



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

15 November 2019

As addressed

Dear Submitter,

Fishermans Bend Standing Advisory Committee: Amendment C172 - 118 Bertie Street, Port Melbourne

The Standing Advisory Committee (SAC) held a Directions Hearing for the above matter on 12 November 2019 at Planning Panels Victoria.

Please find attached:

- Committee Directions
- Distribution List.

The following key dates apply:

Time	Date	Action	Direction
4.00pm	19 November 2019	Proponent to provide access to 3D model if available	1
4.00pm	10 December 2019	Proponent to file and circulate key plans to AHD	2
4.00pm	13 November 2019	Parties to comment on DELWP draft Incorporated Document Parties to provide a statement of matters resolved or remaining in dispute	3
4.00pm	20 December 2019	Parties must file updated Request to be Heard (if applicable)	4
4.00pm	31 January 2020	Parties must file and circulate witness reports	5
4.00pm	5 February 2020	DELWP to file and circulate Part A submission Fishermans Bend Taskforce to provide outline submission	7 8
10.00am	10 February 2020	Hearing starts	

Declarations

Members of the SAC made declarations at the Directions Hearing to the effect that:

- Member Cook is a Sessional Member of the Victorian Civil and Administrative Tribunal but has not had any involvement with relevant properties in Fishermans Bend in that capacity
- Member Islip is the Chairperson of the Architects Registration Board and was employed by the City of Port Phillip (approximately 10 years ago).

Further steps

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



A timetable for the Public Hearing will be prepared and circulated once the SAC receives amended Request to be Heard forms.

If you have questions, please contact Greta Grivas, Senior Project Officer at Planning Panels Victoria on (03) 8392 5121 or planning.panels@delwp.vic.gov.au.

Yours sincerely,



Dalia Cook

Chair, Fishermans Bend Standing Advisory Committee

Committee Directions

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Before the Hearing

1. The Proponent should provide 3D modelling of the proposal to the SAC and parties if available by 4.00pm on **19 November 2019**.
2. The Proponent must provide key development plans with heights expressed to Australian Height Datum in line with the request of the SAC and supported by Melbourne Water by 4.00pm on **10 December 2019**.
3. By 4.00pm on **13 November 2019** each party must:
 - a) file and circulate its comments on the draft Incorporated Document prepared by DELWP. A track changes format should be used. It may be preferable for parties to generate a consolidated document with all mark ups.
 - b) provide a statement referencing the matters in Clause 20 of the SAC Terms of Reference indicating which matters that have been resolved and which matters remain in dispute.
4. By 4.00pm on **20 December 2019** each party wishing to be heard must submit an updated Request to be Heard form to the SAC. This document can be found at <https://www.planning.vic.gov.au/panels-and-committees/request-to-be-heard-form>.

Expert witness reports

5. Parties must file and circulate all witness reports (expert and lay) by 4.00pm on **31 January 2020**.
6. 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) be provided to the SAC as an unlocked document.

Part A submission

7. DELWP must file and circulate a Part A submission by 4.00pm on **5 February 2020** that includes:
 - a) strategic context and policy assessment, including an assessment of the proposals against the content and purposes of the planning controls introduced by Amendment GC81 and the objectives of the *Fishermans Bend Framework, September 2018*.
 - b) issues identified in submissions
 - c) any suggested changes to the Amendment in response to submissions
 - d) commentary on the appropriateness of proposed development contributions and the method/s proposed to secure them.

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

8. The Fishermans Bend Taskforce is requested to file and circulate an outline of its submissions by 4.00pm on **5 February 2020**.

At the Hearing

Submissions and information

9. If electronic information is presented at the Hearing, all files must be:

Directions:

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- a) circulated to parties on the distribution list by 9.00am on the morning the information is to be presented
 - b) brought to the Hearing Room on a USB stick in a clearly marked folder half an hour before the start of the day's hearing, to allow it to be uploaded onto the Hearing Room laptop.
10. If a paper copy is presented at the Hearing, at least six (6) copies must be provided, two-hole punched and stapled (not bound).
 11. After presenting to the SAC, submissions (preferably in MS Word) should be emailed to planning.panels@delwp.vic.gov.au.
 12. All information presented at the Hearing is a public document unless the SAC directs otherwise.

DELWP Part B submission

13. At the Hearing, DELWP must provide a Part B submission that includes:
 - a) its response to submissions and evidence
 - b) its preferred wording for the Incorporated Document on a "without prejudice basis" (if different from the version filed and circulated on 13 November 2019).

Proponent Submission

14. At the Hearing, in addition to indicating why the Amendment is appropriate, the Proponent must address the following issues through submissions or evidence:
 - a) The design intent of the proposal relative to policies for the Fishermans Bend Urban Renewal Precinct, more particularly, the Sandridge Precinct and the factors leading to the proposed 9 metre width of the adjacent roadway.
 - b) The proposed Build to Rent model, the operation of the draft condition requiring a section 173 agreement for the provision of Affordable housing in respect of the proposal and the outcomes of discussions with relevant Affordable Housing Providers (if appropriate).
 - c) A detailed assessment of the proposal relative to the provisions of the Design and Development Overlay (Schedule 32) including Decision Guidelines.
 - d) How compliance will be achieved with the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*.
 - e) After liaison with the Environment Protection Authority, how the requirements of the Environmental Audit Overlay will be met and whether or how this should be addressed in the Incorporated Document.
 - f) After liaison with the Department of Transport or VicRoads and with the benefit of expert advice, the relationship between this proposal and potential cumulative traffic and transport impacts for the Fishermans Bend Urban Renewal Precinct.

Aerials and maps

15. At the Hearing, DELWP should arrange for:
 - a) appropriate aerials and plans at large scale
 - b) access to a suitable GIS maps/system.