



Planning Panels Victoria

Department of Environment, Land, Water and Planning

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20 April 2021

Dear Parties

Victorian Planning Authority Projects Standing Advisory Committee Referral 3, draft Bass Coast Planning Scheme Amendment C152bass Wonthaggi North East Development Contributions Plan – Further directions Tranche 2 Hearing

On the 16 April 2020 the Tranche 1 Hearing for this matter concluded following the Victorian Planning Authority (VPA) and Bass Coast Council closing submission and list of proposed Amendment changes (Document 115). The Standing Advisory Committee (the Committee) is proposing to prepare a Tranche 1 report for the Minister setting out its initial findings relating to Tranche 1 matters only following. The interim report will be informed by further potential Amendment changes relating to bushfire to be provided by the VPA following further discussions with the Country Fire Authority. This information is anticipated in 4 weeks.

On the final day of the Tranche 1 Hearing, the Committee considered the position of parties relating to the VPA's revised action plan further work steps (circulated on the 13 April 2021, Document 103) regarding gas and water pipelines, review of its drainage strategy and changes to amendment documentation including the Development Contributions Plan (DCP) and Precinct Structure Plan (PSP). This discussion also considered arrangements for the Tranche 2 Hearing to consider submissions and evidence on these matters.

The Committee makes the following directions regarding the Tranche 2 Hearing:

1. The matter is listed for a continuation of the Hearing (Tranche 2) on **Monday, 6 December 2021** for a period of 2 weeks (to be confirmed)
2. On or before **12 noon on Monday, 6 September 2021** the VPA is to circulate an amended drainage strategy
3. On or before **12 noon on Monday, 27 September 2021** the VPA is to circulate the following documents:
 - a. Updated Tranche 2 Day 1 Amendment documents including a revised DCP and PSP
 - b. A report (or reports) explaining the changes that have been made to the Amendment documents and the rationale for the changes
4. If any of the changes to the Tranche 2 Day 1 Amendment documents have the potential to materially affect a person who is not a party to the proceeding, the VPA must notify the person of the proposed changes on or before **12 noon on Monday, 27 September 2021**. The VPA must advise the Committee and other parties of its intention to give notice (including details of that notice) or the reasons not to give notice as soon as practicable after the 27 September 2021. Any notice provided by the VPA should include details of the Committee proceedings and the process for receiving, considering and referring submissions as appropriate.

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5. On or before **12 noon on Monday, 18 October 2021**, all parties that wish to be heard at the Tranche 2 hearing must circulate a statement outlining a list of issues left in dispute (if any) and confirm the time (hours) required for their submission and list of experts to be called to give evidence (if any).
6. The VPA to circulate a draft Tranche 2 Hearing timetable and proposed dates for circulation of evidence, timing of conclaves and issue of conclave statements by **12 noon on Thursday, 21 October 2021** to facilitate discussion at the Tranche 2 Directions Hearing.
7. The matter is listed for a Directions hearing at **10:00am on Monday, 25 October 2021**. The Directions Hearing is to be conducted by videoconference unless otherwise advised. Planning Panels Victoria will liaise with the VPA to provide invitations for the Directions Hearing.
8. The VPA is to maintain the shared drive so it can continue to be accessed by the parties.

Conduct of conclaves

While the Committee supports the conduct of drainage and DCPs it makes no directions about the timing of them or the circulation of associated evidence. It notes however that the VPA wishes to engage with drainage and DCP experts during its further work stage leading up to the finalisation of draft amendment documents and the conduct of the conclaves. The Committee strongly supports this approach and considers it will substantially narrow the outstanding issues in dispute and result in a more appropriate planning outcome. The Committee anticipates that while evidence should ultimately be circulated before the issue of conclave statements that a number of conclave meetings will be necessary and the first of these should not be delayed while waiting for evidence to be circulated. While not fixed, parties leading related evidence should be mindful of the availability of their experts to attend the conclaves and the approximate dates set out by the VPA in its proposed draft directions (circulated on 15 April 2021, Document 112). The timing of conclaves and statements will be further discussed at the 25 October Directions Hearing although parties are encouraged to work together to identify a workable timetable.

If you have any queries please contact Kimberly Martin, Senior Project Officer of Planning Panels Victoria on (03) 8624 3266 or planning.panels@delwp.vic.gov.au.

Yours sincerely,



Tim Hellsten

Co Chair VPA Projects Standing Advisory Committee