



Planning Panels Victoria

Department of Environment, Land, Water and Planning

8 November 2017

As addressed

Dear Submitter,

South Gippsland Planning Scheme Amendment C109 Permit Application No 2016/180

A Directions Hearing was held on 3 November 2017 at Leongatha in relation to the above Amendment and Planning Permit. A copy of the Panel's Directions and Hearing Timetable are attached. The following key dates are relevant to this matter:

- Expert witness reports must be circulated by **2.00pm on Monday 20 November, 2017**
- Further information from Council and West Gippsland CMA must be circulated by **2.00pm on Monday 20 November, 2017**
- The Hearing will commence at **1.30pm Tuesday 28 November, 2017**

The following information is enclosed for your information:

- Panel Directions
- Distribution List
- Hearing Timetable.

If you have any queries please contact Planning Panels Victoria on (03) 8392 5115 or planning.panels@delwp.vic.gov.au.

Yours sincerely,

Michael Kirsch

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



Panel Directions

South Gippsland Planning Scheme Amendment C109
Permit Application No 2016/180

Written Submissions at the Hearing

1. All parties should bring to the Hearing at least five (5) hard copies of additional written submissions and accompanying documents (i.e. photographs, plans). Copies of original submissions are not needed.
2. Written material presented at the Hearing should be two-hole punched and stapled (not bound).
3. Submissions (preferably in MS Word) should be emailed to the Panel after the Hearing at planning.panels@delwp.vic.gov.au.
4. Submissions and material presented at the Hearing including PowerPoint presentations are public documents and may be made available to other parties.

Exchange of Expert Witness Reports

5. Expert witnesses reports must comply with the Planning Panels Victoria Guide to Expert Evidence (<http://www.planning.vic.gov.au/panels-and-committees/planning-panel-fags>).
6. Expert witness reports should not refer to any individual submitter by name. If necessary, submitters may be referred to by submission number.
7. A copy of any expert witness report received must be made available on Council's website and at its office.

Information to be supplied by Council

8. Council must circulate to all parties on the distribution list its 'Part A Submission' by **2.00pm on Monday 20 November 2017** (both Hard and Electronic copies). This should include:
 - a. Background to the Amendment.
 - b. Chronology of events.
 - c. Strategic context and assessment, including responses to the relevant elements of:
 - Ministerial Direction No 13 (Requirements to be met)
 - Planning Practice Notes 11, 36 and 53
 - Victorian Coastal Strategy
 - Guidelines for Coastal Management Authorities: Assessing development in relation to sea level rise (DSE) (2012)
 - Guidelines for development in flood prone areas (WGCMA) (2013)
 - Clause 21.07-1 (Climate change), strategy 1.2
 - Clause 21.15-9 (Venus Bay), the "development prerequisites" under the fourth "settlement" strategy.
 - d. Changes to the Amendment or planning permit documentation proposed as a result of the issues raised in submissions.

Note: At the Hearing, Council's 'Part A Submission' will be taken as read by all parties. Council should allow time on Day 1 for questions of clarification from the Panel.
9. At the Hearing, Council must address the following issues through its 'Part B Submission':
 - a. Responses to issues raised in submissions, including responses to each point of objection in the West Gippsland CMA written submission.
 - b. Responses to evidence tabled.

- c. Advice on any discussions with VicRoads about the security of or any upgrades to the Inverloch - Venus Bay Road.
 - d. Advice on any opportunities to improve accessibility between Venus Bay and Tarwin Lower as recommended in the South Gippsland Housing and Settlement Strategy (2013).
 - e. Advice on the potential lot yield from the areas being zoned LDRZ and TZ.
 - f. Its final position on the Amendment.
10. Council must supply PPV with the following by **2.00pm on Monday 20 November 2017**:
- a. Venus Bay Urban Design Framework: Settlement Background Paper (2006)
 - b. Any background or supporting documentation provided to Council by the proponent in support of the application.

Information to be provided by West Gippsland CMA

11. West Gippsland CMA must circulate the following information by **2.00pm on Monday 20 November 2017** (both Hard and Electronic copies) in accordance with the attached Distribution List.
- a. a plan showing the general extent and depths of predicted inundation along the Inverloch-Venus Bay Road referred to in its written submission.
 - b. Advice on the source and currency of the flood mapping relied on in the submission, and whether there are any plans to review or update the mapping or modelling.

Information at the Hearing

12. At the Hearing, Council should arrange for appropriate aerials and plans at large scale.

Distribution List

South Gippsland Planning Scheme Amendment C109
Permit Application No 2016/180

This list is to be used for the circulation of Expert witness statements and any other information as directed by the Panel.

Note: **Both Hard and Electronic** copies of Further information from Council and West Gippsland CMA **must be circulated by 2.00pm on Monday 20 November 2017.**

Party	Hard Copies	Electronic Copy
Planning Panels Victoria Attn: The Panel Coordinator GPO Box 2392 Melbourne, Victoria 3001 (By courier to Level 5, 1 Spring Street, Melbourne 3000 and mark as 'Urgent')	1 copy	planning.panels@delwp.vic.gov.au (The Panel is to be provided with an 'unlocked' copy of any document circulated, i.e not in PDF)
South Gippsland Council Private Bag 4, Leongatha, VIC 3953	1 copy	ken.griffiths@southgippsland.vic.gov.au
J and F van der Meulen PO Box 30, San Remo, VIC 3925	-	chris@jardinejohnstone.com.au
West Gippsland Catchment Management Authority PO Box 1374, Traralgon, VIC 3844	-	adamd@wgcm.vic.au

Timetable

South Gippsland Planning Scheme Amendment C109
Permit Application No 2016/180

Day 1: Tuesday 28 November 2017

Venue: Balcony Lounge, memorial Hall Complex, Michael Place, Leongatha

Time	Party	Sub No	Allocated
1.30pm – 1.45pm	Preliminary matters		15 mins
1.45pm – 3.45pm	South Gippsland Shire Council represented by Darren Wong		2 hours

Day 2: Wednesday 29 November 2017

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
9.00am – 1.00pm	J and F van der Meulen represented by Jane Sharp and calling expert evidence from: <ul style="list-style-type: none">Warwick Bishop (flooding)TBA (planning)		4 hours
1.00pm – 2.00pm	Lunch Break		1 hour
2:00pm – 5.00pm	West Gippsland Catchment Management Authority represented by Adam Dunn and calling expert evidence from: <ul style="list-style-type: none">Michael Cawood (flooding)	1	3 hours
5.00pm – 5.10pm	Right of reply J and F van der Meulen represented by Jane Sharp		10 mins
5.10pm – 5.20pm	Closing submission South Gippsland Shire Council		10 mins
5.20pm – 5.30pm	Panel concluding comments, (including without prejudice discussion of planning permit conditions if appropriate)		10 mins
5.30pm	Close of Hearing		

Hearing Timetable Notes:

1. This timetable may be amended without notice.
2. Please arrive at least 15 minutes before your scheduled time of commencement. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as practicable.
3. Any queries regarding this timetable should be made to Laura Agius, Panel Coordinator on 8392 5115