



21 January 2021

As addressed

Dear Submitter

Priority Projects Standing Advisory Committee - Referral 10
Referral of proposed draft Glenelg Planning Scheme Amendment C107gelg for a Residential Hotel Development at Cape Bridgewater

On 3 August 2020 the Minister for Planning (the Minister) received a request from the Glenelg Shire Council that he decide Planning Permit Application No. P19181 for the use and development of a residential hotel development and ancillary facilities at Blowholes Road, Cape Bridgewater. The Minister put the request on hold and required the Applicant prepare draft Planning Scheme Amendment C107gelg that applies the Specific Controls Overlay to the land.

Specifically, the proposed draft Amendment C107gelg to the Glenelg Planning Scheme seeks to:

- Apply the Specific Controls Overlay (SCO) to the land.
- Insert Clause 45.12 and the associated schedule into the Glenelg Planning Scheme.
- Amend the Schedule to Clause 72.03 to insert planning scheme map no. 34SCO.
- Amend the Schedule to Clause 72.04 to include the 'Cape Bridgewater Resort, Blowholes Road, Cape Bridgewater, November 2020' incorporated document.

The Minister has referred the draft planning scheme amendment, all submissions to the planning permit application, and other supporting documents about the proposal to the Priority Projects Standing Advisory Committee (the Committee) for review and advice under section 151 of *the Planning and Environment Act 1987* (the Act). The incorporated document includes proposed planning permit conditions, and these will be considered as part of the referral.

We are writing to you because you have lodged a submission to Planning Permit Application No. P19181 for the proposed development. Submissions to Planning Permit Application No P19181 are now considered submissions to the draft proposed draft Amendment C107gelg to the Glenelg Planning Scheme.

The Minister for Planning appointed the Committee under section 151 of the Act. Three members of the Committee, David Merrett (Chair), Mandy Elliott (Deputy Chair) and Philippa Crone will consider Referral 10.

The Minister for Planning has provided the Committee with Terms of Reference dated 14 June 2020 and Letter of Referral dated 20 December 2020 (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 Building Victoria's Recovery Taskforce (BVRT), and projects affected by COVID-19.
- provide advice and recommendations on whether a planning permit should be issued, and if so, the appropriate permit conditions.

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, GPO Box 500, East Melbourne, Victoria 8002

OFFICIAL

Information about the Priority Projects Standing Advisory Committee including its Terms of Reference and Member biographies can be found on the Committee's website at:

<https://www.planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/priority-projects-standing-advisory-committee>

Form of engagement

Clause 12 of the Terms of Reference provides:

12. The Committee may inform itself in anyway it sees fit, but must consider:

- a. the referral letter from the Minister for Planning*
- b. referred submissions*
- c. the comments of any referral authority*
- d. the views of the project proponent*
- e. the views of the relevant Council*
- f. The relevant planning scheme.*

The nature of this referral requires the matter to be considered in a public hearing forum and will be convened by video conference.

Submissions and other information presented throughout the process, including the Hearing, will be treated as public documents. Please note the attached Privacy Collection Notice.

The Committee process for this referral includes a Directions Hearing and the Hearing.

Directions Hearing

At the Directions Hearing, the Committee will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times and site inspections
- answer questions people have about the Committee process including the Hearing.

The Directions Hearing will be held at **10.00am on Monday 8 February 2021** via video conference. You should attend the Directions Hearing if you:

- are new to the Committee process or wish to participate in the Hearing
- have questions about the Committee process or wish to raise procedural issues.

Please use the below link to join the Directions Hearing:

[Join Cape Bridgewater Directions Hearing](#)

To assist parties, a guide to using MS Teams is available on the [Planning Panels Victoria website](#).

Hearing

The Hearing is for people to speak to their written submission and to hear from the Applicant and Planning Authority. The Hearing will start on **the week of 22 March 2021** and should run for one to two weeks. The Committee notes the Applicant prefers a Hearing date for late April to May 2021. This is a matter that will be discussed at the Directions Hearing.

The Directions Hearing and Hearing will be conducted in a public forum and are open for anyone to attend online.

At the Hearing the order will be:

- Planning Authority
- Applicant
- Government departments and agencies
- Community groups

- Individual submitters.

The Committee will consider all referred written submissions when preparing its report, including those from submitters who do not attend the Hearing.

Please complete the [online request to be heard form](#) by **4.00pm on Friday 29 January 2021** if:

- you wish to speak at the Hearing
- you do not wish to speak but would like a copy of the timetable and directions.

Submitters that are lodging a hard copy request to be heard form by return post must do so by **Monday, 15 February 2021**.

Completing the online request to be heard form

When completing the online *request to be heard form*, please note:

- 1 The Hearing is expected to commence the week of 22 March 2021 and should run for one to two weeks
- 2 You can tell us when you are not available. The Committee will accommodate your availability where possible.
- 3 Expert witness details must be provided on the request to be heard form.

If you complete this form, a timetable for the Hearing will be emailed or posted to you after the Directions Hearing process.

How will my contact information be used?

We will use your contact address to contact you. We will provide your email or postal address to participants in the Hearing so that they can share reports and submissions unless you tell us otherwise.

Expert witnesses

An expert witness gives evidence in a field of expertise and must prepare a report. People calling expert witnesses are required to circulate expert witness reports at a specified time before the Hearing. Participants in the Hearing can generally cross examine expert witnesses.

Documentation

The Committee has been provided with an electronic copy of the following documents:

No.	Date	Description	Presented by
1	20/12/20	Letter of Referral	Minister for Planning
2	12/01/21	Draft Glenelg C107gelg Planning Scheme Amendment - Instruction Sheet	DELWP
3	“	Draft Glenelg C107gelg Incorporated Document	“
4	“	Draft Glenelg C107gelg Explanatory Report	“
5	“	Draft Glenelg C107gelg Schedule to 72_04	“
6	“	Draft Glenelg C107gelg Schedule to Clause 72_03	“
7	“	Draft Glenelg C107gelg Schedule to Clause 45_12	“
8	“	Draft Glenelg C107gelg Map34	“
9	“	Application for Planning Permit_P19181	“

No.	Date	Description	Presented by
10	“	Planning Report prepared by URBIS on behalf of Australian Tourism Trust	“
11	“	Appendix A - Architectural Report	“
12	“	Appendix B - Landscape Report	“
13	“	Appendix C - Bushfire Management Statement	“
14	“	Appendix C - Bushfire Emergency Management Plan	“
15	“	Appendix D - Ecology Biodiversity Assessment	“
16	“	Appendix E - Town Planning Report	“
17	“	Appendix F - Traffic Report	“
18	“	Liquor Plan	“
19	“	Plans	“
20	“	Urbis on behalf of Australian Tourism Trust - Response to Submitters	“
20	“	Urbis on behalf of Australian Tourism Trust - Response to Amendment C102	“
21	“	Gunditj Mirring Traditional Owners Corporation - Cultural Heritage Management Plan Approval Letter	“
22	“	Council Delegate Report	“
23	19/1/21	Letter to the Minister for Planning and copied to Planning Panels Victoria	Coastal Planning

Planning Panels Victoria will publish the draft planning scheme amendment documents listed above no later than **4.00pm, Friday 29 January 2021** on the following website:

<https://www.planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/priority-projects-standing-advisory-committee#documents>

Issues to be discussed at the Directions Hearing

The Terms of Reference requires an expedited process. The following list of issues has been provided to forewarn parties of issues the Committee wish to discuss at the Directions Hearing:

- The potential of a spokesperson for the community submitters. The Committee is aware that Coastal Planning (Ms Shelly Fanning) may be representing several community submitters.
- Confirming the number of submitters – at the time of writing the Council delegate report stated there was 85 submitters. The list the Committee has received contains 111 submitters. The Committee wish to confirm this number and have access to the additional submissions.
- The potential of peer review for the key technical reports such as the built form and landscape reports.
- The Committee is aware that several law firms and consultancy firms have hosted documentation for the purposes of Panel and Committee Hearings through online file sharing platforms such as Hubshare and Dropbox. The Committee requests that the Applicant investigate suitable platforms for this purpose for discussion at the Directions Hearing.

This is not an exhaustive list and the Committee is likely to raise other issues at the Directions Hearing.

How will my contact information be used?

We will use your contact email address that you have provided to contact you. We will provide your email to participants in the Hearing so that they can share reports and submissions unless you tell us otherwise.

Privacy

The *Privacy Collection Notice* and other information is attached for your convenience.

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

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'DAVID MERRETT', with a stylized, wavy underline.

DAVID MERRETT

Committee Chair

Enc.

Attachment 1: Terms of Reference, dated 14 June 2020

Attachment 2: Letter of Referral, dated 20 December 2020

Privacy Collection Notice

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.

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
- submitter addresses, if required.

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

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) 8392 5114.

