

Addressing the *Transport Integration Act 2010* in a planning scheme amendment

Background

The *Transport Integration Act 2010* (TIA) came into effect on 1 July 2010 “to create a new framework for the provision of an integrated and sustainable transport system in Victoria” that recognises the inter-dependency of transport and land use.

To achieve greater coordination on transport and land-use planning matters, the TIA identifies ‘interface bodies’ - non-transport bodies which make decisions that can have a significant impact on transport in Victoria. Planning authorities, acting under the *Planning and Environment Act 1987*, are an interface body under the TIA.

Requirements for planning authorities

The requirements on planning authorities and other interface bodies (including the Growth Areas Authority) are described in section 25 of the TIA. The requirements of section 25 on a planning authority can be summarised as follows:

If a planning scheme amendment is likely to have a significant impact on the transport system, as defined by the TIA, the planning authority must have regard to:

1. the transport system objectives, as set out in Part 2, Division 2 of the TIA
2. the decision making principles, as set out in Part 2, Division 3 of the TIA.

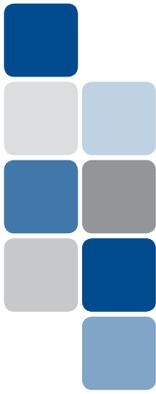
The planning authority is also required to have regard to:

3. any statement of policy principles*, as set out in Part 2, Division 4 of the TIA.

* In addition to setting out the transport system objectives and decision making principles, the TIA also gives the Minister administering the Act the power to issue a statement of policy principles. A planning authority must have regard to any statement of policy principles:

- in which it is specified; or
- that specifies powers or functions which the planning authority is exercising.

You can check if a *statement of policy principles* has been issued by going to the TIA webpage of the Department of Transport website:
www.transport.vic.gov.au



The TIA and the planning system

In order to ensure that the requirements of the TIA are taken into consideration by planning authorities, *Ministerial Direction No. 11 – Strategic Assessment of Amendments* has been updated to include the question:

“Does the amendment address relevant requirements of the Transport Integration Act 2010?”

Corresponding changes have been made to the *Strategic Assessment Guidelines* and the associated checklist, together with the *explanatory report* template. These latest documents are available on the DPCD web site.

Where the amendment is expected to have a significant impact on the transport system, a short assessment should be provided as part of the amendment.

Assessing a proposal

In determining whether a planning scheme amendment will have a significant impact on the transport system, consideration needs to be given to all of the components of the transport system, as defined in section 3 of the TIA.

The significance of an amendment's transport system impacts will need to be considered on a case by case basis, taking into account the likely use and development outcomes of the amendment.

If the planning authority determines that the amendment will not have a significant impact on the transport system, no further assessment is required.

If it is determined that the amendment will have a significant impact on the transport system, an assessment needs to be undertaken against the transport system objectives, the decision making principles and any relevant specified statement of policy principles as set out in the TIA.

How detailed should my assessment be?

The planning authority is to determine the weight given to each objective and decision making principle in the context of the amendment.

While a detailed assessment is required to be undertaken where significant impacts are identified, the planning scheme amendment documentation need not include the full assessment. Only a short assessment should be provided in the amendment explanatory report.

The planning authority should keep a record of their full assessment in the background documentation for the amendment, so as to be able to demonstrate compliance with the TIA.

Relevant TIA sections

Transport system is defined in section 3 of the TIA as meaning “*all the components which make up the system for the movement of persons and goods*”, including:

- the physical components
- the management components
- the labour components
- the services components.

(Refer to the TIA for detail on each of these components.)

Transport system objectives are set out in Part 2, Division 2 (sections 7 – 13) of the TIA. The objectives address:

- social and economic inclusion (s. 8)
- economic prosperity (s. 9)
- environmental sustainability (s. 10)
- integration of transport and land use (s. 11)
- efficiency, coordination and reliability (s. 12)
- safety and health and wellbeing (s. 13).

(Refer to the TIA for detail on each of these objectives.)

Section 26 of the TIA provides that the planning authority may determine the weight given to each transport system objective.



Decision making principles are set out in Part 2, Division 3 (sections 14 – 21) of the TIA. The principles cover:

- integrated decision making (s. 15)
- triple bottom line assessment (s. 16)
- equity (s. 17)
- the transport system user perspective (s. 18)
- precautionary principle (s. 19)
- stakeholder engagement and community participation (s. 20)
- transparency (s. 21).

(Refer to the TIA for detail on each of these principles.)

Section 27 of the TIA provides that the planning authority may determine the weight given to each decision making principle.

For more information regarding interface body obligations, go to the 'interface bodies' webpage on the Department of Transport website:
www.transport.vic.gov.au

Published by the Victorian Government Department of Planning and Community Development Melbourne, January 2011.
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