Regional Parks Standing Advisory Committee
Version 1: November 2017

Standing Advisory Committee appointed pursuant to Part 7, section 151 of the Planning and Environment Act 1987 to provide advice on the suitability of planning proposals to facilitate the delivery of regional parks proposed by the Victorian Government and/or project partners.

Name
1. The Standing Advisory Committee is to be known as the 'Regional Parks Standing Advisory Committee' or 'RPSAC' (the Advisory Committee).
2. The Advisory Committee is to have members with the following skills:
   a. Environmental planning
   b. Statutory and strategic planning
   c. Land development and property economics
   d. Planning law
   e. Social planning (sports and recreation expertise)
3. The Advisory Committee may seek specialist advice, including legal advice, as appropriate.
4. The Advisory Committee will include an appointed Chair, Deputy Chair and other appropriately qualified members.

Purpose
5. The purpose of the Advisory Committee is to provide advice to the Minister for Planning on the suitability of changes to planning provisions to facilitate the delivery of open space proposed by the Victorian Government and/or project partners.

Background
6. Continuing a long tradition of open space planning for Greater Melbourne, the Victorian Government has committed to delivering open space across Melbourne to ensure the future liveability for communities as it grows and changes.
7. Regional parks play an important role by providing opportunities to enjoy natural or semi-natural surroundings in close proximity to urban environments. They comprise large areas of open space that also provide protection of significant natural values and enhanced biodiversity outcomes.
8. Melbourne's existing network of regional parks is vast, and accommodate a number of visitors and users each year. To respond to open space gaps, population growth and urban development new regional parks have been identified in Plan Melbourne 2017-2050 in Cranbourne, Werritee Township and Kororoit Creek to ensure that the existing parks network continues to meet the future needs of Victorians.
9. The Advisory Committee has been established to provide a consistent, timely and transparent process for considering the proposed planning provision changes that facilitate the delivery of the proposed regional parks.
Method

General

10. The Minister for Planning may refer proposals to the Advisory Committee for advice on future planning provisions on the land.

11. The proposals may be in the form of changes to the planning scheme and/or a combined planning permit application.

12. The Minister for Planning may refer any other land in addition to that proposed where there is a direct link to the provision of open space or where it may enable more orderly development of land.

13. The Minister for Planning, or delegate, may for a specific referral, vary or exclude any stage of these Terms of Reference. Any such referral must include the details of any variations.

14. In making a referral, the Minister for Planning must be satisfied that any future provisions for the land make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes.

15. The Advisory 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.

16. The Advisory Committee will generally undertake its work in four stages:
   a. Stage 1: Briefing
   b. Stage 2: Exhibition
   c. Stage 3: Public Hearings and Directions Hearing
   d. Stage 4: Outcomes.

Stage 1: Briefing

17. The Advisory Committee may request a project briefing from the proponent as well as other interested parties prior to the commencement of a proposal. This may occur prior to the formal notification process.

18. Other interested parties may include:
   a. Victorian Planning Authority
   b. Council
   c. VicRoads
   d. Melbourne Water

19. This may occur prior to the formal notification process.

Stage 2: Exhibition

20. Once a referral has been received, the Advisory Committee will pre-set the hearing dates. The hearing dates may include a Directions Hearing and must include a Public Hearing.

21. A Public Hearing must be held within 20 business days after the conclusion of the public exhibition period.
22. The Department of Environment, Land, Water & Planning (DELWP) will give notice of the proposal for at least 30 business days. Notice will include:
   a. Direct notice to owners and occupiers who may be materially affected by the proposal.
   b. A notice in a local newspaper generally circulating in the area.
   c. Direct notice to government agencies and servicing authorities.
   d. Direct notice to relevant councils.

23. The Advisory Committee will hold an information session inviting all relevant councils, government departments, agencies, service authorities, and other interested parties, no less than three weeks after the commencement of the consultation period to discuss the Advisory Committee process.

24. All submissions are to be collected by the office of Planning Panels Victoria (PPV) in accordance with the 'Guide to Privacy at PPV'. Electronic copies of submissions will be made for the proponent, each relevant council, and DELWP. Electronic copies may also be provided to other submitters upon request.

25. 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 Advisory Committee matters.

**Stage 2: Public Hearings**

26. The Advisory Committee is expected to carry out a Public Hearing and provide all submitters with an opportunity to be heard. Submitters are not required to have formal representation at the Public Hearing.

27. The Advisory Committee may limit the time of parties who wish to appear before it at a Public Hearing and may prohibit or regulate cross-examination.

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

29. The Advisory Committee may inform itself in any way it sees fit, but must consider:
   b. Any relevant provisions of the applicable planning scheme.
   c. Any relevant documentation prepared by or for the proponent, or otherwise provided to the Advisory Committee.
   d. All submissions made in relation to the proposal.
**Stage 3: Outcomes**

30. The Advisory Committee must produce a written report for each proposal for the Minister for Planning providing:

   a. A recommendation on the appropriateness of the proposal in light of the relevant provisions of the applicable planning scheme, the State Planning Policy Framework and the Metropolitan Planning Strategy, including whether the proposal should proceed and in what form.

   b. A recommendation on the planning provisions to best facilitate the proposal including, but not limited to, whether the Minister for Planning should be the responsible authority for approving matters in relation to the parks and surrounding land and whether there should be exemptions from notice and review provisions.

   c. A recommendation on whether the proposed provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes.

   d. Any other relevant matters raised in the course of the Advisory Committee hearing/s.

   e. A list of persons who made submissions.

   f. A list of persons consulted and/or heard.

31. The reports may be submitted in one document or in stages.

**Submissions are public documents**

32. The Advisory 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.

33. 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'.

**Matters to be Considered**

34. The Advisory Committee must consider:

   a. All relevant submissions.

   b. The appropriateness of the proposal in light of key strategies including *Plan Melbourne 2017-2050*.

   c. The appropriateness of the proposal against the objectives of the *Planning and Environment Act 1987* and any other relevant provisions of planning schemes.

   d. Whether the proposed changes to the planning scheme should be approved, subject to recommended changes.

35. It is not the role of the Advisory Committee to review or consider the land acquisition process, including land values, compensation or the timing of implementation.

**Timing**

36. The Advisory Committee is required to commence its Public Hearing process no later than 20 business days from the close of the notice period.

37. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than 40 business days from the completion of its hearings.
38. If the Minister for Planning refers any further proposal for review (including but not limited to, a planning permit application, Development Plan, Incorporated Document or masterplan) a report must be prepared within 20 business days from the receipt of the referral or as otherwise agreed.

**Fee**

39. 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.

40. The costs of the Advisory Committee will be met by the proponent.

[Signature]

Hon Richard Wynne MP
Minister for Planning
Date: 29/06/17