendment V8 in July 2013. The Mixed Use Zone, Township Zone and Low Density Residential Zone were also amended shortly afterwards through Amendment VC100.
6. Each council was given 12 months to prepare an amendment that justified the application of the new residential zones into their planning scheme. Where a council did not finalise an amendment to implement the new residential zones by 1 July 2014, the General Residential Zone was applied to all residentially-zoned land.

7. On 1 July 2014 the State Government replaced the Residential 1, Residential 2 and Residential 3 zones with the new residential zones in all Victorian planning schemes. A considerable proportion of planning schemes has the General Residential Zone applied as the default zone.
8. The new residential zones have been applied state-wide in differing ways, with a wide range of local variation.
9. The Residential Zones Standing Advisory Committee was established in February 2014 to advise on the method of application of the proposed new residential zones into local planning schemes. The Committee considered 25 proposals, heard over 1,600 parties, and provided an overarching issues report and 25 specific reports. It suggested improvements to the residential zones in its *Stage One Overarching Issues Report*.

Method

10. The Committee may apply to vary these Terms of Reference in any way it sees fit before submitting its report(s).
11. The Committee will be assisted by the Managing Residential Development Taskforce (the Taskforce) comprising staff from the Department of Environment, Land, Water and Planning. The Taskforce will:
 - a. Prepare a *Residential Zones State of Play* report for each of the Metropolitan subregions and one combined report for the four regional cities of Bendigo, Ballarat, Geelong and Latrobe (six reports in total). The *Residential Zones State of Play* reports will consider the residential zones and other zones that allow for residential development.
 - b. Compile a list of potential improvements to the operation of the new residential zones.
 - c. Undertake work at the direction of the Committee.

Stage One – Consultation

12. The Committee may hold an Inception Meeting(s) with the relevant councils and Industry Bodies (refer to Appendix A). The purpose of this meeting is to outline the Committee process and to make preliminary directions to the Taskforce and councils. These meetings may be undertaken at a regional level.
13. The Taskforce will seek submissions on its *Residential Zones State of Play* reports and list of potential improvements. Consultation must comprise¹:
 - a. Direct notice to relevant councils and industry bodies.
 - b. Direct notice to known community groups (in consultation with the relevant council).
 - c. A single, general notice in The Age and Herald Sun.
 - d. A comprehensive notice for each subregion in the relevant local newspaper(s).
14. All submissions are to be collected at the office of Planning Panels Victoria and electronic copies will be made available to other submitters upon request within ten working days from the close of the submission period.
15. The Committee must consider all relevant submissions.
16. The Committee will direct the Taskforce to undertake work to assist it in understanding the issues raised in submissions.

¹ Councils may wish to undertake additional consultation at their own cost.

Stage Two – Public Hearing

17. The Committee may pre-set the hearing dates.
18. The Committee will carry out a directions hearing and public hearing.
19. Concurrent hearings may be held with different members of the Committee.
20. The Committee may conduct workshops or forums to explore design issues or other matters. Any workshops or forums will be a public process.
21. The Committee may meet and invite others to meet with them when there is a quorum of at least two of its members.
22. The Committee may limit the time of parties appearing before it.
23. The Committee may regulate cross-examination.
24. The Committee may inform itself in anyway it sees fit.

Stage Three – Issues and Options

25. The Committee must provide its advice to the Minister for Planning.
26. The Committee must produce a brief issues and options report(s) which identifies system-wide and implementation issues related to residential development and the residential zones. In particular the Committee should consider:
 - a. The approach to monitoring residential development over time including consideration of Ministerial Direction No. 16, and the role of councils and the department.
 - b. A model methodology for preparing planning scheme amendments.
 - c. Any Taskforce suggestions for improving the residential zones.
 - d. Whether there are any further opportunities to improve the residential zones and/or associated planning tools.
 - e. A summary of submissions to the Committee.
 - f. A list of persons who made submissions considered by the Committee.
 - g. A list of persons consulted or heard.
 - h. Any other relevant matters raised in the course of the public hearings that the Committee considers necessary.

Submissions are public documents

27. 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.
28. 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

29. The submission period will commence in early December 2015 and close at 5pm on Monday 14 March 2016.

30. The Taskforce is to prepare and publicly release its *Residential Zones State of Play* reports and list of improvements to the operation of the new residential zones no later than Tuesday 2nd February 2016.
31. The Committee is required to submit its issues and options report(s) in writing as soon as practicable but no later than 40 business days from the completion of the last subregional hearing and/or meeting.

Fee

32. 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*.
33. The costs of the Committee will be met by the Department of Environment, Land, Water and Planning.



Richard Wynne MP
Minister for Planning

Date: 9/2/16

Appendix A – Other Information

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

Project Management

Administrative and operational support to the Committee will be provided by Anna Huggins, Planner of the Department of Environment, Land, Water and Planning on anna.huggins@delwp.vic.gov.au or 9223 1754.

Day to day liaison for the Advisory Committee will be through Andrea Harwood, Senior Project Manager of Planning Panels Victoria on (03) 8392 6744 or andrea.harwood@delwp.vic.gov.au.

Relevant councils

Central Subregion

Maribyrnong City Council
Melbourne City Council
Port Phillip City Council
Stonnington City Council
Yarra City Council

Eastern Subregion

Boroondara City Council
Knox City Council
Manningham City Council
Maroondah City Council
Monash City Council
Whitehorse City Council
Yarra Ranges Shire Council

Southern Subregion

Bayside City Council
Cardinia Shire Council
Casey City Council
Frankston City Council
Glen Eira City Council
Greater Dandenong City Council
Kingston City Council
Mornington Peninsula Shire Council

Northern Subregion

Banyule City Council
Darebin City Council
Hume City Council
Mitchell Shire Council
Moreland City Council
Nillumbik Shire Council
Whittlesea City Council

Western Subregion

Brimbank City Council
Hobsons Bay City Council
Melton City Council
Moonee Valley City Council
Wyndham City Council

Regional Cities

Ballarat City Council
Greater Bendigo City Council
Greater Geelong City Council
Latrobe City Council

Industry Bodies

Industry Bodies

Building Designers Association Victoria
Housing Industry Association
Master Builders Association
Municipal Association of Victoria
Planning Institute of Australia
Property Council of Australia

Urban Development Institute of Australia
Victorian Local Government Association
Victorian Planning and Environmental Law Association