



# 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

23 September 2019

As addressed

Dear Submitter,

## **Melbourne Planning Scheme Amendment C323: Melbourne Arts Precinct**

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The Panel held a Directions Hearing for the above matter on 19 September 2019 at 1 Spring Street, Melbourne. The following key dates apply:

- Expert witness reports must be provided to all parties by **2.00pm on Monday 21 October 2019**
- The Hearing will start at **10.00am on Monday 28 October 2019**

Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable.

If you have questions, 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 C323: Melbourne Arts Precinct

## Before the Hearing

### Council Part A submission

1. Council must provide a Part A submission to parties on the distribution list by **2.00pm on Monday 14 October 2019** that includes:
  - a. issues identified in submissions following re-notification
  - b. any suggested changes to the Amendment in response to submissions
  - c. relevant documentation about the content and progress of the Melbourne Arts Precinct Transformation Plan and its potential relationship with matters concerning Amendment C323 including potential implementation mechanisms for proposed redevelopment.
  - d. an update on the progress of Amendment C308 to the Melbourne Planning Scheme following Council's receipt of the Panel Report as to potential interactions with the current Amendment, in particular, the proposal to introduce a replacement Schedule 1 to the Design and Development Overlay and to remove Local Planning Policy at Clause 22.01 from the Melbourne Planning Scheme (when these are proposed to be amended as part of Amendment C323)
  - e. an update on relevant approvals and commencement of construction within the Melbourne Arts Precinct from the date of the last hearing
  - f. a summary of public works approved for or being constructed within or adjacent to the Melbourne Arts Precinct.

*Note: Council's Part A submission will be taken as read by the Panel at the Hearing. Council should allow time for questions about its Part A submission on Day 1.*

### Expert witness reports

2. An expert witness report must:
  - a. comply with the Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>)
  - b. not refer to any individual submitter by name – If necessary, submitters should be referred to by submission number
  - c. be provided to the Panel as an unlocked document.
3. Expert witness reports must be provided to all parties by 2.00pm on Monday 21 October 2019 **Monday 21 October 2019** to the attached Distribution List.
4. Council must publish all expert witness reports on its website and make them publicly available at its office.

## At the Hearing

### Submissions and information

5. If electronic information is presented at the Hearing, all files must be circulated to all parties immediately after the relevant party's submission.
6. If a paper copy is presented at the Hearing, at least six (6) copies must be provided, two-hole punched and stapled (not bound).
7. After presenting to the Panel, submissions (preferably in MS Word) should be emailed to [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

8. All information presented at the Hearing is a public document unless the Panel directs otherwise.

#### **Council Part B submission**

9. At the Hearing, Council must provide a Part B submission that includes:
  - a. a summary of the key issues raised in submissions following re-notification
  - b. addressing the evidence
  - c. its final position on the Amendment.
  - d. Any further updates on the matters addressed in Direction 1 above.
10. Council must supply the following documents by **4.00pm on Thursday, 26 September 2019**:
  - a. A letter jointly approved by it and the proponent, Creative Victoria, confirming their position on the Amendment and the nature of its joint instructions to Mr Ian Munt, Barrister together with protocols for their joint representation throughout the hearing in a way that would not prejudice parties or the Panel, such as responses to submissions.
  - b. Confirmation of the wording of proposed Amendments to Schedule 1 of the Design and Development Overlay and to policy at Clause 22.01 of the Melbourne Planning Scheme.

#### **Aerials and maps**

11. 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.

# Distribution List

Melbourne Planning Scheme Amendment C323: Melbourne Arts Precinct

Use this list to circulate expert witness statements and other information requested by the Panel. It must not be used for any other purpose.

## 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 and Creative Victoria	<a href="mailto:jillcainnes@melbourne.vic.gov.au">jillcainnes@melbourne.vic.gov.au</a>
Manoa Pty Ltd	<a href="mailto:cgentle@hansenpartnership.com.au">cgentle@hansenpartnership.com.au</a>
Wendy Lasica	<a href="mailto:wendylasica@gmail.com">wendylasica@gmail.com</a>
Pacific Asia Express Pty Ltd	<a href="mailto:dpassarella@millsoakley.com.au">dpassarella@millsoakley.com.au</a>
LSH Group Australia	<a href="mailto:moylan@pppartners.com.au">moylan@pppartners.com.au</a> <a href="mailto:maughton@pppartners.com.au">maughton@pppartners.com.au</a> <a href="mailto:admin@pppartners.com.au">admin@pppartners.com.au</a>

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')	2 copies

# Timetable

Melbourne Planning Scheme Amendment C323: Melbourne Arts Precinct

## Day 1: Monday 28 October 2019

Venue: **Creative Victoria, Hovel Room, Room 15, Level 31, 121 Exhibition Street, Melbourne**

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 11.30am	<b>Melbourne City Council and Creative Victoria</b> represented by Ian Munt of Counsel, calling the following expert evidence: <ul style="list-style-type: none"><li>Town planning from Catherine Heggen, Message Consultants</li></ul>		1 hour 15 mins
11.30am – 11.45am	<i>Break</i>		15 mins
11.45am - 1.00pm	<b>Melbourne City Council and Creative Victoria</b> cont'd		1 hour 15 mins
<b>1.00pm – 1.45pm</b>	<b>Lunch Break</b>		<b>45 mins</b>
1.45pm – 3.15pm	<b>Melbourne City Council and Creative Victoria</b> cont'd		1 hour 30 mins
3.15pm – 4.00pm	<b>Pacific Asia Express Pty Ltd</b> represented by David Passarella, Mills Oakley	<b>3, 11</b>	45 mins
4:00pm – 4.10pm	<b>Wendy Lasica</b>	<b>4, 9</b>	10 mins
4.10pm - 5.10pm	<b>LSH Group Australia</b> represented by Johan Moylan or Mark Naughton, Planning & Property Partners	<b>2, 10</b>	1 hour
5.10pm	Day close		

## Day 2: Tuesday 29 October 2019

Venue: **Creative Victoria, Hovel Room, Room 15, Level 31, 121 Exhibition Street, Melbourne**

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am - 11.00am	<b>Manoa Pty Ltd</b> represented by Cameron Gentle of Hansen Partnership	<b>12</b>	45 mins
11.00am - 11.30am	<b>Melbourne City Council and Creative Victoria</b> submissions in reply and closing		30 mins
11.30am – 1.00pm	<i>Time reserved (if needed)</i>		
1.00pm	Day close		

### Hearing Timetable Notes:

1. The Panel may amend the timetable without notice.
2. Please arrive at least 15 minutes before your scheduled commencement time.
3. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as possible.
4. If you have any questions about the timetable, please contact the Panel Coordinator on 8392 5115.