14 April 2024,

Further submission in relation of the current draft Shepparton South East Structure Precinct.

Thank you for the information provided on 2 April 2024,

It is unfortunate that the reports and documents that I requested, of which, you should have been able to provide on request have not materialised, clearly a full consultation has not occurred.

Without the working background documents to prove and provide the surety that the issues I have alerted the VPA to have not been clarified by VPA and Council.

Unfortunately no substantial background documents have been provided.

- The Engage Vic document does not provide any details on the Number 2 Drain which currently begins at the Pine Lodge Hotel and travels in a westerly direction and through the proposed precinct area, this drain is controlled by G M Water.
  No capacity figures were provided of its capacity or the effect the precinct will have upstream and who will be responsible for the entire length of the Number 2 drain.
  G M Water cannot divest or abandon its drainage duties under the Water Act.

    1. We will be presenting the Planning Panel documents regarding this matter and without the VPA or Council providing any document we must conclude that there were none considered in forming this precinct plan.

- The Engage Vic document does not include G M Waters well established Drainage Policy or that the area is in the G M Water Irrigation District.

    2. We will present the Drainage Policy which includes drainage contracts to the Planning Panel and a plan of the irrigation district.

- The Engage Vic document does not explain if the Irrigation Channels or the Drainage Channels will be removed back to natural ground level or will they become flood levees?

    3. If the channel acts as a levy will they be registered under the Water Act. And compensation paid to the affected land owners upstream? We will provide documents regarding this matter to the Planning Panel.

- These few examples demonstrate that the documents available to explain the proposed and current situation are incomplete, on that basis it would be a waste of time speculating what the VPA is proposing.

- Dean Rochford was the Director of Infrastructure at Greater Shepparton City Council when Water Technology was engaged to conduct the Flood Study.

- I have a copy of the terms of reference of Flood Study, the Director of Infrastructure Mr Dean Rochford made recommendations to Council and was responsible for the delivery of the contract. He also oversaw that the terms of that contract were followed as the director of infrastructure at Greater Shepparton City Council

- The Water Technology Flood Study is the basis for this proposed amendment, Mr Peter Harriot past CEO of Greater Shepparton City Council has provided a document that is inconsistent with that final Flood Study Report.

With all these inconsistences and the failure of the VPA to provide the documents requested I must draw the conclusion that the consultation documentation is incomplete.

This process is guided by the Planning and Environment Act and the Local Government Act.

I conclusion I present to you this analogy, if I was applying for a planning permit, and the application was incomplete the council officer would refuse the application until all the information was provided. If I place extra information outside my application scope that information would have to be removed.

This planning process must be dealt with in the same way. All the consultation documents must be completed with the flood affects upstream the size and capacity of the flow paths and who will be responsible for the free flow of riverine flow before this process can move forward.

I would like to thank you for the opportunity to provide factual feedback to the VPA and Council proposal.

I will attached all the correspondents regarding the communication with the VPA as my submission to this Shepparton South East Precinct Structure Plan.

Kind Regards

[redacted]

Rocky D'Agostino.