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Principal: John Cicero  
Our Ref: JC:181035



18 September 2018

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Cc

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Planning Panels Victoria – for the attention of the Panel for Amendment C258 Melbourne Planning Scheme

Dear Hellman

### **Melbourne Amendment C258 – Urgent**

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We act for Metro Pol Investment Pty Ltd ('Metropol'), a submitter to the Panel hearing for the proposed amendment C258 to the Melbourne Planning Scheme. Metropol is the owner of 263-267 William Street, Melbourne ('the subject land').

On the last occasion when our client appeared before the Panel, it had not been appreciated that the Subject Land was being used by the Council to advance its case in relation to C258. We now understand that the Council has during the hearing for C258 referred specifically to the Subject Land and the permit application that was been made for the land before the application of interim heritage controls.

We understand that the Panel is convening on 19 September 2018 to hear submissions in relation to the future conduct of the Panel in relation to C258.

We urgently seek answers to the following questions from the Council:

- Is it correct that the subject land been referred to during the course of the hearing C258?
- What, if any documents have been produced in relation to the subject land during the hearing?
- Has the current permit application on the subject land been referred to during the course of the hearing. If so, by who and in what respect?
- Have any expert witnesses referred to the subject land either in writing or orally? If so, which witnesses. If reference has been made orally, what has been said?
- Is it true that expert witnesses have been asked questions about the subject land or the current permit application on the subject land? If so, what questions were asked? By whom? To who? What were the answers?

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- What, if any reference has been made to the permit application on the subject land that was made before application of interim heritage controls?

We ask that you answer these questions and provide these documents as a matter of urgency so that we can understand the ramifications of these matters on the hearing process.

We have also tried to locate a copy of the Appendix to the Council B submission but could not locate it on the website. Could you please provide us with a copy of that document.

Yours faithfully

*Best Hooper*

**John Cicero**  
**Principal**

*Enc.*  
*CC. Planning Panels Victoria – Panel Coordinator*