

# MinterEllison

20 December 2019

## BY EMAIL

Kathy Mitchell  
Panel Chair  
Planning Panels Victoria  
by email: [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au)

Dear Madam Chair

### **Amendment C393 to the Greater Geelong Planning Scheme (Amendment)**

We refer to the above matter and confirm we continue to act for Shell Road Developments Pty Ltd in respect of the Amendment.

We also refer to the letter from Harwood Andrews to the Panel dated 17 December 2019, circulating the City of Greater Geelong's (**Council**) Part D *Retail Strategy 2016-2036* in tracked form, following the Panel's directions on 12 December 2019.

We note in that letter that Ms Morris states that all tracked changes in the Part D Retail Strategy are marked either in underline or strikethrough, addressing both additions and deletions respectively.

We have undertaken an initial review of the track changed Part D Retail Strategy in conjunction with our client's economic witness, Mr Ganly. We note that, despite the comments in the letter, it appears that:

- (a) a number of changes, specifically, strike outs of text in the **exhibited** version of the Retail Strategy, **have not** been marked into the track changed Part D Retail Strategy. For example, commentary on page 65 of the original Retail Strategy has been deleted and replaced, but there is no record of the deletion in the track changed version of the Retail Strategy. As a general comment, it appears that there are a number of deletions in particular that have been removed altogether, as opposed to being marked as strikethrough text;
- (b) further, there are some parts of the track changed Part D Retail Strategy that are not legible. For example, the map of our client's Neighbourhood Activity Centre set out at page 74 has a legend that is illegible, whilst it is not clear whether the image is, in fact, the image that is intended to be there.

Respectfully, these issues are significantly increasing the difficulty associated with reviewing the Part D Retail Strategy as requested by the Panel. We ask the Panel to make further directions, immediately, requiring Council to clarify and confirm **all** changes that have been made to the Part D Retail Strategy, as was requested by the Panel's previous directions on 12 December 2019.

Our client otherwise reserves its rights to make further comments on the Part D documents, including the right to present further written and oral submissions on 17 January 2020 and 21 January 2020 respectively.



Please contact us if you have any queries.

Yours faithfully  
**MinterEllison**

A handwritten signature in black ink that reads "Minter Ellison". The signature is written in a cursive, flowing style.

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