



Planning Panels Victoria

Department of Environment, Land, Water and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 8392 5115

4 May 2020

As addressed

Dear Submitter,

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

We are writing to you as your submission was referred to the Yarra Strategic Plan Panel (the Panel) by Melbourne Water. Thank you for completing the request to be heard form.

The Panel for this matter was appointed by the Minister for Water on 22 April 2020 and comprises Nick Wimbush (Chair), Debra Butcher and Ian Hamm.

Due to COVID-19 restrictions the Panel is proposing to conduct the Hearing via video link; any interested person will be able to watch the video proceedings via a link and those participants who completed a request to be heard form will be able to make submissions and interact with the Panel.

Please find attached:

- Panel Directions
- Distribution List
- Hearing Timetable
- A revised Privacy Collection Notice to address the videoconference hearing.

The following dates apply:

Time	Date	Action	Direction
4.00pm	Friday, 8 May 2020	Melbourne Water to provide submissions to Panel	4
4.00pm	Tuesday, 12 May 2020	Melbourne Water to provide relevant background documents	9
4.00pm	Wednesday, 13 May 2020	Parties to provide contacts for video conference invite	18
4.00pm	Friday, 15 May 2020	Melbourne Water to upload submissions to Engage Victoria website	2
9.30am	Monday, 18 May 2020	Melbourne Water to circulate Part A submission	5
4.00pm	Monday, 18 May 2020	Expert evidence to be circulated	6
9.30am	Tuesday, 26 May 2020	Melbourne Water to circulate Part B submission	13
9.00am	Each hearing morning	Parties to circulate submissions and documents to be presented for that day	10
10.00am	Tuesday, 26 May 2020	The Hearing commences	

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



Declarations

The following declarations are made by members of the Panel. If you have any concerns about the matters in these declarations, please put your concerns in writing and they will be addressed at the commencement of the Hearing or prior if necessary.

Chair Mr Wimbush:

I am a resident of the City of Boroondara (a submission has been referred to the Panel). I do not live in the vicinity of the Yarra River and have not previously been involved in the management or planning for the River.

I wish to note as Chair of the North East Link Inquiry and Advisory Committee (2019) I am named as a defendant in the Supreme Court challenge to that Project of which Boroondara (amongst others) is a plaintiff.

Member Mr Hamm:

I am currently a board member of Yarra Valley Water (YVW). While YVW have made a submission, it is not usual practice for the Board to be advised of submissions and their particular substance, and as such, I only became aware of the submission when I read it on the list of submissions provided by Planning Panels Victoria in preparation for this hearing. If the Yarra Strategic Plan comes before the Board during the duration of my Panel appointment, I will remove myself from the meeting for the item and abstain from voting/discussion.

I am currently a board member of the National Trust Australia (Victoria) (NTAV). While the NTAV have made a submission, it is not usual practice for the Board to be advised of submissions and their particular substance, and as such, I only became aware of the submission when I read it on the list of submissions provided by Planning Panels Victoria in preparation for this hearing. If the Yarra Strategic Plan comes before the Board during the duration of my Panel appointment, I will remove myself from the meeting for the item and abstain from voting/discussion.

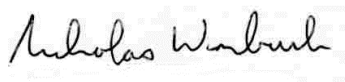
I am also known to the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. In a previous role as Executive Director Aboriginal Affairs Victoria, I was the decision maker for the Victorian Aboriginal Heritage Act 2006 (among other decision-making responsibilities). At no time did I let my own Aboriginality, or my relationships with other Aboriginal people, influence or compromise my objective decision making, and will not during my time as a Planning Panels Victoria member.

Member Ms Butcher:

St Kevin's College is being represented by Jeremy Gobbo QC, instructed by Tamara Brezzi of Norton Rose Fulbright. I am currently working on another project where Norton Rose is providing legal advice. Ms Brezzi is not involved in my other project, different lawyers from Norton Rose are providing advice. St Kevin's College also intends to call expert evidence from three experts. One of these experts, Chris Goss, was previously a member of a school sub-committee with me. Mr Goss is no longer involved in that sub-committee. I undertake to not communicate with Mr Goss about this project should we see each other upon the return of school.

If you have questions, please contact Amy Selvaraj at Planning Panels Victoria at planning.panels@delwp.vic.gov.au.

Yours sincerely,



Nick Wimbush
Panel Chair

Panel Directions

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Before the Hearing

1. All documents must be circulated electronically to all parties on the distribution list. No hard copies are required.

Submissions to the Land Use Framework

2. **Melbourne Water** should upload all submissions to the draft Yarra Strategic Plan and Land Use Framework to the Engage Victoria project website by **4.00pm on Friday 15 May 2020**:
<https://engage.vic.gov.au/help-us-shape-final-10-year-strategic-plan-yarra-river>
3. Submissions should be uploaded in accordance with the Melbourne Water Privacy Collection Notice and redacted as necessary for contact or sensitive details.
4. A full set of all unredacted submissions must be provided to the Panel by **4.00pm on Friday 8 May 2020**.

Melbourne Water Part A submission

5. Melbourne Water must circulate a **Part A submission** to parties on the distribution list by **10.00am on Monday 18 May 2020** that includes:
 - a) An outline of key legislative requirements for the Yarra Strategic Plan and Land Use Framework
 - b) Background to the development of the Yarra Strategic Plan and Land Use Framework including a chronology of events
 - c) A summary of consultation processes and groups/individuals consulted around the Yarra Strategic Plan
 - d) An overview of submissions received to the Land Use Framework
 - e) A detailed response to the submissions to the Land Use Framework and how the Framework has been modified (or not) in response to submissions
 - f) An outline of the 'Next Steps' of the process following the receipt of the Panel's advice to the Minister for Water.

Note: The Part A submission will be taken as read by the Panel at the Hearing. Melbourne Water should allow time for questions about its Part A submission on Day 1.

Expert witness reports

6. A number of parties have indicated they are calling expert evidence. Parties must circulate their witness reports to all parties on the distribution list by **Error! No text of specified style in document. on Monday 18 May 2020**.
7. Melbourne Water must publish all expert witness reports on the Engage Victoria project website at:
<https://engage.vic.gov.au/help-us-shape-final-10-year-strategic-plan-yarra-river>
8. A witness report must:
 - a) comply with the Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>)
 - b) not refer to any individual submitter by name – if necessary, submitters should be referred to by submission number
 - c) be provided to the Panel as an unlocked document.

Directions:

Other documents

9. Melbourne Water must provide an electronic set of all relevant background documents that have been used to inform the development of the Yarra Strategic Plan and Land Use Framework by **4.00pm on Tuesday 12 May 2020**. This should only include documents that are in, or able to be placed in, the public domain.

At the Hearing

Submissions and information

10. Submissions and material at the Hearing must be circulated electronically prior to being presented. Electronic information presented at the Hearing must be e-mailed to all parties on the distribution list no later than 9.00am on the morning the information is to be presented. This includes any material to be put to expert witnesses.
11. After presenting to the Panel, submissions (preferably in MS Word) should be emailed to planning.panels@delwp.vic.gov.au as an unlocked document.
12. All information presented at the Hearing is a public document unless the Panel directs otherwise.

Melbourne Water Part B submission

13. By **9.30am on Tuesday 26 May 2020** Melbourne Water must circulate to all parties on the distribution list a Part B submission that includes:
 - a) A response to expert evidence that has been circulated
 - b) Its final position on the submissions to the Land Use Framework if there has been any change since the Part A submission.

Tabled documents

14. Documents tabled in the Hearing will be numbered by the Panel.
15. Melbourne Water must upload tabled documents to the Engage Victoria project website within two business days at:

<https://engage.vic.gov.au/help-us-shape-final-10-year-strategic-plan-yarra-river>

Directions for Video Conferencing

Prior to the Hearing

16. The hearing will proceed using a video conferencing technology known as Microsoft Teams (**Teams**).
17. The video conference Hearing will be organised and hosted by Planning Panels Victoria. Parties to the Hearing will be sent invitations and join links to the Hearing via an email from Planning Panels Victoria. The Join links will open in your web browser (you do not need to install the Teams app).
18. The following parties to the Hearing must provide an e-mail address and contact phone number to Planning Panels Victoria by **4.00pm on Wednesday 13 May 2020**:
 - a) Those making a submission (all representatives of a particular submitter who will be speaking to the Panel).
 - b) Those giving evidence.Note the contact phone number is only for contacting those with technical difficulties by PPV and will not be provided to third parties.
19. A non-participating link for observers and members of the public will be provided and advertised on the Melbourne Water Engage Victoria project website.

Directions:

20. Hearing participants should ensure they have access to a working microphone, speaker and camera.

At the Hearing

21. Anyone who is observing the proceedings can watch all or part of the Hearing via the public link mentioned in 19 above. Please note the timetable is a guide only and Hearings often run ahead of or behind time.
22. Participants who are speaking should join the video hearing at least 15 minutes before it is scheduled to start by clicking on the [Join Microsoft Teams Meeting](#) link in the video hearing calendar invitation.
23. When joining the video hearing, you will be asked to enter your name and details.
24. After 'joining' the video hearing, you will enter a virtual lobby and remain there until admitted into the video hearing.
25. Except at the direction of the Panel, recording the video hearing is prohibited. The Panel does not intend to record the Hearing.
26. Participants in the video hearing are expected to ensure that:
- a) They are joining the virtual hearing from a quiet, private location
 - b) They have adequate internet coverage, a working microphone and camera
 - c) For all hearing participants (other than experts), their microphone remains muted except when addressing the Panel
 - d) For all experts, their microphone remains muted and camera switched off except when they are giving evidence to the Panel
 - e) Microphones are muted during all breaks.
27. During the hearing, documents may be shared on screen with the permission of the Panel Chair for showing maps and plans, photographs or highlighting particular text in documents.

Distribution list

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Version 1 – 4 May 2020

This list is to be used to circulate information as directed by the Panel.

Note Parties in the table below marked with an asterisk () have requested that they do not want to be heard at the hearing but would like a copy of the timetable and any directions.*

Electronic documents

Party	email address
Planning Panels Victoria	planning.panels@delwp.vic.gov.au
Melbourne Water Corporation	Victoria.Penko@melbournewater.com.au Charlotte.Beresford@melbournewater.com.au Kate.Lumb@melbournewater.com.au
Department of Environment Land Water and Planning (DELWP) – Water Group	Grant.Watkinson@delwp.vic.gov.au
Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation	karmen@wurundjeri.com.au
Boroondara City Council	Nick.Brennan@boroondara.vic.gov.au
Yarra City Council	david.walmsley@yarracity.vic.gov.au
Major Transport Infrastructure Authority (MTIA)	severett@claytonutz.com cwiseman@claytonutz.com Kieran.mcivor@mtia.vic.gov.au noel.treacy@northeastlink.vic.gov.au
Yarra Valley Water	Ray.Beaton@yvw.com.au rita.chandra@yvw.com.au
The National Trust for Australia (Victoria)	eloise.dowd@nattrust.com.au
Australian Institute of Landscape Architects	martha.delfas@aila.org.au meredith.dobbie@monash.edu
Town and Country Planning Association	secretary@tcpa.org.au
Environmental Justice Australia and Yarra Riverkeeper Association	bruce.lindsay@envirojustice.org.au
Riparian Australia Pty Ltd	edriparian@gmail.com
Kellehers Australia	samantha@kellehers.com.au
St Kevin's College	tamara.brezzi@nortonrosefulbright.com
YVCC Property Group Pty Ltd	amanda.johns@minterellison.com
Yarra Link Project	annaborthwick@planaplanning.com.au
Friends of Banyule	michellegiovas@gmail.com
Friends of Eltham Lower Park Incorporated	ann@leadershipaustralia.com.au ormerodsue@hotmail.com
Friends of the Glenfern Green Wedge Incorporated	president@fggw.org

Distribution list:

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Friends of the Yarra Valley Parks	andrew.lucas@clevelandavenue.com.au ace@melbpc.org.au
Adrian Moore	Adrianjlmoore@outlook.com
Frank Pierce	jmandfp@bigpond.com
James Deane	jamesd.eucalyptus@gmail.com
Marianne Richards	m.r.richards@optusnet.com.au
Healesville Environment Watch Incorporated (HEWI)*	hewisec@bigpond.com
Heather Smith*	elephantstamp@optusnet.com.au
Maudie Palmer AO and Eugene Howard*	eugenelukehoward@gmail.com
Christine Henry (Member of Bend of Islands Conservation Association, Committee of Management of the Neil Douglas Conservation Reserve)*	r.c.henry@bigpond.com
Sue Bendel*	possum56@gmail.com
William Lord*	lordbilll@yahoo.com.au

Timetable

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Timetable Version 1 – 4 May 2020

Week 1

Day 1: Tuesday 26 May 2020

Venue: Video Conference Meeting

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	Melbourne Water Corporation representative TBC. Explanation of draft Yarra Strategic Plan and Part 2 Land Use Framework and response to submissions.		2 hours
12.15pm – 1.15pm	Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation represented by Karmen Jobling and Jordan Smith		1 hour
1.15pm – 2.15pm	Lunch Break		1 hour
2.15pm – 3.15pm	Boroondara City Council represented by Nick Brennan		1 hour
3.15pm – 4.00pm	Yarra City Council represented by David Walmsley	YSP38	45 mins
4.00pm	Day close		

Day 2: Wednesday 27 May 2020

Venue: Video Conference Meeting

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	St Kevin's College represented by Jeremy Gobbo QC instructed by Norton Rose Fulbright Australia calling the following expert evidence: - Sophie Jordan in Planning - Tim Biles in Urban Design - Chris Goss in Visual Impacts	215095	3 hours
12.15pm – 1.15pm	Lunch Break		1 hour
1.15pm – 2.15pm	St Kevin's College cont'd		
2.15pm	Day close		

Timetable:

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Week 2**Day 3: Monday 1 June 2020****Venue: Video Conference Meeting**

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	Major Transport Infrastructure Authority (MTIA) represented by Sallyanne Everett of Clayton Utz	YSP36	2 hours
12.15pm – 12.45pm	Yarra Valley Water represented by Ray Beaton	215015	30 mins
12.45pm – 1.00pm	Australian Institute of Landscape Architects (AILA) represented by Dr Meredith Dobbie and Ms Jen Lynch	215016	15 mins
1.00pm – 2.00pm	Lunch Break		1 hour
2.00pm – 2.45pm	The National Trust for Australia (Victoria) represented by Elise Dowd	YSP11	45 mins
2.45pm – 3.05pm	Town and Country Planning Association represented by Marianne Richards and Peter Hill	215053	20 mins
3.05pm – 3.15pm	Marianne Richards	215076	10 mins
3.15pm	Day close		

Day 4: Wednesday 3 June 2020**Venue: Video Conference Meeting**

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	Environmental Justice Australia and Yarra Riverkeeper Association represented by Dr Bruce Lindsay of Environmental Justice Australia calling the following expert evidence: - Graeme Lorimer in Ecology/Biodiversity - James Reid in Planning	215044 and YSP14	3 hours
12.15pm – 1.15pm	Lunch Break		1 hour
1.15pm – 2.15pm	Environmental Justice Australia and Yarra Riverkeeper Association cont'd		
2.15pm	Day close		

Timetable:

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Day 5: Thursday 4 June 2020

Venue: Video Conference Meeting

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 10.45am	Friends of Banyule represented by Michelle Giovas	215068	30 mins
10.45am – 11.45am	Riparian Australia Pty Ltd represented by Edward Thexton	215097	1 hour
11.45am – 12.45pm	Yarra Link Project represented by Anna Borthwick of Plan A Planning	214995	1 hour
12.45pm – 1.30pm	Lunch Break		45 mins
1.30pm – 3.00pm	YVCC Property Group Pty Ltd represented by Amanda Johns of Minter Ellison	214894	1.5 hours
3.00pm – 3.20pm	James Deane	215045	20 mins
3.20pm – 3.50pm	Frank Pierce	187524	30 mins
3.50pm	Day close		

Day 6: Friday 5 June 2020

Venue: Video Conference Meeting

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	Kelleher's Australia represented by Dr Leonie Kelleher	215075	2 hours
12.15pm – 12.45pm	Friends of the Yarra Valley Parks represented by Andrew Lucas calling expert evidence from: - Clive Edington - Friends of the Yarra Valley Parks	YSP33	30 mins
12.45pm – 1.45pm	Lunch Break		1 hour
1.45pm – 2.15pm	Friends of the Glenfern Green Wedge Incorporated represented by Johanna Selleck	215086	30 mins
2.15pm – 2.45pm	Friends of Eltham Lower Park Incorporated represented by Ann Rennie	YSP29	30 mins
2.45pm – 2.55pm	Adrian Moore	YSP31	10 mins
2.55pm – 3.55pm	Melbourne Water Corporation – Right of Reply		1 hour
3.55pm	Hearing close		

Timetable:

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

Hearing Timetable Notes:

1. The Panel may amend the timetable without notice.
2. Please join the meeting 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 on planning.panels@delwp.vic.gov.au.
5. If you have any questions about the timetable, please contact Amy Selvaraj at planning.panels@delwp.vic.gov.au.

Privacy Collection Notice

Your submission has been collected for the primary purpose of undertaking 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 removed 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.

Online display of submissions

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
- 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

If a Hearing is required it may be held face to face, via telephone conference or via videolink 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 on request to submitters and parties to the Hearing and third parties. If recordings are made they can be requested by contacting Planning Panels Victoria by email at planning.panels@delwp.vic.gov.au
- use your phone contact details to contact you during a telephone/video hearing as is necessary.

The Panel will direct that parties do not record online hearings or use them for any other purpose. However, the Panel is unable to guarantee that third parties will not be recording online Hearings, and the use of any such recordings outside the hearing context cannot be regulated by the Panel.

All participants including the general public are reminded that during the Panel process, the privacy of others should be respected and to refrain from the defamation of others.

After the Panel has reported

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

Timetable:

Yarra Strategic Plan Panel - Draft Yarra Strategic Plan: Part 2 Land Use Framework

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 at planning.panels@delwp.vic.gov.au.