



Minister for Planning

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Cr Narelle Sharpe
Mayor
Moonee Valley City Council
Po Box 126
MOONEE PONDS VIC 3039

Dear Cr Sharpe

MOONEE VALLEY RACECOURSE REDEVELOPMENT

Thank you for your recent letter providing comments on the draft Terms of Reference, these have been taken into consideration by the Department of Planning and Community Development in the preparation of the final version of the document.

I am writing to inform you that I have approved a final Terms of Reference for the Moonee Valley Racecourse Redevelopment Advisory Committee. Please find enclosed a copy for your reference.

In addition to the final Terms of Reference, I can confirm that the request for interim heritage controls at the Moonee Valley Racecourse site (C126) was refused on 6 December 2012. As per my letter dated 6 December 2012, I believe intervention in heritage matters in advance of an Advisory Committee process would not result in the fair, orderly and sustainable consideration for development of the land.

If you have any further queries in relation to this matter please contact Jane Monk, Director, Planning Statutory Services, Department of Planning and Community Development on 03 9098 8914.

Yours sincerely


MATTHEW GUY MLC
Minister for Planning

19.2.13

Enc – Moonee Valley Racecourse Redevelopment Advisory Committee Terms of Reference

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Terms of Reference

Moonee Valley Racecourse Redevelopment Advisory Committee

Advisory Committee appointed pursuant to Part 7, Section 151 of the *Planning and Environment Act 1987* to report on the redevelopment of the Moonee Valley Racecourse.

Version: 8 February 2013

Name

1. The Advisory Committee is to be known as the 'Moonee Valley Racecourse Redevelopment Advisory Committee' (the Advisory Committee).
2. The Advisory Committee is to have members with the following skills:
 - Strategic planning;
 - Transport;
 - Community facilities, including open space and sport and recreational planning;
 - Social Planning;
 - Environmental Sustainability;
 - Geotechnical and hydrological;
 - Heritage; and
 - Design and built form.
3. The Advisory Committee may also seek specialist advice about the horse racing and track industry as appropriate.

Purpose

4. The purpose of the Advisory Committee is to provide advice to the Moonee Valley City Council and the Minister for Planning on all relevant matters associated with the proposed redevelopment of Moonee Valley Racecourse including:
 - The proposed Master Plan for Moonee Valley Racecourse, October 2011 (or as amended and prepared by the Moonee Valley Racing Club);
 - The draft Planning Scheme Amendment documentation (to be prepared by Moonee Valley Racing Club); and
 - The draft heritage Planning Scheme Amendment documentation (prepared by Moonee Valley City Council).

Background

5. The Hon. Matthew Guy, MLC Minister for Planning has appointed an Advisory Committee pursuant to Section 151 of the *Planning and Environment Act 1987* to review all matters related to the proposed Moonee Valley Racecourse Master Plan, associated draft Planning Scheme Amendment



documentation (including heritage controls proposed by Council); and submissions lodged in relation to these documents.

6. Moonee Valley Racing Club has prepared a master plan for the redevelopment of the racecourse. The proposed master plan was submitted to Moonee Valley City Council on 25 October 2011.
7. The Moonee Valley Racecourse is within the Moonee Ponds Activity Centre boundary and is currently zoned Special Use Zone 2 (SUZ2). The site is not affected by any overlays.
8. The proposed Moonee Valley Racecourse Master Plan was placed on informal public consultation by the Moonee Valley Racing Club in June 2011. Moonee Valley City Council informed the community during November and December 2011 about the process of the Master Plan approval and provided a response to the master plan and the Club's rezoning request on 2 February 2012, and requested further information on the development proposal.
9. Moonee Valley City Council commissioned a Heritage Assessment prepared by David Helms Heritage Planning and Management on 13 September 2011. The assessment identifies numerous structures and buildings it states are worthy of retention and protection.
10. Moonee Valley City Council subsequently requested interim heritage controls on 10 April 2012 for structures and buildings on the Moonee Valley Racecourse site from the Minister for Planning in conjunction with a request for authorisation to prepare a Planning Scheme Amendment for permanent controls.
11. The Moonee Valley Planning Scheme at Clause 21.07-1 states that "...building on existing drivers such as Moonee Valley Racing Club presents a unique opportunity for the municipality." The site is not identified for any other purpose or future use within the Moonee Valley Planning Scheme.

Method

12. The overall purpose of this Advisory Committee is to provide advice to the Moonee Valley City Council and the Minister for Planning on the most appropriate outcome for the site. The Advisory Committee should undertake this in the form of four clear stages.

Stage 1: Review and Consultation

13. The Advisory Committee must meet with the Moonee Valley City Council, the Moonee Valley Racing Club and the Department of Planning and Community Development (DPCD) to initiate consideration of this matter.
14. The Advisory Committee will meet with the following:
 - Public Transport Victoria, Department of Transport, Vic Roads, Department of Early Education and Childhood Development and any other relevant agencies
 - Save Moonee Ponds
 - Moonee Ponds Central School
15. The Advisory Committee must review and provide written comments on the proposed Moonee Valley Racecourse Master Plan (including any revisions), and associated draft Planning Scheme Amendment documentation to be prepared by the Moonee Valley Racing Club taking into account Council's request for further information and community submissions to the Moonee Valley Racecourse from consultation in June 2011 and any feedback and information provided by the relevant agencies.
16. The Advisory Committee must review and provide written comments (including any revisions) on the draft heritage Planning Scheme Amendment documentation prepared by Moonee Valley City Council.



17. The Advisory Committee shall identify whether there is sufficient information before it to enable the DPCD to consult with the community in Stage 2: Exhibition, and if necessary make directions to the Moonee Valley Racing Club and/or Moonee Valley City Council seeking further information.

Stage 2: Exhibition

18. The Advisory Committee will pre-set the Hearing dates.
19. The DPCD will exhibit the draft Planning Scheme Amendments and proposed Master Plan for a period of six weeks. Moonee Valley City Council may decide to undertake additional notification.
20. All submissions are to be collected at the office of Planning Panels Victoria and copies will be made to the Moonee Valley City Council, Moonee Valley Racing Club and DPCD within 5 working days from the close of exhibition period.

Stage 3: Public Hearing

21. The Advisory Committee is expected to carry out a public hearing and provide all submitters with an opportunity to be heard.
22. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.
23. The Advisory Committee may limit the time of parties who wish to appear before it at the public hearing and may regulate cross-examination

Stage 4: Outcomes

24. The Advisory Committee may inform itself in any way it sees fit, but must consider:
 - The objectives of the *Planning and Environment Act 1987* and any other relevant provisions of the Moonee Valley Planning Scheme,
 - All documentation and information prepared by the Moonee Valley City Council, and in particular the further information request and supporting documentation provided to the Moonee Valley Racing Club on 2 February 2012,
 - All relevant documentation prepared by or for the proponents for the redevelopment of the Moonee Valley Racecourse or otherwise provided to the Advisory Committee, and
 - All submissions made in regard to the proposed Master Plan for Moonee Valley Racecourse and associated draft Planning Scheme Amendment documentation.
25. The Advisory Committee must produce a written report to the Moonee Valley City Council and the Minister for Planning providing:
 - An assessment of the submissions made to the Advisory Committee.
 - An assessment of all relevant matters concerning the proposed Master Plan for Moonee Valley Racecourse and its proposed redevelopment;
 - An assessment of all relevant matters concerning the identification of buildings and structures on the Moonee Valley Racecourse as containing heritage significance;
 - A recommendation as to whether the project should proceed and in what form the project should proceed
 - A recommendation on the appropriate planning controls that would best implement the master plan for the site and provide clear guidance for future use and development of the site;
 - Consideration of any other relevant matters raised in the course of the Advisory Committee hearing; and



- A list of persons who made submissions and those who were heard by the Advisory Committee.

Submissions are public documents

26. 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.
27. 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'.

Terms of Reference

28. The Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of its report.

Timing

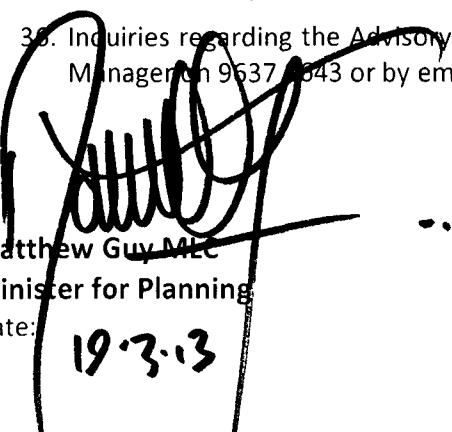
29. The Advisory Committee should complete Stage 1 within twelve weeks of being appointed.
30. The DPCD is required to complete Stage 2 within eight weeks of the completion of Stage 1, including receipt of exhibition material (draft Planning Scheme Amendments and proposed Master Plan) from the Advisory Committee.
31. The Advisory Committee is required to commence Stage 3 (i.e the Directions Hearings) no later than 2 weeks from the close of exhibition period.
32. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than 8 weeks from the completion of Hearings.

Fee

33. 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*.
34. The costs of the Advisory Committee will be met by the project proponent.

Project Manger

35. Day to day liaison for this matter for DPCD will be through Cathy Philo, Manager West Sector on 9098 8910 or by email at cathy.philo@dpcd.vic.gov.au.
36. Inquiries regarding the Advisory Committee process will be through Jessica Cutting, Senior Project Manager on 9637 0443 or by email at jessica.cutting@dpcd.vic.gov.au.


Matthew Guy MLC
Minister for Planning

Date:

19.3.13