



Planning Panels Victoria

Department of Transport and Planning

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

4 December 2023

Dear Submitter

Priority Projects Standing Advisory Committee Referral 38: 130-154 Sinclair Street South, Colac

We are writing to you in relation to draft Planning Scheme Amendment C134cola (draft Amendment) affecting the land at 130-154 Sinclair Street, Colac.

The Minister for Planning (the Minister) has referred the draft Amendment and all submissions to the Priority Projects Standing Advisory Committee (the Committee) for advice and recommendations on whether it should be approved.

A Committee of two members chaired by Sarah Raso will consider this referral, which will be known as Referral 38.

This letter:

- tells you what you need to do if you want to participate in the Committee process
- explains how we will use information the Committee collects
- sets out preliminary directions and key dates for the Committee process.

The draft Amendment

The draft Amendment proposes to:

- delete the Floodway Overlay, Schedule 1
- apply the Land Subject to Inundation Overlay, Schedule 1
- apply the Development Plan Overlay.

Council is the Planning Authority for the Amendment, on behalf of the landowner Mondous Property Pty Ltd.

Declarations

The Chair made no declarations.

The Committee process

Clause 16 of the Committee's Terms of Reference provides the Committee is not expected to carry out a public Hearing but may do so if it is deemed necessary. After reviewing the draft Amendment the Committee considers an on the papers process for this referral might be appropriate. This would involve the Committee considering the written material provided to date, plus any further submissions or evidence the parties wish to circulate, without a directions hearing or public hearing.

If you object to an 'on the papers' process, please write to planning.panels@delwp.vic.gov.au by **Monday, 11 December 2023** indicating why you think a hearing is necessary. The Committee will confirm whether or not a hearing will be held after considering any requests.

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 Transport and Planning, PO Box 500, East Melbourne, Victoria 8002



OFFICIAL

Key dates

The Key Information attached to this letter includes a list of key dates for filing information in the leadup to the Hearing. If you wish to comment on the key dates or any other matters but are unable to attend the Directions Hearing, you can provide comments in writing to planning.panels@delwp.vic.gov.au by **Monday, 11 December 2023**.

If you wish to be involved in the Committee process

Please complete the online request to be heard form by 12 noon on **Monday 11 December 2023** if you wish to lodge further written material for the Committee to consider, or if you wish to be heard at a hearing.

The Key Information attached to this letter includes the themes on which the Committee has been requested to constrain its advice to the Minister. Submissions and evidence (including any oral submission or evidence, if a hearing is held) must be confined to the themes on which the Committee has been asked to provide advice.

Further Information

The attached *Privacy Collection Notice* explains how your submission will be used by the Committee.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at: www.planningpanels.vic.gov.au/guides-and-resources

If you need a paper copy of these documents or if you have any other questions, please contact Gabrielle Trowse, Project Officer at Planning Panels Victoria on [REDACTED] planning.panels@delwp.vic.gov.au

Yours sincerely



Sarah Raso
Committee Chair

Completing the Request to be Heard Form

Priority Projects Standing Advisory Committee Referral 38: 130-154 Sinclair Street South, Colac

When completing the online [request to be heard](#) form, please note the following details.

When will the Hearing be held?

If a hearing is to be held, it will likely commence in the week of 5/02/2024.

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

You can tell us when you are not available.

The Committee will accommodate your availability where possible.

Time required to present your submission

You will be allocated 10 minutes for your submission if this field is left blank.

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
- file expert witness reports at the time directed by the Committee before the Hearing.

The Committee will consider any written evidence submitted. If a hearing is held, the expert witnesses will be invited to present their evidence orally.

What happens after I complete the form?

If you complete this form, you will be listed as a party to the Committee proceeding and you will be sent a copy of the Committee's directions. Your name and email address will be added to the Distribution List for the circulation of information like reports and submissions unless you tell us otherwise.

What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 8624 5712 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, some are at other locations (for example, local Council offices) and some are held online. 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.

Key information

Priority Projects Standing Advisory Committee Referral 38: 130-154 Sinclair Street South, Colac

Key themes

The Minister has requested the Committee to constrain its advice to the following themes:

- technical assumptions and calculations relating to floodplain modelling
- concerns with local flooding and inadequate drainage infrastructure in the local area.

Documentation

Key documentation received to date includes the:

- Committee's Terms of Reference date 9 September 2023
- Letter of Referral dated 25 November 2023
- the draft and supporting documents
- submissions.

Key dates

The following dates are proposed:

Time	Date	Actions for filing and other matters
12 noon	Monday, 11 December 2023	Parties may provide comments regarding the proposed 'on the papers' process
12 noon	Monday, 11 December 2023	Parties must submit their request to be heard, including advocate and expert witness details
12 noon	Monday, 18 December 2023	Council must circulate Part A (background and context) submission
12 noon	Monday, 29 January 2024	Parties calling evidence must circulate expert witness reports. NB: the Committee would be assisted by technical evidence called on behalf of the Proponent to address the key themes identified by the Minister
12 noon	Friday, 2 February 2024	Parties must circulate written submissions
10am	Monday, 5 February 2024	Hearing commences (if required)

Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Committee process for the purpose of documenting your views about the Amendment, advising the planning authority and the Minister for Planning about the Amendment, and communicating with you throughout the Committee process.

While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. The *Planning and Environment Act 1987* requires the Committee to conduct any Hearing it holds in public, and to keep a public record of the material provided to the Committee. Planning Panels Victoria (PPV) may:

- provide a copy of your material with all contact details to the Proponent, government agencies and other parties to the Hearing
- provide a copy of your material to any other person who requests it (your personal information will be removed first)
- provide a copy of your material to the Department of Transport and Planning (DTP) if needed for preparing Ministerial briefings
- publicly display a copy of your material in the PPV Office or Hearing room
- direct that a copy of your material be publicly displayed in the relevant local council office or DTP regional office.

Hearings

The Committee may conduct a Hearing, either in person or using video conferencing. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the Committee may broadcast the Hearing live on the internet.

The Committee may make a recording of the Hearing and may provide a copy of any recording to any person who requests it. Where Hearings are recorded, generally audio only is recorded (not video).

The Committee can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the Committee confidentially, you will need to ask permission from the Committee Chair and provide reasons why the Committee should treat your submissions or material confidentially.

The Committee report

The Committee's report will include a list of the names of submitters and a list of the names of the parties to the process. It may also include direct quotes from submitters. The Minister may release the Committee's report publicly. The report, if publicly released, will be published on the internet.

After the Committee has reported

When the Committee has reported, your material will be removed from public display.

Requesting copies

If you would like a copy of any submissions or material collected by the Committee, or a copy of any recording the Committee makes of the Hearing, make a request to PPV by email at planning.panels@delwp.vic.gov.au before the Committee submits its report. If the Committee has reported, you should submit your request to the DTP Freedom of Information and Privacy Unit at foi.unit@transport.vic.gov.au

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8624 5719.