



# Planning Panels Victoria

Department of Transport and Planning

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Melbourne Victoria 3000  
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Melbourne, Victoria 3001  
Telephone (03) 8624 5712

12 May 2023

Dear Party

## **Greater Geelong Planning Scheme Amendment C339ggee Part 2: Flood controls**

The Panel held a Directions Hearing for the above matter on 2 May 2023 by video conference. Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable.

The following dates apply:

Time	Date	Action	Direction
12 noon	Monday, 15 May 2023	Council must circulate its Part A submission	4
12 noon	Monday, 15 May 2023	Council must provide the Panel with a plan showing the location of submitters including late submitters	5
12 noon	Monday, 22 May 2023	Council must circulate Expert witness reports	7
12 noon	Monday, 12 June 2023	Parties must circulate Expert witness reports	8
12 noon	Friday, 16 June 2023	Council must circulate its Part B submission	12
10 am	Monday, 19 June 2023	Video conference Hearing commences	

## **Declarations**

Mr Hartigan declared that he is a member of the Bellarine Bayside Foreshore Committee of Management which manages 17 kilometres of coastal Crown land reserves in Portarlington, Indented Head and St Leonards. The area managed by the committee is not affected by the Amendment.

If you have questions, please contact Planning Panels Victoria on (03) 8624 5712 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely

**Lester Townsend**  
Panel Chair

### **Privacy Statement**

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## Before the Hearing

### Circulation and sharing of documents

1. Documents must be circulated electronically to all parties on the Distribution list.
2. Files should not exceed 20MB in size. Documents larger than 20MB should be broken down into smaller files less than 20MB.
3. File names should be as short as possible.

### Council Part A submission

4. Council must circulate a Part A submission to parties on the distribution list by **12 noon on Monday, 15 May 2023** 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

*Note: Council's Part A submission will be taken as read by the Panel at the Hearing. Council should allow time for questions about its Part A submission on Day 1.*

5. Council must provide the Panel with a plan showing the location of submitters (including any late accepted submitters) by 12 noon on Monday, 15 **May 2023**. The plan should identify submitters by submitter number, and not by name.

### Witness reports

6. A witness report must:
  - a) comply with the Guide to Expert Evidence ([Expert witnesses \(planningpanels.vic.gov.au\)](https://www.planningpanels.vic.gov.au))
  - b) not refer to any individual submitter by name – if necessary, submitters should be referred to by submission number (*Note: it can refer to community groups, organisations, corporations and government agencies*)
  - c) be provided to the Panel as an unlocked document.
7. Council must circulate its witness report to parties on the distribution list by **12 noon on Monday, 22 May 2023**.
8. Parties must circulate their witness reports to parties on the distribution list by 12 noon on Monday, 12 **June 2023**.

## At the Hearing

9. Parties must present material at the Hearing electronically.
10. Electronic information must be circulated to parties on the distribution list by **12 noon on the business day before** the information is to be presented at the Hearing.
11. All information presented at the Hearing is a public document for the purposes of the Panel process unless the Panel directs otherwise.
12. At the Hearing, Council must provide a Part B submission that includes:
  - a) its response to submissions and evidence
  - b) its final position on the Amendment.

### **Evidence and cross examination**

13. Unless agreed by the Chair, evidence-in-chief must be no longer than 30 minutes – *all expert witness reports will be read before the Hearing.*
14. An expert witness may refer to a presentation which summarises their evidence, but it must:
  - a) not include new evidence
  - b) be provided to parties by 12 noon the day before that witness is scheduled to appear.
15. If giving evidence remotely, a witness must:
  - a) be alone in the room from which they give evidence and not make or receive any communication with another person while giving evidence except with permission from the Panel
  - b) inform the Panel immediately should another person enter the room from which they are giving evidence
  - c) not discuss their evidence with any other person during breaks in evidence when under cross-examination
  - d) not have before them any document, other than their expert witness statement and relevant supporting documents.
16. The Panel will regulate cross-examination.

### **Closing submissions**

17. Council will be provided time to present a closing submission.
18. The closing submission must not raise new matters but should respond to matters raised in other parties' submissions or evidence.

### **Recording Hearings and use of personal information**

19. Parties must not record any part of an electronic hearing by any means without permission from the Panel.
20. 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 Hearing commences, outlining its reasons.
21. 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.
22. Parties must not record, keep, distribute or publish contact details of any other party obtained during an electronic hearing session, or use those contact details for any purpose other than for the Hearing.

# Distribution List

Greater Geelong Planning Scheme Amendment C339ggee Part 2: Flood controls

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	<a href="mailto:planning.panels@delwp.vic.gov.au">planning.panels@delwp.vic.gov.au</a>
City of Greater Geelong	<a href="mailto:psmith@geelongcity.vic.gov.au">psmith@geelongcity.vic.gov.au</a> <a href="mailto:allistair.krause@geelongcity.vic.gov.au">allistair.krause@geelongcity.vic.gov.au</a>
Robin & Patricia Evans	barwonbend@hotmail.com
Belinda Fear	fearosity@gmail.com
EP Robinson Pty Ltd	kirsten@novoplanning.com.au
Anseed Pty Ltd	Cwhelan@tract.net.au
ID Reserve Road 2 Pty Ltd and ID Harriot Road Pty Ltd	james.million@collietp.com.au
Corangamite Catchment Management Authority	geoff.taylor@ccma.vic.gov.au
Calco Timbers Pty Ltd	christine@calco.com.au
Paul & Russell Malishev	toni@sincocckplanning.com.au

# Timetable

Greater Geelong Planning Scheme Amendment C339ggee Part 2: Flood controls

## Timetable Version 1

### Day 1: Monday 19 June 2023

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

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 11.15am	City of Greater Geelong represented by Peter Smith, calling the following expert evidence: - Drainage and flooding from Warwick Bishop of Water Technology		4 hours
<b>11.15am – 11.30am</b>	<b>Break</b>		<b>15 mins</b>
11.30am – 12.30pm	City of Greater Geelong cont		
<b>12.30pm – 1.30pm</b>	<b>Lunch break</b>		<b>1 hour</b>
1.30pm – 3.00m	City of Greater Geelong cont		
<b>3.00pm – 3.15pm</b>	<b>Break</b>		<b>1 hour</b>
3.15pm – 3.25pm	Robin & Patricia Evans		10 mins
3.25pm – 3.35pm	Belinda Fear		10 mins
3.35pm – 3.50pm	ID Reserve Road 2 Pty Ltd and ID Harriot Road Pty Ltd represented by James Million of Collie Town Planners		15 min
3.50pm – 4.00pm	Corangamite Catchment Management Authority represented by Geoff Taylor (Floodplain Manager Corangamite CMA)		10 mins
4.00pm – 4.10pm	Calco Trusses and Timber represented by Christine Flanagan		10 mins
<b>4.30pm</b>	<b>Day close</b>		

### Day 2: Tuesday 20 June 2023

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

Time	Party	Sub No	Allocated
10.00 – 10.25am	EP Robinson Pty Ltd represented by Kirsten Kilpatrick of NovoPlanning Pty Ltd		25 mins
10.25am – 11.05am	Paul and Russell Malishev represented by Toni Sincock of Sincock Planning		40 mins
<b>11.05am – 11.20am</b>	<b>Break</b>		<b>15 mins</b>

11.20am – 12.30pm	Anseed Pty Ltd represented by Adrian Finanzio SC of Counsel instructed by Claire Whelan of Tract, calling the following expert evidence: - Hydrology from Mark Jepsom of Venant Solutions	3 hours
<b>12.30pm – 1.30pm</b>	<b>Lunch break</b>	<b>1 hour</b>
1.30pm – 3.30pm	Anseed Pty Ltd cont	
<b>3.30pm – 3.45pm</b>	<b>Break</b>	<b>1 hour</b>
3.45pm – 4.15pm	Council close	
4.30pm	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.