



# Planning Panels Victoria

Department of Environment, Land, Water and Planning

1 Spring Street  
Melbourne Victoria 3000  
GPO Box 2392  
Melbourne, Victoria 3001  
Telephone (03) 8392 5115

21 February 2019

As addressed

Dear Submitter,

## Melbourne Planning Scheme Amendment C307: Gaming Policy

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A Directions Hearing was held on 14 February 2019 at PPV in relation to the above Amendment. A copy of the Panel's Directions and Hearing Timetable are attached. The following key dates are relevant to this matter:

- Melbourne City Council must circulate its Part A submission by **Monday 25 February 2019**
- Expert witness reports must be circulated by **2.00pm on Monday 4 March 2019**
- The Hearing will commence at **10.00am on Tuesday 12 March 2019**

The following information is enclosed for your information:

- Panel Directions
- Distribution List
- Hearing Timetable. **Please note that Day 1 of the Hearing is at the Melbourne Town Hall but Days 2, 3 and 4 are at Planning Panels Victoria.**

If you have any queries, please contact Planning Panels Victoria on (03) 8392 5115 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely,

**Dalia Cook**

Panel Chair

#### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



# Panel Directions

Melbourne Planning Scheme Amendment C307: Gaming Policy

## Before the Hearing

### Council Part A Submission

1. Council must circulate to all parties on the distribution list its 'Part A Submission' by **2.00pm on Monday 25 February 2019**. This should include:
  - a. background to the Amendment
  - b. chronology of events (if relevant)
  - c. strategic context and assessment
  - d. identification of the issues raised in submissions and its response
  - e. changes to the Amendment documentation proposed as a result of the issues raised in submissions.

Note: At the Hearing, Council's 'Part A Submission' will be taken as read by all parties. Council should allow time on Day 1 for questions of clarification from the Panel.

### Exchange of Expert Witness Reports

2. Expert witnesses reports must comply with the Planning Panels Victoria Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>).
3. Expert witness reports should not refer to any individual submitter by name. If necessary, submitters may be referred to by submission number.
4. Expert witness reports must be circulated by 2.00pm on Monday 4 March 2019 **Monday 4 March 2019** in accordance with the attached Distribution List.
5. A copy of any expert witness report received must be made available on Council's website and at its office.
6. The Panel must be provided with an 'unlocked' copy of any document circulated.

## At the Hearing

### Written Submissions at the Hearing

7. All parties should bring to the Hearing at least six (6) hard copies of additional written submissions and accompanying documents (i.e. photographs, plans). Copies of original submissions to Melbourne City Council are not needed.
8. Written material presented at the Hearing should be two-hole punched and stapled (not bound).
9. Submissions (preferably in MS Word) should be emailed to the Panel after the Hearing at [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).
10. Submissions and material presented at the Hearing including PowerPoint presentations are public documents and may be made available to other parties.

### Council Part B Submission

11. At the Hearing, Council must provide through its 'Part B Submission':
  - a. a summary of the key issues raised in submission
  - b. a response to relevant case law on relevant matters
  - c. its response to evidence tabled

- d. its final position on the Amendment and preferred drafting.
12. Council must supply the following documents by **2.00pm on Monday, 25 February 2019**:
- a. a copy of Melbourne City Council's 1997 policy pertaining to Gaming if it can be located
  - b. an electronic link to all relevant decisions of the Supreme Court, Victorian Civil and Administrative Tribunal, Victorian Commission for Gambling and Liquor Regulation (or its predecessor) or Panel reports proposed to be relied on in respect of the Amendment or referred to in its submissions.

**Aerials and maps**

13. At the Hearing, Council should arrange for:
- a. a map showing the location of submitters by submitter number. This map:
    - i. must not show submitter names
    - ii. does not need to show the location of pro-forma submitters
    - iii. must not be placed on the internet or replicated in any report.
  - b. appropriate aerials and plans at large scale
  - c. access to Council's GIS maps/system as may be required.

# Distribution List

Melbourne Planning Scheme Amendment C307: Gaming Policy

This list is to be used to circulate expert witness statements and any other information as directed by the Panel.

## Electronic documents

| Party                               | email address  |
|-------------------------------------|--|
| Planning Panels Victoria            | <a href="mailto:planning.panels@delwp.vic.gov.au">planning.panels@delwp.vic.gov.au</a>   |
| Melbourne City Council              | <a href="mailto:Tamara.Lowen@melbourne.vic.gov.au">Tamara.Lowen@melbourne.vic.gov.au</a> |
| Australian Hotels Association (Vic) | <a href="mailto:skovatch@bsplawyers.com.au">skovatch@bsplawyers.com.au</a>               |
| Doxa Community Club Inc             | <a href="mailto:martin@lgslegal.com.au">martin@lgslegal.com.au</a>                       |

## Hard copies

| Party   | No of Copies |
|---|--------------|
| <b>Planning Panels Victoria</b><br>Attn: The Panel Coordinator<br>GPO Box 2392<br>Melbourne, Victoria 3001<br>(By courier to Level 5, 1 Spring Street, Melbourne 3000 and mark as 'Urgent') | 1 copy       |

# Timetable

Melbourne Planning Scheme Amendment C307: Gaming Policy

## Day 1: Tuesday 12 March 2019

Venue: Media Presentation Suite, Melbourne Town Hall, Level 1, 90-130 Swanston Street, Melbourne VIC 3000

| Time                  | Party   | Allocated |
|-----------------------|---|-----------|
| 10.00am – 10.15am     | Preliminary matters   | 15 mins   |
| 10.15am – 12.45pm     | <b>Melbourne City Council</b> represented by John Rantino of Maddocks, calling the following expert evidence: <ul style="list-style-type: none"><li>Bonnie Rosen, urban and social planner, Symplan</li></ul> | 2.5hours  |
| <b>12.45 – 1.30pm</b> | <b>Lunch Break</b>  |           |
| 1.30pm-4.30pm         | <b>Melbourne City Council cont'd</b>  | 3 hours   |

## Day 2: Wednesday 13 March 2019

Venue: Planning Panels Victoria, Hearing Room 2, Ground Floor, 1 Spring Street, Melbourne

| Time                    | Party   | Allocated  |
|-------------------------|---|------------|
| 10.00am – 10.15am       | Preliminary matters   | 15 mins    |
| 10.15am – 12.30pm       | <b>Australian Hotels Association (Vic)</b> represented by Nicola Collingwood of Counsel instructed by BSP Lawyers, calling the following expert evidence: <ul style="list-style-type: none"><li>Laura Thomas, Town Planner, Urbis</li></ul> | 2.25 hours |
| <b>12.30pm – 1.30pm</b> | <b>Lunch Break</b>  |            |
| 1.30pm-5.00pm           | <b>Australian Hotels Association (Vic) cont'd</b>   | 3.5 hours  |

## Day 3: Thursday 14 March 2019

Venue: Planning Panels Victoria, Hearing Room 2, Ground Floor, 1 Spring Street, Melbourne

| Time                    | Party   | Allocated  |
|-------------------------|---|------------|
| 10.00am – 10.15am       | Preliminary matters   | 15 mins    |
| 10.15am – 12.30pm       | <b>Doxa Community Club Inc.</b> represented by Nicholas Tweedie QC with Ms Sarah Porritt of Counsel instructed by LGS Legal, calling the following expert evidence: <ul style="list-style-type: none"><li>Colleen Peterson, Town Planner, Ratio Consultants</li></ul> | 2.25 hours |
| <b>12.30pm – 1.30pm</b> | <b>Lunch Break</b>  |            |
| 1.30pm-5.00pm           | <b>Doxa Community Club Inc cont'd</b>   | 3.5 hours  |

**Day 4: Friday 15 March 2019**

Venue: Planning Panels Victoria, Hearing Room 2, Ground Floor, 1 Spring Street, Melbourne

| Time              | Party   | Allocated  |
|-------------------|---|------------|
| 10.00am – 10.15am | Preliminary matters   | 15 mins    |
| 10.15am -11.30am  | <b>Melbourne City Council</b> reply and closing submissions | 1.25 hours |
| 11.30am-4.30pm    | <i>Reserved if required</i>                                 |            |

**Hearing Timetable Notes:**

1. This timetable may be amended without notice.
2. Please arrive at least 15 minutes before your scheduled time of commencement. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as practicable.
3. Any queries regarding this timetable should be made to the Panel Coordinator on 8392 5115.
4. Getting to Planning Panels Victoria:  
Planning Panels is on the 75 and City Circle tram lines and a short walk from the Collins Street trams 109, 112 and 48. It is also a short walk from Parliament Train Station.