



# Planning Panels Victoria

Department of Environment, Land, Water and Planning

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

11 October 2021

Dear Submitter

## **Greater Geelong Planning Scheme Amendment C391ggee and Planning Permit Application 39-2019**

Thank you for your submission to the above combined Planning Scheme Amendment and Planning Permit Application. The City of Greater Geelong Council has referred all submissions to a Panel.

Under delegation from the Minister for Planning, Ms Kathy Mitchell AM (Chair) and Mr Geoffrey Carruthers have been appointed as the Panel under the provisions of Sections 153, 155 and 96A of the Planning and Environment Act 1987 on 6 October 2021 to consider the Amendment and planning permit application.

The Panel will hold a Public Hearing by video conference. This letter:

- tells you about the hearing process
- tells you what you need to do if you want to participate in the Public Hearing
- explains how we will use information the Panel collects
- sets out draft directions for the Public Hearing.

Both members have declared they have no known conflicts of interest in this matter.

### **The Amendment and the Panel process**

The proposed Amendment applies to an area of approximately 29 hectares of land on the eastern side of Ash Road, Leopold (73-85 87-101 103-127 129-141 and 143-155 Ash Road).

The planning permit application applies only to 87-101 and 103-127 Ash Road, Leopold.

The Amendment proposes to rezone the land from the Farming Zone to the General Residential Zone Schedule 1 to facilitate future subdivision and development of the area in accordance with the Council adopted Leopold Structure Plan September 2011 (amended January 2013). Additionally, the Amendment proposes to apply a new Schedule 46 to the Design and Development Overlay to the land proposed to be rezoned.

The planning permit application seeks approval for the multi-lot staged subdivision of 87-101 and 103-127 Ash Road, the removal of native vegetation and the removal of easement(s).

The City of Greater Geelong Council is the Planning Authority for the Amendment. The Proponent for the Amendment and planning permit application is Ash Pty Ltd, a subsidiary of Ample Investment Group Pty Ltd.

The Panel will:

- consider submissions in an independent forum
- be informal and not like a court
- give fair, unbiased advice to Council and the Minister for Planning about the Amendment.

#### **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*



Submissions and other information presented throughout the process, including the Hearing, will be **treated as public documents**. Please note the attached *Privacy Collection Notice*.

The Panel process includes a Directions Hearing and the Hearing.

### **Directions Hearing**

At the Directions Hearing, the Panel will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times and venue and site inspections
- answer questions people have about the Panel process including the Hearing.

The Directions Hearing will be held at **10.00am on Thursday, 28 October 2021** by video conference using MS Teams.

[Click here to join the Directions Hearing](#)

To dial in by phone, please use the following number: 03 7019 2540 and enter conference ID: 903 612 59#

You should attend the Directions Hearing if you:

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

The Panel proposes to issue directions after considering all requests to be heard and any additional matters raised at the Directions Hearing or in writing before the Directions Hearing. Each party will have an opportunity to comment about the proposed directions at the Directions Hearing or by **12 noon** on in writing by **Monday, 25 October 2021**. Final directions will then be issued.

### **Hearing**

The purpose of the Hearing is for people to speak to their written submission and to hear from the Planning Authority. The Hearing will commence on **Monday 22 November 2021** and should run for 3 - 4 days. The Hearing is open for anyone to attend. The Panel directs that Council make all the video conference arrangements for the Hearing. However, if COVID restrictions ease, the Panel is amenable to holding the Hearing in person, this will be discussed at the Directions Hearing. In either event, Council is responsible for making all the Hearing arrangements.

At the Hearing the order of submissions will be:

- City of Greater Geelong
- Proponent
- Government departments and agencies
- Community groups
- Individual submitters.

The Panel will consider all referred written submissions when preparing its report, including those from submitters who do not attend the Hearing.

### **If you wish to be involved in the Hearing**

Please complete the [online request to be heard form](#) by **12 noon on Monday 25 October 2021** if:

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

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

### **Further Information**

The attached *Privacy Collection Notice* explains how your submission will be upheld by the Panel.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at:

<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>

If you need a paper copy of these documents or if you have any other questions, please contact Kimberly Martin, Senior Project Officer of Planning Panels Victoria on (03) 8624 3266 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kathy Mitchell', is positioned above the typed name.

**Kathy Mitchell AM**  
Panel Chair

# Completing the online request form

Greater Geelong Planning Scheme Amendment C391ggee and Planning Permit Application 39-2019

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 **22/11/2021** and **26/11/2021**.

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

You can tell us when you are not available.

The Panel will accommodate your availability where possible.

## Expert witness details

An expert witness gives evidence in a field of expertise and must prepare a report.

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
- circulate expert witness reports at a specified time before the Hearing.

Participants in the Hearing can generally cross-examine expert witnesses.

## What happens after I complete the form?

If you complete this form, a timetable for the Hearing will be emailed to you after the Directions Hearing.

## What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 8624 3266 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 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 reports and submissions unless you tell us otherwise.

## Access requirements

Please contact PPV with any access requirements. Some Hearings are at PPV, and some are at other locations. PPV Hearing Rooms are equipped with a hearing loop, and a laptop and projector if required. If the Hearing is held at another location, we may need to ensure access requirements can be met.

## Preliminary list of issues

Council identified the following issues raised in submissions in its report of 28 September 2021:

- Strategic support for the amendment – loss of semi-rural area, too much development and change in Leopold
- Lack of infrastructure to support the rezoning – shops, doctors, services, schools
- Stormwater management – downstream connection with Mollers Lane system
- Subdivision integration with Mollers Lane growth area – roads, open space, stormwater, permit conditions
- Traffic impact – road congestion and safety concerns
- Environmental impact – loss of flora and fauna, impact on Lake Connewarre and waterways
- Treatment of soil contamination
- Social and affordable housing contribution.

## Summary of dates

The following dates are proposed:

Time	Date	Action
<b>12noon</b>	Monday, 25 October 2021	All requests to be heard, including nomination of advocates and witnesses to be provided. Any procedural matters to be raised if NOT attending the Directions Hearing
<b>10.00am</b>	Thursday, 28 October 2021	Directions Hearing
<b>12 noon</b>	Monday, 8 November 2021	Council and the Proponent must file and circulate its Part A submission
<b>12 noon</b>	Thursday, 11 November 2021	Proponent must file and circulate expert witness reports
<b>12 noon</b>	Monday, 15 November 2021	Any other parties must file and circulate expert witness reports
<b>12 noon</b>	Friday, 19 November 2021	Any supplementary submission from a party not appearing at the Hearing must be filed and circulated
<b>12 noon</b>	Friday, 19 November 2021	Council and the Proponent must file and circulate its Part B submission
<b>12 noon</b>	Business day prior submissions	All submitters must file and circulate any other written material to be presented to the Panel
<b>10.00 am</b>	Monday, 22 November 2021	Hearing commences

# Planning Panels Victoria Privacy Notice

Your submission has been collected for the primary purpose of this Panel process.

Natural justice for all participants and transparency are important parts of the Panel process. In meeting its legislative requirements, the Panel may:

- provide a copy of your submission with all contact details to the Proponent, Local Council, government agencies and other parties to the Hearing
- provide a copy of your submission to the Department of Environment, Land, Water and Planning if needed for preparing Ministerial briefings
- display a copy of your submission in the Planning Panels Victoria Office or Hearing room.
- display a copy of your submission in the relevant Local Council Office or Regional Government Office as appropriate.

## Displaying submissions online

The Panel does not propose to display your full submission on a website unless this is necessary, and you have given your consent. However, your name and other personal information may be published on the internet as detailed below.

## Publication of your personal information on the internet

A Panel Report will be published on the internet and may include each submitter's name, direct quotes from submissions and submitter addresses, if required.

Please note that even when your personal information is removed from the internet, it may remain on external servers indefinitely.

## Hearing of submissions

A Hearing may be held in person at a venue, by telephone conference, by video link, or a combination of these. You should be aware the Panel may:

- broadcast submissions and proceedings live on the internet
- record submissions and proceedings
- make the recording available to submitters and parties to the Hearing and third parties who request it from Planning Panels Victoria at [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au)
- use your phone contact details to contact you during a telephone/video hearing, if necessary.

The Panel will direct that parties:

- use any recording provided by Planning Panels Victoria solely for the purpose of the Panel process
- not record online hearings.

The Panel cannot:

- guarantee that a third party will not produce an unauthorised recording
- regulate how recordings are used outside the hearing context.

During the Panel process, all participants, including the general public, must respect the privacy of others and not make defamatory comments.

## After the Panel has reported

When the Panel has reported to the Planning Authority, your submission will be removed from public display.

Your original submission and any additional material provided will be held at Planning Panels Victoria for two years and then sent to the Public Record Office Victoria. All additional copies of the submission and other material held by Planning Panels Victoria will be securely destroyed.

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8624 3127.