



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

16 July 2020

As addressed

Dear Party

Priority Projects Standing Advisory Committee – Referral No. 1 **Call in of VCAT proceeding P48/2020 - 46, 48 and 50-58 Marlborough Street, Balaclava**

The Minister for Planning called in proceeding P48/2020 relating to the proposed development for the use of land for a six storey building above a basement car park, comprising 46 dwellings for social housing from the Victorian Civil and Administrative Tribunal (VCAT) (reference P48/2020) on 15 July 2020 and referred it to the Priority Projects Standing Advisory Committee (Committee). We are writing to you because you are a party to the VCAT proceeding.

The Minister for Planning appointed the Priority Projects Standing Advisory Committee (Committee) under section 151 of the *Planning and Environment Act 1987*. Committee Members Ms Kathy Mitchell (Lead Chair) and Ms Debra Butcher will consider this referral. This matter will be known as Referral No. 1.

The Minister for Planning has provided the Committee with Terms of Reference dated 14 June 2020 and Letter of Referral dated 15 July 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.

The Committee is aware that parties are attempting to resolve the matters in dispute. The Committee strongly encourages the parties to continue to negotiate an agreed position.

Form of engagement

Clause 16 of the Terms of Reference provides that the Committee is not expected to carry out a public hearing but may do so if it is deemed necessary. The Committee considers a Hearing may not be required in this case, particularly if agreement is reached between the parties. Please advise the Committee if you have procedural matters that you wish to raise as soon as possible.

The Committee will consider Referral No. 1 by way of roundtable discussion using video link on **Wednesday 22 July 2020**. A link is provided in the table below.

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



Confirmation of Parties	Method
<p data-bbox="363 255 635 286">HousingFirst (Applicant)</p> <p data-bbox="240 304 753 336">Represented by HWL Ebsworth (James Lofting)</p> <p data-bbox="344 351 655 383">City of Port Phillip (Council)</p> <p data-bbox="328 400 670 432">Represented by Kathryn Pound</p> <p data-bbox="347 448 651 479">Parties to the VCAT appeal</p>	<p data-bbox="948 255 1203 286">Roundtable Discussion</p> <p data-bbox="983 304 1168 336">Microsoft Teams</p> <p data-bbox="948 351 1203 383">from 1.30pm – 5.00pm</p> <p data-bbox="940 400 1211 432">Wednesday 22 July 2020</p> <p data-bbox="831 454 1319 539"><u>Join Referral No.1 Roundtable Discussion</u></p>

Parties wishing to participate in the roundtable discussion must confirm attendance **by 12.00noon on Monday 20 July 2020** by emailing planning.panels@delwp.vic.gov.au.

The Committee would be particularly informed if Council or the Applicant are aware of any other parties subject to these proceedings, so they could be contacted as soon as possible. The Committee understands that at the VCAT Practice Day Hearing on 6 March 2020 (P48/2020), permission was given to Elly Schultz and Mark Reimann to be joined in the application for review. The Committee is unable to find any details of their objection or email address and it would be assisted if Council could clarify this.

Documentation

While the Committee has been provided with the VCAT file (hard copy only), to assist the Committee's work, Council and the Applicant are requested to provide the Committee with electronic copies of all relevant documents and correspondence in relation to the application and the matters before VCAT by **12noon on Monday 20 July 2020** at planning.panels@delwp.vic.gov.au. Please note that all materials provided will be treated in accordance with the Privacy Collection Notice attached. This may include, but not be limited to:

- Current/revise application and plans
- Council report
- Objections
- Any evidence lodged
- Any other relevant information.

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,

A handwritten signature in black ink, appearing to read 'Kathy Mitchell', is positioned above the printed name.

Kathy Mitchell

Lead Chair, Priority Projects Standing Advisory Committee

Privacy Collection Notice

Natural justice for all participants and transparency are important parts of the Panel process. In meeting its legislative requirements, the Panel 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 Panel 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 Panel 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 Panel has reported

When the Panel 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.