



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

8 March 2022

Dear Party,

Geelong Planning Scheme Amendment C437: proposed rezoning of the land at 135 Stacey's Road, Lovely Banks and the (unmade) road reserve adjoining the south boundary of the land

The Panel held a Directions Hearing for the above matter on 7 March 2022 by videoconference. Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable.

The following dates apply:

| Time | Date | Action | Direction |
|---------|--------------------------|---|-----------|
| 12 noon | Wednesday, 30 March 2022 | Council must circulate its written submission | 7 |
| 10 am | Friday, 1 April 2022 | Video conference Hearing/round table discussion commences | |

Declarations

The Panel made no declarations.

Procedural matters

Mr Dinh made a submission in relation to the Amendment which sought the inclusion of his land, 165 Staceys Road, Lovely Banks, in the Amendment so that it can also be rezoned to Urban Growth Zone. The Panel advised Mr Dinh that it was not able to consider submissions in relation to the rezoning of his land. To do so would result in a transformation of the Amendment. Surrounding landowners have not been given the opportunity to comment on the rezoning of 165 Staceys Road, Lovely Banks, and for Council to rezone this land without exhibition would be a denial of natural justice. Mr Dinh understood this position and advised the Panel that he would not attend the Hearing.

If you have questions, please contact Planning Panels Victoria on (03) 8624 or planning.panels@delwp.vic.gov.au.

Yours sincerely,

Sarah Raso
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

OFFICIAL



Panel Directions

Geelong Planning Scheme Amendment C437: proposed rezoning of the land at 135 Stacey's Road, Lovely Ba (unmade) road reserve adjoining the south boundary of the land

Before the Hearing

Hearing administration

1. Council must host and manage the video conference.

Circulation and sharing of documents

2. Documents must be circulated electronically to all parties on the Distribution list.
3. Files should not exceed 20MB in size. Documents larger than 20MB should be broken down into smaller files less than 20MB.
4. File names should be as short as possible.
5. Paper documents will only be permitted in exceptional circumstances. If any party has issues supplying documents electronically, they should contact Planning Panels Victoria.
6. Council must provide the following documents to parties on the distribution list by **Error! No text of specified style in document. on Monday, 28 March 2022**Error! No text of specified style in document.:
 - a) Panel report for Amendment C395ggee.

Council written submission

7. Council must circulate a written submission to parties on the distribution list by **Error! No text of specified style in document. on Error! No text of specified style in document. 2022** that includes:
 - a) background to the Amendment including chronology of events
 - b) strategic context and assessment
 - c) issues identified in submissions
 - d) any suggested changes to the Amendment in response to submissions
 - e) its response to submissions and evidence
 - f) its final position on the Amendment.

Note: Council's submission will be taken as read by the Panel at the Hearing. Council should allow time for a brief oral summary followed by questions about its submission.

At the Hearing

Submissions and information

8. Parties must present material at the Hearing electronically.
9. All information presented at the Hearing is a public document for the purposes of the Panel process unless the Panel directs otherwise.

Other information

10. After presenting to the Panel, submissions and other material (preferably in MS Word) should be emailed to planning.panels@delwp.vic.gov.au as an unlocked document.
11. All information presented at the Hearing is a public document unless the Panel directs otherwise.

Recording Hearings and use of personal information

12. Parties must not record any part of an electronic hearing by any means without permission from the Panel.

Directions:

Geelong Planning Scheme Amendment C437: proposed rezoning of the land at 135 Stacey's Road, Lovely Banks and the (unmade) road reserve adjoining the south boundary of the land

13. In exceptional cases, the Chair may direct that the Hearing be recorded. A party who wishes proceedings to be recorded must make a request to the Panel at least five business days before the commencement of the Directions Hearing, outlining its reasons.
14. If Planning Panels Victoria records an electronic hearing, any party provided with a copy of the recording on request must not publish or distribute that recording, or use it for any purpose other than for the Hearing.
15. Parties must not record, keep, distribute or publish contact details of any other party obtained in the course of an electronic hearing session, or use those contact details for any purpose other than for the Hearing.

Compliance with Panel directions

16. All directions must be complied with. It is an offence to not comply with a direction without lawful excuse. [section 169 of the *Planning and Environment Act 1987*]
17. If you anticipate being unable to comply with a direction (for example, meeting a deadline for the circulation of evidence), you must provide the Panel with advance notice, and a written statement explaining why you are unable to comply with the direction, and seek leave from the Panel to vary the direction.
18. The Panel may:
 - a) refuse to hear from anyone who fails to comply with a direction. [section 159(b)]
 - b) not accept evidence if leave to vary a direction for the circulation of evidence is not sought or granted.

Distribution List

Geelong Planning Scheme Amendment C437: proposed rezoning of the land at 135 Stacey's Road, Lovely Ba (unmade) road reserve adjoining the south boundary of the land

Use this list to circulate expert witness statements and other information requested by the Panel. It must not be used for any other purpose.

Electronic documents

| Party | email address |
|------------------------------|--|
| Planning Panels Victoria | planning.panels@delwp.vic.gov.au |
| Greater Geelong City Council | rfarmer@geelongcity.vic.gov.au |
| Mr Con Dinh | cong5@yahoo.com.au |

Timetable

Geelong Planning Scheme Amendment C437: proposed rezoning of the land at 135 Stacey's Road, Lovely Ba (unmade) road reserve adjoining the south boundary of the land

Timetable Version 1

Day 1: Friday 1 April 2022

Venue: [Click here to join the meeting](#)

| Time | Party | Sub No | Allocated |
|-------------------|---|--------|----------------|
| 10.00am – 10.05am | Preliminary matters | | 5 mins |
| 10.05am – 10.20am | Greater Geelong City Council represented by Mr Rohan Farmer | | 15 mins |
| 10.20am – 11.20am | Round Table Discussion | | 1 hour |
| 11.20am | Day close | | |

Hearing Timetable Notes:

1. The Panel may amend the timetable without notice.
2. Please be present at least 15 minutes before your scheduled commencement time.
3. Time will be made for morning and afternoon breaks each day.
4. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as possible.
5. If you have any questions about the timetable, please contact the Panel Coordinator on (03) 8624 5712.
6. Planning Panels Victoria is on the 75 and City Circle tram lines and a short walk from the Collins Street