



Planning Panels Victoria

Department of Environment, Land, Water and Planning

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Melbourne Victoria 3000
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30 March 2021

As addressed

Dear Party

Priority Projects Standing Advisory Committee – Referral 13
VCAT proceedings P1539/2020, P1631/2020, P1637/2020 and P1644/2020 at 7 Selwyn Street, Elsternwick.

The Minister for Planning called in proceedings P1539/2020, P1631/2020, P1637/2020 and P1644/2020 from the Victorian Civil and Administrative Tribunal (VCAT) on 14 March 2021 and referred them to the Priority Projects Standing Advisory Committee (Committee). We are writing to you because we understand you are a party to the VCAT proceedings.

The VCAT proceedings relate to Permit Application GE/PP-33539/2020 at 7 Selwyn Street Elsternwick, which seeks a permit for the demolition of the existing building; construction of an up to nine storey building; use of the land for offices and a place of assembly; sale and consumption of liquor; reduction of car parking requirements; and display of advertising signage. Glen Eira City Council (Council) issued a Notice of Decision to Grant a permit on 4 September 2020. The four VCAT proceedings are objector appeals against Council's decision to grant a permit. The Committee understands that the VCAT proceedings were listed to be heard together over 10 days between 28 June 2021 and 9 July 2021.

The Committee's role

The Minister for Planning appointed the Priority Projects Standing Advisory Committee (Committee) under section 151 of the *Planning and Environment Act 1987*. Committee members that will consider this referral are Sarah Carlisle (Chair), Jonathon Halaliku and Geoffrey Carruthers. This matter will be known as Referral 13.

The Minister for Planning has provided the Committee with Terms of Reference dated 14 June 2020 and a Letter of Referral dated 14 March 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 Team (DFT) (formally Building Victoria's Recovery Taskforce) and projects affected by COVID-19
- consider how the proposed development aligns with planning policy relating to settlement, amenity, the built environment and heritage, economic development, transport, and social and cultural infrastructure. Additionally, the Minister is seeking specific advice about the suitability of the building height, setbacks and design quality; the acceptability of any overshadowing impacts; as well as the appropriateness of there being no on-site car parking proposed.

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



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Confirmation of parties

The Committee requests that the lead objectors to each VCAT proceeding provide a list of names and email addresses for all the objectors who are a party to their proceeding by **12noon on Friday 9 April 2021**. The Committee understands that the lead objectors are:

- P1539/2020 – Edward Tamir
- P1631/2020 – Kathleen Deacon
- P1637/2020 – Alex Gottschalk
- P1644/2020 – Dana Rader.

Form of engagement

The Committee will consider Referral 13 by way of roundtable discussion.

Directions Hearing

Prior to the roundtable discussion, the Committee will hold a Directions Hearing at **10.00am on Thursday 20 May 2021** through Microsoft Teams video conference. At the Directions Hearing, the Committee will:

- finalise its directions about exchanging information and evidence before the roundtable discussion
- consider roundtable discussion dates and timeframes and the conduct of the roundtable discussion
- make arrangements for a site inspection
- answer questions people have about the Committee process, including the roundtable discussion.

A link to the Directions Hearing is provided below.

10.00am

Thursday, 20 May 2021

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

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

Please advise the Committee if you have procedural matters that you wish to raise as soon as possible by email to planning.panels@delwp.vic.gov.au. These can be discussed at the Directions Hearing.

Possible roundtable dates

The Committee considers that up to 5 days may be required for the roundtable discussion. The Committee would like to foreshadow the weeks of **15 June 2021 and 21 June 2021** as potential dates to convene the roundtable discussion. Dates will be discussed at the Directions Hearing.

Documentation

While the Committee has been provided with the VCAT files, to assist the Committee's work, the parties are requested to provide the Committee with electronic copies of all relevant documents by **12noon on Friday 16 April 2021**. This should include, but not be limited to:

- Applicant:
 - current/revised application and plans (note, the Committee already has a copy of the permit application together with the covering letter from Ratio dated 7 May 2020 and the various plans and supporting reports referred to therein)
 - evidence (if any)

- any other relevant information
- Council
 - relevant Council reports (note, the Committee already has a copy of the minutes of the Council meeting on 1 September 2020)
 - evidence (if any)
 - any other relevant information (note, the Committee already has a copy of the Notice of Decision to Grant a Permit dated 4 September 2020)
- Objectors
 - a summary of the issues they have with the permit application (a copy of any Statement of Grounds previously provided to VCAT will suffice in this regard)
 - evidence (if any)
 - any other relevant information.

All materials provided to the Committee will be treated in accordance with the Privacy Collection Notice attached.

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.

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,



Sarah Carlisle,
Committee Chair

- Attachment 1:** Privacy Collection Notice
- Attachment 2:** Terms of Reference dated 14 June 2020
- Attachment 3:** Letter of Referral dated 14 March 2021

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.