



Planning Panels Victoria

Department of Environment, Land, Water and Planning

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Melbourne Victoria 3000
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Melbourne, Victoria 3001
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14 September 2021

Dear Submitter

Priority Projects Standing Advisory Committee Referral 21 | Assemble Brunswick at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick

On 5 September 2021 the Minister for Planning referred the above matter to the Priority Projects Standing Advisory Committee (the Committee). You are receiving this letter because you responded to consultation from the Department of Environment, Land, Water and Planning about proposed Draft Amendment C216more to the Moreland Planning Scheme and Draft Planning Permit PA2101205.

The proposed draft Amendment C216more to the Moreland Planning Scheme proposes demolition and use and development of the land for the construction of an eight-storey building (with basement) comprising dwellings and office, a reduction in car parking requirements and associated works at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick. The Minister is considering this matter as a combined permit and amendment process under Part 4, Division 5 the *Planning and Environment Act 1987* (the Act).

The Minister for Planning appointed the Committee under section 151 of the Act. Committee Members David Merrett (Chair) and Nicola Ward will consider this referral. This matter will be known as Referral 21.

The Committee will be supported by Georgia Thomas, Project Officer of Planning Panels Victoria (PPV).

The Minister for Planning has issued the Committee with Terms of Reference dated 14 June 2020 and Letter of Referral dated 5 September 2021 (both attached). In accordance with these documents, the purpose of the Committee is to:

- provide timely and independent advice to the Minister for Planning on projects referred by the Development Facilitation Program of the Department of Environment, Land, Water and Planning, and projects affected by COVID-19.
- provide advice and recommendations about:
 - whether planning approval should be given for the proposed development
 - the drafting of proposed Amendment C216more
 - whether planning permit PA2101205 should be issued, and if so, the appropriate conditions.

Form of engagement:

Clause 16 of the Committee's Terms of Reference provides that the Committee is not expected to carry out a public hearing or roundtable discussion but may do so if it is deemed necessary. The Committee considers a Hearing is required for Referral 21 and invites you to participate in the process. Whether the Hearing will be held in the usual format, or a roundtable discussion will be discussed at the Directions Hearing.

Before the Hearing, the Committee will hold a Directions Hearing by video conference using MS Teams at **10.00am on Tuesday 21 September 2021**. At the Directions Hearing the Committee will:

- finalise its directions about exchanging information and filing of evidence before the Hearing
- finalise the Hearing dates
- discuss opportunities for a site inspection



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- answer questions parties may have about the Committee process.

Accessing the Directions Hearing:

[Click here to join the Directions Hearing](#)

The Directions Hearing should be accessed through the below link.

Or Dial in (audio only)

1. dial 1800 571 208 (Australia Toll-free)
2. Input phone conference ID: 867 023 004#

You are encouraged to review the [Planning Panels Victoria guide to using MS Teams](#) to familiarise yourself with MS Teams before the Directions Hearing.

Documentation:

The Committee has been provided with:

- Terms of Reference dated 14 June 2020
- Letter of Referral dated 5 September 2021
- Draft Planning Scheme Amendment documentation for C216more
- Planning permit application documents, including supporting reports on issues such as traffic and parking, heritage, acoustic, potential contamination, landscaping, and waste management
- 5 submissions.

To access the referred documentation please use the following link:

[REDACTED]

Directions Hearing:

To assist in preparing for the Directions Hearing the Committee would be assisted:

- If you wish to participate in the Hearing, you must confirm your attendance and length of time requested to present to the Committee by **12 noon on Monday 20 September 2021** by emailing planning.panels@delwp.vic.gov.au.
- All parties intending to file evidence must advise the Committee by **12 noon on Monday 20 September 2021**:
 - The name of your advocate(s)
 - The name and expertise of all witnesses.

This will assist with the format of the Hearing, date(s) and preparing the timetable.

Preliminary Directions:

Direction 1: Procedural matters

Please advise the Committee in writing if you have any procedural or timing matters that you wish to raise at the Directions Hearing by **12 noon on Monday 20 September 2021**

Direction 2: Dates for Hearing

The Hearing will commence on **Thursday 14 October 2021**

At the Hearing, the likely order of appearance will be:

- Assemble Brunswick (Applicant)
- Moreland City Council
- Government departments and agencies
- Individual submitters.

If required, a reserve day has been set aside on **Friday 15 October 2021**.

Direction 3: Issues raised by Moreland City Council

Moreland City Council (Submitter 2) has raised several issues, including the extent of demolition, car parking, the relationship of new built form with the heritage fabric, street wall and overall building height, setbacks, internal amenity, and affordable housing. The Applicant has responded to these issues and other submissions (dated 23 June 2021). At the Directions Hearing, the Committee will seek a response from Council as to whether the issues raised have been resolved.

Direction 4: Draft Planning Permit PA 2101205

There will be a without prejudice discussion at the Hearing. To assist this, prior to the Hearing (refer below), Council and the Applicant are to provide a preferred version of the Planning Permit. The Committee encourages the Applicant and Council to discuss this to present an agreed version, if possible.

Direction 5: Dates for filing evidence and submissions

Assuming the Hearing commences on **Thursday 14 October 2021**, the Committee directs as follows:

Time	Date	Action
12 noon	Thursday 7 October 2021	The Applicant must circulate expert witness statements
12 noon	Thursday 7 October 2021	Other parties must circulate expert witness statements
12 noon	Thursday 7 October 2021	Applicant and Council must circulate 'without prejudice' MS Word version of the draft permit conditions
12 noon	Tuesday 12 October 2021	If a party seeks to respond to the Council and Applicant draft conditions, they must circulate them to allow 'without prejudice' discussion during the Hearing
12 noon	Business day prior to presenting at the Hearing	All material in support of submissions

Further Information:

The attached *Privacy Collection Notice* explains how your submission will be used by the Committee.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at:

<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>

If you have any other questions, please contact Georgia Thomas, Project Officer at Planning Panels Victoria on (03) 8624 5717 or planning.panels@delwp.vic.gov.au.

Yours sincerely



David Merrett
Chair

Attachment 1 – Priority Projects Standing Advisory Committee, Terms of Reference
Attachment 2 – Letter of Referral, dated 5 September 2021

Planning Panels Victoria Privacy Notice

Your submission has been collected for the primary purpose of this Committee process.

Natural justice for all participants and transparency are important parts of the Committee process. In meeting its legislative requirements, the Committee may:

- provide a copy of your submission with all contact details to the Proponent, Local Council, government agencies and other parties to the Hearing
- provide a copy of your submission to the Department of Environment, Land, Water and Planning if needed for preparing Ministerial briefings
- display a copy of your submission in the Planning Panels Victoria Office or Hearing room.
- display a copy of your submission in the relevant Local Council Office or Regional Government Office as appropriate.

Displaying submissions online

The Committee does not propose to display your full submission on a website unless this is necessary, and you have given your consent. However, your name and other personal information may be published on the internet as detailed below.

Publication of your personal information on the internet

A Committee Report will be published on the internet and may include each submitter's name, direct quotes from submissions and submitter addresses, if required.

Please note that even when your personal information is removed from the internet, it may remain on external servers indefinitely.

Hearing of submissions

A Hearing may be held in person at a venue, by telephone conference, by video link, or a combination of these. You should be aware the Committee may:

- broadcast submissions and proceedings live on the internet
- record submissions and proceedings
- make the recording available to submitters and parties to the Hearing and third parties who request it from Planning Panels Victoria at planning.panels@delwp.vic.gov.au
- use your phone contact details to contact you during a telephone/video hearing, if necessary.

The Committee will direct that parties:

- use any recording provided by Planning Panels Victoria solely for the purpose of the Committee process
- not record online hearings.

The Committee cannot:

- guarantee that a third party will not produce an unauthorised recording
- regulate how recordings are used outside the hearing context.

During the Committee process, all participants, including the general public, must respect the privacy of others and not make defamatory comments.

After the Committee has reported

When the Committee has reported to the Planning Authority, your submission will be removed from public display. Your original submission and any additional material provided will be held at Planning Panels Victoria for two years and then sent to the Public Record Office Victoria. All additional copies of the submission and other material held by Planning Panels Victoria will be securely destroyed.

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8624 3127.