



Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Our Ref: CS017303b

Clarke Towson

By email: founder@intjbilling.com

Dear Clarke

Freedom of Information - Notice of Decision

I refer to your request under the *Freedom of Information Act 1982* (Vic) (**FOI Act**) received by the Department of Transport and Planning (Department) on 10 June 2025. You requested access to:

Any and all documents held by the Department of Transport and Planning (or its predecessor agencies including VicRoads) that relate to the issuance of written consent by the Head of Transport for Victoria under Clause 23 of the Ministerial Direction "The Form and Content of Planning Schemes" or any predecessor document of equivalent legal standing, for the application of the Transport Zone (TRZ2) to the parcel of privately owned land located at 7 Cullen Court, Spotswood, Victoria 3015 (vacant block) (VOL 9329 FOL 027 Document Identification TP644167G) which is marked as "12" on Vicmap when searching for 7 Cullen Court Spotswood 3015.

Specifically, I request:

- 1. A copy of any written consent issued by the Head of Transport for Victoria (or equivalent authorised officer), authorising the application of TRZ2 zoning to the above land parcel;*
- 2. Any internal correspondence, briefing notes, memos, or reports referencing this parcel and discussing the zoning designation or consent process for TRZ2;*
- 3. The date such consent (if it exists) was issued, and the reasoning or basis for applying TRZ2 zoning to this privately owned parcel of land;*
- 4. If no such consent exists, a confirmation or record to that effect.*

Right of access

The FOI Act establishes a general right of access to documents held by state government agencies and ministers. However, in order to protect essential public interests and the private and business affairs of individuals, this right of access does not apply to documents identified under the FOI Act as exempt.

The FOI Act also provides for documents containing exempt matter to be released in part, after the exempt matter has been redacted, and where it is practicable to do so, for applicants who would wish to access such documents.

We did not locate any documents relevant to your request

In response to your request, Planning and Heritage Practices was consulted for any information that may be relevant to your request. Although thorough and diligent searches were conducted, no documents were located or exist.

Planning and Heritage Practices have advised that:

- On the 20 January 2022, the Minister for Planning approved Amendment VC205 which introduced a new Transport Zone to all Planning Schemes in Victoria and applied it to parcels of land. Details of the amendment, including rationale can be found in the amendment material. Please find a link here: [All schemes Planning Scheme - Amendments](#);
- This planning scheme amendment was requested by the Head, Transport for Victoria;
- There are no specific written consent issues by the Head, Transport for Victoria (or equivalent officer) for 7 Cullen Court Spotswood Vacant Block (Vol 9329 Fol 027) regarding the application of the Transport Zone; and
- If there is a question of a zoning anomaly to a specific property, it is recommended that you contact the relevant planning authority. In this instance, it is Hobsons Bay Council.

Complaint rights

Where a document you had requested could not be located, does not exist or if you are dissatisfied with an aspect of how this request was processed, under section 61A of the Act, you may make a complaint to the Victorian Information Commissioner by submitting the grounds of your complaint in writing within 60 days of the date of the action you are complaining about.

For further information about this process, please visit the Commissioner's website at www.ovic.vic.gov.au or telephone 1300 006 842.

Contact

Please contact me by e-mail at foi@transport.vic.gov.au quoting the reference number above if you have any questions about this decision.

Yours sincerely



Claudia Tonner
Acting Privacy and Information Access Lead

14/07/2025