



# 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

5 February 2019

As addressed

Dear Submitter,

## **Melbourne Planning Scheme Amendment C308: Urban Design in the Central City and Southbank**

A Directions Hearing was held on 31 January 2019 at Planning Panels Victoria 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:

- Council must circulate to all parties on the distribution list its 'Part A Submission' by **2.00pm on Thursday 21 February 2019**
- Council must circulate an itinerary of sites that will be visited on Day 1 of the Hearing by **2.00pm on Thursday 21 February 2019**
- Parties must inform Planning Panels Victoria whether they wish to attend the site visit on Day 1 of the Hearing by **Tuesday 26 February 2019**
- The Panel will provide, **on Thursday 14 February 2019**, a list of sites in the city – 'example sites' – which the Expert Witnesses should familiarise themselves in order to facilitate any questions at the Public Hearing
- Experts or Parties should advise the Panel by of any sites they think should be added to the list of 'example sites' by **2.00pm on Wednesday 13 February 2019**
- Expert witness reports must be circulated by **2.00pm on Thursday 21 February 2019**
- The Hearing will commence at **10.00am on Thursday 28 February 2019**

The following information is enclosed for your information:

- Panel Directions
- Distribution List
- Hearing Timetable
- A Word version of the post-exhibition DDO (Documents 1 and 2)

If you have any queries, please contact Joseph Morrow of Planning Panels Victoria on (03) 8392 5137 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely,

**Lester Townsend**

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 C308: Urban Design in the Central City and Southbank

## 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 Thursday 21 February 2019**. This should include:
  - a. background to the Amendment
  - b. chronology of events
  - c. strategic context and assessment
  - d. identification of the issues raised in submissions and its response.

Note: At the Hearing, Council's 'Part A Submission' will be taken as read by all parties. Council should allow time on Day 2 for questions of clarification from the Panel.

### Site visits

2. Council must circulate to all parties on the distribution list an itinerary of sites that will be visited on Day 1 of the Hearing by **2.00pm on Thursday 21 February 2019**.
3. Parties must inform Planning Panels Victoria whether they wish to attend the site visit on Day 1 of the Hearing by **Tuesday 26 February 2019**.
4. The Panel will provide, by **on Thursday 14 February 2019**, a list of sites in the city which the Expert Witnesses should familiarise themselves in order to facilitate any questions at the Public Hearing. Experts or Parties should advise the Panel by **2.00pm on Wednesday 13 February 2019** of any sites they think should be added to this list.

### Working version of the Design and Development Overlay Schedule

5. Parties and experts should use the references in Document 1 or 2 to refer to specific provisions in the DDO in submissions or evidence.
6. Suggested changes to the DDO should be presented in track changes on Document 2.

### Exchange of Expert Witness Reports

7. 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>).
8. Expert witness reports must be circulated by **2.00pm on Thursday 21 February 2019** in accordance with the attached Distribution List.
9. A copy of any expert witness report received must be made available on Council's website and at its office.
10. The Panel is to be provided with an 'unlocked' copy of any document circulated.

## At the Hearing

### Expert Witnesses

11. Experts should familiarise themselves with the sites referred to in Direction 4

### Written Submissions at the Hearing

12. 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 are not needed.
13. Written material presented at the Hearing should be two-hole punched and stapled (not bound).

14. 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).
15. 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**

16. At the Hearing, Council must provide through its 'Part B Submission':
  - a. a summary of the issues raised in submission
  - b. its response to evidence tabled
  - c. its final position on the Amendment.
17. It would assist the Panel if Council addresses:
  - a. The role of the external guidelines and whether they need to be incorporated
  - b. Any overlap with existing DDO3, DDO10 or Clause 22.20
  - c. The different roles for different types of pedestrian connection in achieving policy outcomes, including connections that may not be suitable for primary links but may add to the character of the city
  - d. Issues associated with ground floor servicing
  - e. Issues with ground level parking prohibition, parking floor to ceiling heights and any implications for ventilation if car park areas are skinned
  - f. The relationship with Amendment C323
  - g. Whether the use of the following terms in the DDO will be sufficiently clear in contested situations: 'small', 'narrow', 'deeply recessed', 'low-height', 'lower', 'long', 'limited number', 'large', 'minor'.

#### **Aerials and maps**

18. At the Hearing, Council should arrange for a map or maps showing:
  - a. the location of submitters by submitter number
  - b. the sites visited on Day 1 of the Hearing and the sites nominated by the Panel in Direction 4
  - c. the location of 'Special Character Areas'
  - d. those blocks that currently have an average block length of less than 100 metres.

# Distribution List

Melbourne Planning Scheme Amendment C308: Urban Design in the Central City and Southbank

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

Electronic Expert witness reports must be circulated by **2.00pm on Thursday 21 February 2019**.

## Electronic documents

Party	email address
Planning Panels Victoria	<a href="mailto:planning.panels@delwp.vic.gov.au">planning.panels@delwp.vic.gov.au</a>
City of Melbourne	<a href="mailto:Rose.semmler@melbourne.vic.gov.au">Rose.semmler@melbourne.vic.gov.au</a>
Urban Development Institute of Australia (Victoria)	<a href="mailto:kate@udiavic.com.au">kate@udiavic.com.au</a>
Asset 1 WTC Pty Ltd	<a href="mailto:rlyons@urbis.com.au">rlyons@urbis.com.au</a>
Phillip Nominees Pty Ltd	<a href="mailto:Bradley.Montag@nortonrosefulbright.com">Bradley.Montag@nortonrosefulbright.com</a>

## Hard copies

Party	No of Copies
<b>Planning Panels Victoria</b> Attn: The Panel Coordinator GPO Box 2392 Melbourne, Victoria 3001 (By courier to Level 5, 1 Spring Street, Melbourne 3000 and mark as 'Urgent')	3 copies

# Timetable

Melbourne Planning Scheme Amendment C308: Urban Design in the Central City and Southbank

## Day 1: Thursday 28 February 2019

Venue: Walking tour of city – start venue to be advised

Time	Party	Sub No	Allocated
10.00 am	<b>Site inspections</b> lead by the City of Melbourne		1 of 6 days

## Day 2: Friday 1 March 2019

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

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.30pm	<b>City of Melbourne</b> represented by Susan Brennan SC and Jennifer Trehwella of Counsel on direct instruction, calling the following expert evidence: <ul style="list-style-type: none"><li>• Simon McPherson of Global South on Urban Design</li><li>• Daniel Soussan of Tract Consultants Pty Ltd on Planning</li><li>• Nick Adams of Arup on Service Engineering</li><li>• Koos De Keijzer of DKO on Architecture</li><li>• Shelley Penn of Shelley Penn Architecture on Architecture</li><li>• Andrew Spencer of SGS Economics and Planning on Economics.</li></ul>		2 of 6 days
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 4.30pm	<b>City of Melbourne</b> cont.		

## Day 3: Monday 4 March 2019

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

Time	Party	Sub No	Allocated
10.00am – 12.30pm	<b>City of Melbourne</b> cont.		3 of 6 days
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 4.30pm	<b>City of Melbourne</b> cont.		

**Day 4: Tuesday 5 March 2019**

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

Time	Party	Sub No	Allocated
10.00am – 12.30pm	<b>City of Melbourne cont.</b>		4 of 6 days
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 4.30pm	<b>City of Melbourne cont.</b>		

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**Day 5: Wednesday 6 March 2019**

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

Time	Party	Sub No	Allocated
10.00am – 12.30pm	<b>City of Melbourne cont.</b>		5 of 6 days
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 4.30pm	<b>City of Melbourne cont.</b>		

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**Day 6: Tuesday 12 March 2019**

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

Time	Party	Sub No	Allocated
10.00am – 12.30pm	<b>City of Melbourne cont.</b>		5 of 6 days
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 4.30pm	<b>City of Melbourne cont.</b>		

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**Day 7: Wednesday 13 March 2019**

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

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 11.30am	<b>Phillip Nominees Pty Ltd</b> represented Tamara Brezzi of Norton Rose Fulbright, calling the following expert evidence: <ul style="list-style-type: none"> <li>TBA on Planning/Design</li> </ul>	10	2 hour
	<i>Break</i>		<i>15 mins</i>
11.45am – 12.30pm	<b>Phillip Nominees Pty Ltd</b> cont.		
<b>12.30pm – 1.30pm</b>	<b>Lunch Break</b>		
1.30pm – 2.30pm	<b>Urban Development Institute of Australia (Vic)</b> represented by TBC	13	1 hour
	<i>Break</i>		<i>15 mins</i>
2.45am – 3.30pm	<b>Asset 1 WTC Pty Ltd</b> represented by Rebecca Lyons of Urbis	11	45 mins
3.30pm – 5.00pm	<b>City of Melbourne - closing submission</b>		1.5 hours

**Day 8: Thursday 14 March 2019**

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

Time	Party	Sub No	Allocated
<b>Reserve Day (as required)</b>			

**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 Joseph Morrow, Project Officer on 8392 5137