



Planning Panels Victoria

Department of Environment, Land, Water and Planning

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28 December 2017

Dear Submitter

**RE: Fishermans Bend Planning Review Panel
Draft Amendment GC81**

A Directions Hearing was held on 20 December 2017 at Planning Panels Victoria in relation to the above draft Amendment. Please read and respond to this letter and Directions as appropriate.

The Hearing will be held in two Stages as follows:

- **Stage 1:** Weeks of 19 and 26 February, and 5 March (and possibly 12 March) 2018
- **Stage 2:** Weeks of 9, 16, 23 and 30 April 2018

The format of the Hearings for Stage 1 will be generally as follows:

- The Fishermans Bend Taskforce is to replicate, on **Tuesday, 13 February 2018**, the presentations made at the public briefing provided to the Review Panel and others on 10 and 24 November 2017
- The Fishermans Bend Taskforce will run its submissions and evidence in full, in relation to both General matters and each of the four precincts of Lorimer, Montague, Sandridge and Wirraway, over four to five days in Week 1
- Melbourne City Council and Port Phillip City Council will run their primary submissions in full, and may call all, some or none of its evidence in Week 2
- Those submitters wishing to be heard in Stage 1 will be provided with that opportunity commencing in Week 2, and running into Week 3 and possibly week 4, grouped into General matters and then the four precincts of Lorimer, Montague, Sandridge and Wirraway
- The Fishermans Bend Taskforce and the Councils will be provided with the opportunity to make interim closing comments at the conclusion of Stage 1.

The format of the Hearings for Stage 2 will be generally as follows:

- The Fishermans Bend Taskforce and the Councils will make brief opening submissions on any General matters that have not been addressed in the Stage 1 hearings
- Other parties who seek to make General submissions and call evidence will follow
- The remainder of the Hearing will be grouped into the four precincts of Lorimer, Montague, Sandridge and Wirraway, running concurrently in two hearing rooms
- For the opening of the Hearing for each precinct, the Fishermans Bend Taskforce and the Councils will be invited to make submissions (and the Councils may call evidence)
- Submitters will make submissions and call evidence in accordance to the precinct they are submitting on
- The Councils and the Fishermans Bend Taskforce will have the opportunity to make brief closing submissions for each precinct
- The Review Panel will convene a drafting day towards the conclusion of Stage 2
- The Councils and the Fishermans Bend Taskforce will have the opportunity to make more substantive closing submissions at the conclusion of Stage 2.

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



For all parties seeking to be heard:

- Due to the changed hearing dates and format, ALL parties seeking to be heard MUST complete a Request to be Heard Form located at <https://engage.vic.gov.au/fishermans-bend-draft-framework>

(irrespective of whether you have completed one attached with your original submission) and ensure you complete all fields and boxes to enable the Review Panel to prepare its timetable. This must be completed by **3.00pm on Friday 19 January 2018**.

- In completing this, you must identify:
 - your submission number (see attached index)
 - the precinct you are speaking to
 - who will be representing you (if applicable)
 - whether you will be calling evidence, the field of evidence and who your witness will be
 - whether you wish to be heard in Stage 1 or Stage 2
 - any constraints you may have regarding these dates.

Please note that the indicative timeframes as noted in Clause 29 of the Terms of Reference remain, and you must adhere to these, unless you are grouping several submissions together, or you provide reasons why you are not able to meet those timeframes. As an example, the Review Panel considers it could hear all submitters regarding the proposed tram crossing at Lorimer in one day, and it would be preferable if there was a coordinated submission in this regard. Coordinated submissions and evidence for other groups of sites or issues is welcomed.

The following key dates are relevant to this matter for **Stage 1**:

- The Fishermans Bend Taskforce is to circulate by **12noon Monday 5 February 2018**:
 - its Part A submission
 - its response to the matters raised and tabled at the Directions Hearing by the Review Panel "*Preliminary List of Key Issues*" (Document 20)
 - any amended documentation in relation to the draft Planning Scheme Amendment as a result of further work and submissions considered
- The Fishermans Bend Taskforce is to provide its evidence by **12noon on Monday 12 February 2018**
- The City of Port Phillip and the City of Melbourne are to provide their evidence (if they determine to call evidence in Stage 1) by **12noon on Monday 12 February 2018**
- The Stage 1 Hearing will commence at **10.00am on Monday 19 February 2018**.

The following key dates are relevant to this matter for **Stage 2**:

- All evidence is to be circulated by **12noon Thursday 29 March 2018**
- The Stage 2 Hearing will commence at **10.00am on Monday 9 April 2018**.

A final timetable for Stage 1 will be issued the week of 29 January 2018, and a draft timetable for Stage 2 will be issued the week of 5 February 2018. A final timetable for Stage 2 will be issued the week of 26 March 2018.

Additional Review Panel Directions are provided in the attachment.

Please note that a number of procedural matters were raised during the course of the Directions Hearing, and the Review Panel was required to make determinations and rulings. The reasons for these will be provided in writing as a separate document in due course.

If you have any queries please contact Ms Andrea Harwood, Senior Project Manager of Planning Panels Victoria (after 15 January 2018) on (03) 8392 5123 or planning.panels@delwp.vic.gov.au.

Yours sincerely



Kathy Mitchell

Chair, Fishermans Bend Planning Review Panel

Directions– Version 1

Fishermans Bend Planning Review Panel
Draft Amendment GC81

Summary of dates

Date	Action
20 December 2017	Directions Hearing held at PPV
3.00pm on Friday 19 January 2017	ALL parties seeking to be heard MUST complete a new Request to be Heard Form
The week of 29 January 2018	A final timetable for Stage 1 will be issued
The week of 5 February 2018	A draft timetable for Stage 2 will be issued
12noon Monday 5 February 2018	The Fishermans Bend Taskforce to circulate: <ul style="list-style-type: none">- its Part A submission- its response to <i>Key Issues</i>- any amended documentation
6 February 2018	Parties to advise the Fishermans Bend Taskforce if they wish to attend the site visit on the 14 February 2018 and any site they want the Review Panel to visit
12noon Monday 12 February 2018	The Fishermans Bend Taskforce to provide its evidence
12noon on Monday 12 February 2018	The City of Port Phillip and the City of Melbourne to provide their evidence (if they call evidence in Stage 1)
13 February 2018	Fishermans Bend Taskforce to replicate the public briefings held on 10 and 24 November 2017
14 February 2018	Site inspection
10.00am on Monday 19 February 2018	The Stage 1 Hearing will commence and will include the weeks of 19 and 26 February, and 5 March (and possibly 12 March) 2018
The week of 26 March 2018	A final timetable for Stage 2 will be issued
12noon Thursday 29 March 2018	All evidence for Stage 2 to be circulated
10.00am on Monday 9 April 2018	The Stage 2 Hearing will commence and will include the weeks of 9, 16, 23 and 30 April 2018

Written Submissions at the Hearing

1. All parties should bring to the Hearing at least fifteen (15) hard copies of additional written submissions and accompanying documents (i.e. photographs, plans). Copies of original submissions are not needed.
2. Written material presented at the Hearing should be two-hole punched and stapled (not bound).

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3. Submissions (preferably in MS Word) should be emailed to the Review Panel after the Hearing at planning.panels@delwp.vic.gov.au.
4. Submissions and material presented at the Hearing including PowerPoint presentations are public documents and may be made available to other parties.

Exchange of Expert Witness Reports

5. Expert witnesses reports must comply with the Planning Panels Victoria Guide to Expert Evidence (<http://www.planning.vic.gov.au/panels-and-committees/planning-panel-fags>).
6. Expert witness reports should not refer to any individual submitter by name. If necessary, submitters may be referred to by submission number.
7. A copy of any expert witness report received must be made available on the Fishermans Bend website.
8. Ms Leanne Hodyl (expert adviser to the Fishermans Bend Taskforce) and Ms Adeline Pearson (City of Melbourne) must meet to discuss and reconcile differences in their built form models. Prior to the Stage 1 Hearing, the two experts must provide a joint statement that provides a consolidated list of issues in agreement and disagreement (and any other relevant matters), to be uploaded on the Fishermans Bend Taskforce website by 12noon on Thursday 8 February 2018.

Information to be supplied

9. The Fishermans Bend Taskforce must circulate to all parties on the distribution list its 'Part A Submission' by **12.00noon on Monday 5 February 2018**. This should include:
 - a. Background to the draft Amendment
 - b. A list of background reports together with reports currently being prepared and their proposed completion date
 - c. Chronology of events leading to this Draft Amendment
 - d. Strategic context and assessment of the proposed planning controls
 - e. The proposed Governance framework and its rationale
 - f. Response to the matters raised and tabled at the Directions Hearing by the Review Panel "*Preliminary List of Key Issues*" (Document 20)
 - g. Identification of the issues raised in submissions
 - h. Any amended documentation in relation to the draft Planning Scheme Amendment as a result of further work and submissions considered

Note: At the Hearing, the Fishermans Bend Taskforce 'Part A Submission' will be taken as read by all parties.
10. At the Hearing, the Fishermans Bend Taskforce must address the following issues through its 'Part B Submission':
 - a. Summary of the key issues raised in submissions and further evidence
 - b. To the extent not covered in item 9, response to issues raised in submissions and evidence including the outcome of any further discussion it has had with submitters
 - c. To the extent not covered in item 9, post exhibition changes to the Amendment documents
 - d. Its final position on the draft Amendment.
11. The Fishermans Bend Taskforce is to provide Mr Morris QC through Norton Rose Fulbright the following documents by **Monday 5 February 2018**:

- a. Any speaking notes in relation to the public briefings provided to the Review Panel on 10 and 24 November 2017, noting the PowerPoint presentations have been provided as Documents 4, 5, 6, 7, 10, 11 and 12.
 - b. The speaking notes provided to the Review Panel in relation to site inspection undertaken by the Review Panel on 20 November 2017, noting the agenda, site visit map and planning permit activity and application maps have been provided as Documents 13, 14, and 15 respectively.
 - c. The documents listed in 11a and 11b are to be provided on the Fishermans Bend Taskforce website.
12. All submissions (and evidence as relevant) presented at the Hearing are to be structured to include the following for each discrete issue:
- a. Identify each specific issue identified for resolution
 - b. Provide relevant background and evidence if required, including maps and plans that identify clearly the subject land, its context and its surrounds
 - c. Clarify and explain the reason for the change
 - d. Identify what aspect of the planning controls is sought to be amended (and provide track changes to the relevant part of the draft Amendment).
13. The Fishermans Bend Taskforce is to coordinate and conduct a full day site inspection on **Wednesday 14 February 2018** of the Fishermans Bend Precinct. This is to replicate the site inspection undertaken by the Review Panel on 28 November 2017, and additional sites may be included. The inspections will be open to all submitters. Submitters are to advise Ms Fawn Goodall of the Fishermans Bend Taskforce at fishermansbend@delwp.vic.gov.au by **Tuesday 6 February 2018** if you wish to attend, and of any sites you seek the Review Panel to visit. The sites noted on Document 14 do not need to be re-nominated.
14. At the Hearing, the Fishermans Bend Taskforce should arrange for:
- a. Map(s) showing the location of submitters by submitter number:
 - b. Appropriate aerials, zone plans and other relevant plans at large (A1) scale.