



# 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

5 August 2019

As addressed

Dear Submitter,

**Greater Geelong Planning Scheme Amendment C372 and Planning Permit Applications 662/2017 and 663/2017: 35 and 69-93 Hams Road and Barwon Water Reserve, Waurn Ponds**

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The Panel has been reconstituted to replace Mr Tsotsoros with Ms Sarah Carlisle as the Panel Chair in this matter.

The Panel has accepted a late request from Ross Carlson to be a party to the Hearing (see Day 4).

The following key dates apply:

- Council's Part A submission and all parties' expert witness reports must be provided to all parties by **2.00pm on Thursday 15 August 2019**.
- The Hearing will start at **10.00am on Thursday 22 August 2019**.

Please find attached:

- Panel Directions (revised)
- Distribution List (revised)
- Hearing Timetable (revised).

Revisions are highlighted in yellow.

If you have questions, please contact Planning Panels Victoria on (03) 8392 5115 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely,

**Sarah Carlisle**

Panel Chair

**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*



## Before the Hearing

### Expert witness and representative details

1. Parties who did not provide expert witness or representative details by the due date of 19 July 2019, must provide them by **5.00pm on Friday 26 July 2019**.

### Council Part A submission

2. Council must provide a Part A submission to parties on the distribution list by **2.00pm on Thursday 15 August 2019** that includes:
  - a. background to the Amendment including chronology of events
  - b. strategic context and assessment
  - c. issues identified in submissions
  - d. a list of statutory referral authorities for each permit application
  - e. any suggested changes to the Amendment in response to submissions.

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

### Expert witness reports

3. 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. not refer to any individual submitter by name – If necessary, submitters should be referred to by submission number
  - c. be provided to the Panel as an unlocked document.
4. Council's Part A submission and all parties' expert witness reports must be provided to all parties by 2.00pm on Thursday 15 August 2019, to all parties to the attached Distribution List.
5. Council must publish all expert witness reports on its website and make them publicly available at its office.

## At the Hearing

### Submissions and information

6. If electronic information is presented at the Hearing, all files must be:
  - a. brought to the Hearing Room by **9.30am** on the morning the information is to be presented, on a USB stick in a clearly marked folder, to allow it to be uploaded onto the **Hearing Room laptop**
  - b. circulated to all parties immediately after the relevant party's submission.
7. If a paper copy is presented at the Hearing, at least six (6) copies must be provided, two-hole punched and stapled (not bound).
8. After presenting to the Panel, submissions (preferably in MS Word) should be emailed to [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).
9. All information presented at the Hearing is a public document unless the Panel directs otherwise.

### **Council Part B submission**

10. At the Hearing, Council must provide a Part B submission that includes:
  - a. a summary of the key issues raised in submission
  - b. a comparison table showing issues raised in submissions with related permit conditions
  - c. an explanation of how, in line with Clause 71.02, the proposal integrates *“the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations”*
  - d. its response to evidence
  - e. its final position on the Amendment
  - f. the Boral Work Authority for its quarry, south of the subject land.

### **Proponent Submission**

11. At the Hearing, the Proponent must include in its submission:
  - a. an explanation of how the proposed development in its ultimate form will affect the local road network – this should include a traffic volume capacity analysis, where possible
  - b. an explanation of how the proposed development in its ultimate form responds to noise emissions from the substation located at the north east corner of the subject land
  - c. an explanation of how, in line with Clause 71.02, the proposal integrates *“the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations”*
  - d. its response to evidence.

### **Aerials and maps**

12. At the Hearing, Council should arrange for:
  - a. a map showing the location of submitters by submitter number. This map:
    - i. must not show submitter names
    - ii. does not need to show the location of pro-forma submitters
    - iii. must not be placed on the internet or replicated in any report.
  - b. access to Council’s GIS maps/system.

# Distribution List (version 2)

Greater Geelong Planning Scheme Amendment C372 and Planning Permit Applications

Use this list to circulate expert witness statements and other information requested by the Panel.  
It must not be used for any other purpose.

## Electronic documents

Party	email address
Planning Panels Victoria	<a href="mailto:planning.panels@delwp.vic.gov.au">planning.panels@delwp.vic.gov.au</a>
Greater Geelong City Council	<a href="mailto:psmith@geelongcity.vic.gov.au">psmith@geelongcity.vic.gov.au</a>
Echin Pty Ltd and Waurm Ponds Unit Trust (Proponent)	<a href="mailto:sally.macindoe@nortonrosefulbright.com">sally.macindoe@nortonrosefulbright.com</a> <a href="mailto:victoria.vilagosh@nortonrosefulbright.com">victoria.vilagosh@nortonrosefulbright.com</a> <a href="mailto:jessica.kaczmarek@nortonrosefulbright.com">jessica.kaczmarek@nortonrosefulbright.com</a>
Dean Smith	<a href="mailto:smithsmadhouse@bigpond.com">smithsmadhouse@bigpond.com</a>
Jim Haigh	<a href="mailto:j.haigh@kardinia.vic.edu.au">j.haigh@kardinia.vic.edu.au</a>
Lukas McVey	<a href="mailto:lukasmcvey@outlook.com">lukasmcvey@outlook.com</a>
M and J Strickland	<a href="mailto:mal.strickland50@gmail.com">mal.strickland50@gmail.com</a>
Mark Spronken	<a href="mailto:markandterri@bigpond.com">markandterri@bigpond.com</a>
Michael Williams and Sylvia Williams	<a href="mailto:misyl3@bigpond.net.au">misyl3@bigpond.net.au</a>
Powercor	<a href="mailto:peter.dawson@spiire.com.au">peter.dawson@spiire.com.au</a>
Richard Loth	<a href="mailto:richardloth@hotmail.com">richardloth@hotmail.com</a>
Ross Carlson	<a href="mailto:rosco.sound@gmail.com">rosco.sound@gmail.com</a>
Ross Hayward	<a href="mailto:hayward.rs@live.com">hayward.rs@live.com</a>
VicTrack	<a href="mailto:kate.kraft@victrack.com.au">kate.kraft@victrack.com.au</a>

# Timetable (version 2)

Greater Geelong Planning Scheme Amendment C372 and Planning Permit Applications

## Day 1: Thursday 22 August 2019

Venue: Council Chamber, City Hall, 30 Gheringhap Street, Geelong

Time	Party	Sub No	Allocated
10.00am	Preliminary matters		15 mins
10.15am	<b>Greater Geelong City Council</b> represented by Peter Smith		3 hours
<b>1.00pm</b>	<b>Lunch Break</b>		<b>1 hour</b>
2.00pm	<b>Greater Geelong City Council</b> (continued)		
2.30pm	<b>Echin Pty Ltd and Waurn Ponds Unit Trust (the Proponent)</b> represented by <b>Jeremy Gobbo QC and Jennifer Trehella</b> , instructed by Sally Macindoe of Norton Rose Fulbright, calling the following expert evidence: <ul style="list-style-type: none"><li>• Planning from <b>Jason Black of Insight Town Planning</b></li><li>• Traffic engineering from <b>Jason Walsh of Traffix Group</b></li><li>• Traffic engineering from <b>Tim de Young of OneMileGrid</b></li></ul>		2 days
4.30pm	Day close		

## Day 2: Friday 23 August 2019

Venue: Council Chamber, City Hall, 30 Gheringhap Street, Geelong

Time	Party	Sub No	Allocated
10.00am	Preliminary matters		15 mins
10.15am	<b>Echin Pty Ltd and Waurn Ponds Unit Trust (the Proponent)</b> (continued)		
<b>1.00pm</b>	<b>Lunch Break</b>		<b>1 hour</b>
4.45pm	Day close		

## Day 3: Monday 26 August 2019

Venue: Ground Floor Meeting rooms 1 & 2, Council Offices, 100 Brougham Street, Geelong

Time	Party	Sub No	Allocated
10.00am	Preliminary matters		15 mins
10.15am	<b>Echin Pty Ltd and Waurn Ponds Unit Trust (the Proponent)</b> (continued)		2 days
<b>1.00pm</b>	<b>Lunch Break</b>		<b>1 hour</b>
2.00pm	<b>Powercor</b> represented by Peter Dawson of Spiire Australia Pty Ltd	113	1 hour
3.00pm	<b>VicTrack</b> represented by Kate Kraft	164	30 mins

3.30pm	<i>Break</i>		<i>15 mins</i>
3.45pm	<b>Richard Loth</b>	72	15 mins
4.00pm	<b>Terri Spronken</b>	132	15 mins
4.15pm	<b>Mark Spronken</b> (represented by Terri Spronken if not available)	131	15 mins
4.30pm	<b>Mark Cooper</b> represented by Terri Spronken	15	15 mins
4.45pm	<i>Day close</i>		

**Day 4: Tuesday 27 August 2019**

Venue: Ground Floor Meeting rooms 1 & 2, Council Offices, 100 Brougham Street, Geelong

Time	Party	Sub No	Allocated
10.00am	Preliminary matters		10 mins
10.10am	<b>Michael Williams and Sylvia Williams</b>	156	20 mins
10.30am	<b>Jim Haigh</b>	44	15 mins
10.45am	<b>Dean Smith</b> , calling the following expert evidence: <ul style="list-style-type: none"> <li>Landscape architecture from Dr David Jones of Deakin University</li> <li>Traffic engineering from Barry Mulholland (through video conferencing)</li> </ul>	123	2 hours
<b>1.00pm</b>	<b>Lunch Break</b>		<b>1 hour</b>
<b>2.00pm</b>	<b>M and J Strickland</b>	135	15 mins
<b>2.15pm</b>	<b>Ross Hayward</b>	48	15 mins
<b>2.30pm</b>	<b>Lukas McVey</b>	88	15 mins
<b>2.45pm</b>	<b>Ross Carlson</b>	<b>13</b>	<b>20 mins</b>
3.05pm	<i>Break</i>		<i>15 mins</i>
<b>3.20pm</b>	<b>Echin Pty Ltd and Waurm Ponds Unit Trust</b> – Right of reply		30 mins
<b>3.50pm</b>	<b>Greater Geelong City Council</b> – Right of reply and closing comments		30 mins
<b>4.20pm</b>	<b>Panel close</b>		

**Hearing Timetable Notes:**

1. The Panel may amend the timetable without notice.
2. Please arrive at least 15 minutes before your scheduled commencement time.
3. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as possible.
4. If you have any questions about the timetable, please contact the Panel Coordinator on 8392 5115.