



Planning Panels Victoria

Department of Transport and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 8624 5712

21 March 2024

Dear Submitter

Precincts Standing Advisory Committee – Referral 1: Fishermans Bend Infrastructure Funding Planning Scheme Amendment

We are writing to you because you made a submission to the Fishermans Bend Urban Renewal Area Development Contributions Plan (DCP) and draft amendment GC224 to the Port Phillip and Melbourne Planning Schemes.

The Minister for Planning appointed the Precincts Standing Advisory Committee (Committee) under section 151 of the *Planning and Environment Act 1987* to provide independent advice to the Minister on referred precinct planning matters. The Fishermans Bend DCP is Referral 1. A copy of the Committee's Terms of Reference and the Referral Letter are **attached**.

Senior Panel Member Sarah Carlisle will Chair this matter; additional members are in the process of being appointed.

The proposal

Draft Planning Scheme Amendment GC224 (the Draft Amendment) applies to the Melbourne and Port Phillip Planning Schemes. The Draft Amendment implements the DCP and the 'Fishermans Bend Open Space Uplift mechanism' ('the OSU') by introducing new planning provisions for the four Capital City zoned precincts of Lorimer, Montague, Sandridge and Wirraway that comprise the Fishermans Bend Urban Renewal Area.

The Proponent for the proposal is DTP Precincts.

Form of engagement

Clause 13 of the Terms of Reference states the Committee is not expected to carry out a public hearing but may do so if considered necessary. The Committee considers a Hearing is required for this referral.

This letter:

- tells you about the Hearing process
- tells you what you need to do if you want to participate
- explains how we will use information the Committee collects

Directions Hearing

The Committee will hold a Directions Hearing to:

- give directions about exchanging information before the Hearing and conduct of the Hearing
- consider Hearing times and venue
- make arrangements for site inspections if considered necessary
- answer questions people have about the Committee process including the Hearing.

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 Transport and Planning, PO Box 500, East Melbourne, Victoria 8002



OFFICIAL

You should attend the Directions Hearing if you:

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

The Directions Hearing will be held in person:

10am, Monday, 15 April 2024
Planning Panels Victoria
Hearing Room 1
Ground Floor
1 Spring Street, Melbourne

Alternatively, you can:

- join online using MS Teams: [Click here to join the meeting](#)
- dial in (audio only): Call (03) 7019 2540 and enter Phone Conference ID: 343 676 665#

Key dates, written directions and timetable

The Key Information attached to this letter includes a list of proposed key dates for filing information in the leadup to the Hearing. Please check the key dates, and raise any concerns at the Directions Hearing or in writing before the Directions Hearing.

Please also advise the Committee in advance of the Directions Hearing if you intend to raise any procedural issues at the Directions Hearing.

The Committee will issue directions and a timetable for the Hearing after considering all requests to be heard and any additional matters raised at the Directions Hearing or in writing before the Directions Hearing.

What if you can't attend the Directions Hearing?

If you want to participate in the Hearing, and you wish to comment on the proposed key dates or any other matters but are unable to attend the Directions Hearing, you can provide comments in writing to planning.panels@delwp.vic.gov.au by **Wednesday, 10 April 2024**.

If you wish to be involved in the Hearing

Please complete the [online request to be heard form](#) by 12 noon on **Wednesday 10 April 2024** if:

- you wish to be involved in the Hearing
- you do not wish to participate but would like a copy of the timetable and directions.

Notes on completing the online request to be heard form are attached.

The purpose of the main Hearing is to hear from the Proponent (DTP Precincts) and submitters who wish to speak to their written submission. The Hearing will start the week beginning Monday 27 May 2024 and should run for 4 to 5 weeks.

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

Both the Directions Hearing and the Hearing will be public, and will be open for anyone to attend. Submissions and other information presented throughout the process, including at the Directions Hearing or Hearing, will be public documents. The attached *Privacy Notice* explains how your submission and other material you provide as part of the Committee process will be used by the Committee. Please read it carefully.

Documentation

Key documentation received to date includes the:

- Committee's Terms of Reference dated 24 October 2023
- Letter of Referral dated 17 March 2024
- The draft supporting documents
- Submissions.

To view the documentation, [please click here](#).

Further Information

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at: www.planningpanels.vic.gov.au/guides-and-resources

If you need a paper copy of these documents or if you have any other questions, please contact Georgia Brodrick, Project Officer, Planning Panels Victoria on (03) 8508 0888 or planning.panels@delwp.vic.gov.au

Yours sincerely



SARAH CARLISLE
Committee Chair

Completing the Request to be Heard Form

Precincts Standing Advisory Committee – Referral 1: Fishermans Bend Infrastructure Funding Planning Scher

When completing the online [request to be heard](#) form, please note the following details.

When will the Hearing be held?

The expected hearing dates are between 27/05/2024 and 21/06/2024.

What if I have availability issues during the expected hearing dates?

You can tell us when you are not available. The Committee will accommodate your availability where possible. When completing the request to be heard form you should indicate availability constraints from 27/05/2024 up to 06/07/2024.

Time required to present your submission

You will be allocated 10 minutes for your submission if this field is left blank.

Expert witness details

An expert witness gives evidence in a field of expertise and must prepare a report. Participants in the Hearing can generally cross-examine expert witnesses.

If you propose to call expert witnesses, you must:

- provide details of all expert witnesses on the request to be heard form – this includes their name, organisation, and field of expertise
- file expert witness reports at the time directed by the Committee before the Hearing.

Please note that it is critical the Committee receives information about expert witnesses on time as it assists in identifying potential conflicts of interest and planning the draft timetable for the Hearing before the Directions Hearing.

What happens after I complete the form?

If you complete this form, a letter with directions and a timetable for the Hearing will be emailed to you after the Directions Hearing, whether you attend the Directions Hearing or not. Unless you tell us otherwise, your name and email address will be added to the Distribution List and you will receive information, including expert reports and submissions, for the Hearing.

What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 8624 5712 as soon as possible if you need a form mailed to you. A paper copy of documents such as the timetable will be mailed to submitters who do not have access to email and who provide a postal address.

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 expert reports and submissions and other information for the Hearing unless you tell us otherwise.

Access requirements

Please contact PPV with any access requirements. Some Hearings are at PPV, some are at other locations (for example, local Council offices) and some are held online. PPV Hearing Rooms are equipped with a hearing loop, and a laptop with screen sharing capabilities. If the Hearing is held at another location, we may need to ensure access requirements can be met.

Key issues

The Referral Letter states that the issues and themes raised in submissions are:

- land valuation and land acquisition processes
- operation and implementation of the proposed OSU
- proposed ‘master-planning’ approach to implementation of the DCP projects
- the level set for the proposed ‘three-in-one’ contribution charge, and its operation and implementation
- the scope of essential infrastructure proposed to be included
- drafting of the associated planning controls

Summary of proposed dates

The following dates are proposed:

Time	Date	Actions for filing and other matters
12 noon	Wednesday, 10 April 2024	Parties wishing to participate in the Committee process must submit a request to be heard form
10 am	Monday, 15 April 2024	Directions Hearing
12 noon	Monday, 6 May 2024	Proponent background submission and Proponent expert witness report(s)
12 noon	Monday, 13 May 2024	Other parties expert witness report(s)
12 noon	Monday, 20 May 2024	Joint Expert Statement(s) of agreed opinions and facts (if required)
12 noon	Wednesday, 22 May 2024	Proponent ‘Day 1’ version of the Project documentation
12 noon	Friday, 24 May 2024	Documents or material to be presented on Day 1 of the Hearing
10 am	Monday, 27 May 2024	Hearing commences
12 noon	5 days after the Hearing concludes	Comments on final drafting

Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Committee process for the purpose of documenting your views about the proposal, advising the planning authority and the Minister for Planning about the proposal, and communicating with you throughout the Committee process.

While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. The Committee proposes to conduct the Hearing in public, and to keep a public record of the material provided to the Committee.

Planning Panels Victoria (PPV) may:

- provide a copy of your material with all contact details to the Proponent, government agencies and other parties to the Hearing
- provide a copy of your material to any other person who requests it (your personal information will be removed first)
- provide a copy of your material to the Department of Transport and Planning (DTP) if needed for preparing Ministerial briefings.

Hearings

The Hearing may be conducted in person or using video conferencing. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the Committee may broadcast the Hearing live on the internet
- the Hearing, or parts of the Hearing, may be recorded and made available to the parties and any person who requests it.

Where Hearings are recorded, generally audio only is recorded (not video).

The Committee can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the Committee confidentially, you will need to ask permission from the Committee Chair and provide reasons why the Committee should treat your submissions or material confidentially.

The Committee report

The Minister may choose to release the Committee's report publicly. The Committee's report will include a list of the names of submitters and a list of the names of the parties to the Hearing. It may include direct quotes from submitters, but quotes of individuals will be de-identified. The report will be published on the internet up to 10 business days after it has been provided to the Planning Authority. The report will not contain any information that can link your name to your address.

After the Committee has reported

When the Committee has reported to the Minister, your material will be removed from public display.

Requesting copies

If you would like a copy of any submissions or material collected by the Committee, or a copy of any recording the Committee makes of the Hearing, make a request to PPV by email at planning.panels@delwp.vic.gov.au before the Committee submits its report. If the Committee has reported, you should submit your request to the DTP Freedom of Information and Privacy Unit at foi.unit@transport.vic.gov.au

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8624 5719.