



Planning Panels Victoria  
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BCC: parties according to the distribution list

4 May 2018  
Matter 82649439  
By Email

Dear Planning Panels

**Fishermans Bend Planning Review Panel  
SM253 Pty Ltd  
Submissions and Tabled documents**

We act for SM253 Pty Ltd.

**1 Tabled Documents**

Further to the oral submissions made by Adrian Finanzio SC on behalf of our client at the Panel hearing on 4 May 2018, please find attached copies of the following documents as tabled at the hearing:

- (a) M33: Planning Permit PA170223 issued on 5 December 2017;
- (b) M34: Normanby Road Elevation Perspective Images;
- (c) M35: Planning Permit 1146/2017 issued on 30 April 2018;
- (d) M36: Chronology of SM253's permit applications; and
- (e) M37: SM253 Table of Permissions.

**2 Transitional Provisions**

At the hearing, in response to a question from Ms Carlisle, Mr Finanzio noted that we would provide the Review Panel with a form of transitional provisions that could be included in the draft planning controls, to address the matters raised by our client. Those transitional provisions are as follows:

- (a) In the CCZ1 and DDO30 (Port Phillip Planning Scheme):  
*This schedule does not apply to a planning permit (including an application to amend or extend such a planning permit) issued after the release of the Fishermans Bend Framework on 21 October 2017 but before the commencement of Amendment GC81. For such permits, this schedule, as it was in force immediately before the commencement of Amendment GC81, continue to apply.*
- (b) In the amended local planning policy at clause 22.15 (Port Phillip Planning Scheme):  
*This policy does not apply to a planning permit (including an application to amend or extend such a planning permit) issued after the release of the Fishermans Bend Framework on 21 October 2017 but before the commencement of Amendment GC81. For such permits, the Municipal Strategic Statement of Local Planning Policy Framework, as it was in force immediately before the commencement of Amendment GC81, continue to apply.*

Doc 71438121.3



**3 Revised drafting of the Capital City Zone, Schedule 1**

At the hearing, Mr Finanzio indicated that we would engage with the representatives for the Minister for Planning in relation to the redrafting of the Capital City Zone, Schedule 1 (the most recent version circulated on 29 March 2018, being document 156a), to address the matters raised by our client.

We will update the Review Panel regarding the outcome of these discussions in due course.

We confirm that this communication has been blind copied to all parties on the distribution list dated 17 April 2018.

Yours sincerely

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