



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

17 February 2021

As addressed

Dear Party,

Priority Projects Standing Advisory Committee – Referral No. 11 Call in of VCAT proceeding P1151/2020 – 50 Elloura Drive and Vickers Road, Nagambie Roundtable submissions

The Minister for Planning called in proceeding P1151/2020 from the Victorian Civil and Administrative Tribunal (VCAT) on 7 February 2021 and referred it to the Priority Projects Standing Advisory Committee (Committee). The proceeding relates to the proposed removal of native vegetation (51 large trees) to facilitate the development of a 'lifestyle village/tourist park' on part of land at 50 Elloura Drive and Vickers Road, Nagambie. A permit is required under Clause 52.17 'Native Vegetation' of the Strathbogie Planning Scheme to remove native vegetation. We are writing to you because you are a party to the VCAT proceeding.

The Minister for Planning appointed the Priority Projects Standing Advisory Committee (Committee) under section 151 of the *Planning and Environment Act 1987*. Committee Members Ms Mandy Elliott (Deputy Chair) and Ms Debra Butcher will consider this referral. This matter will be known as Referral No. 11.

The Minister for Planning has provided the Committee with Terms of Reference dated 14 June 2020 and a Letter of Referral 7 February 2021 (both attached). In accordance with these documents, the purpose of the Committee is to:

- provide timely and independent advice to the Minister for Planning on projects referred by the Building Victoria's Recovery Taskforce (BVRT), and projects affected by COVID-19
- provide advice and recommendations on whether a planning permit should be issued, and if so, the appropriate permit conditions.

Form of engagement

Clause 16 of the Terms of Reference provides that the Committee is not expected to carry out a public hearing but may do so if it is deemed necessary. The Committee will consider Referral No. 11 by way of roundtable discussion using video link on Thursday 11th March 2021. A link is provided further below. Please advise the Committee if you have procedural matters that you wish to raise as soon as possible.

Parties wishing to participate in the roundtable discussion must confirm attendance by 4.00pm Thursday 25th February 2021 by emailing planning.panels@delwp.vic.gov.au.

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

Directions

Priority Projects Standing Advisory Committee – Referral No. 11

50 Elloura Drive and Vickers Road, Nagambie

Documentation

While the Committee has been provided with the VCAT file (electronic copy only), to assist the Committee's work, Council, the Applicant and Longwood Plains Conservation Management Network Inc and Euroa Environment Group Inc are requested to provide the Committee with electronic copies of all relevant documents and correspondence in relation to the application and the matters before VCAT by 12 noon on Friday 26th February 2021 at planning.panels@delwp.vic.gov.au. This includes the ecological assessments that have been undertaken as part of this process to date.

Please note that all materials provided will be treated in accordance with the Privacy Collection Notice attached.

Roundtable process

The Committee proposes to structure the proceedings and hear focused submissions on the key issues associated with the permit application. The Committee proposes to deal with each issue in turn and parties will be given an opportunity to address the Committee briefly on each issue, addressing consistency with the Comprehensive Development Zone, policy and any particular provisions with respect to the issue. The Committee may ask questions after each issue submission to clarify positions or ask other parties for particular responses. Parties may provide a written summary of their position for each issue if they wish (in Microsoft Word format).

The roundtable submission process will be conducted generally in accordance with the attached Timetable in the following running order for each issue (as appropriate):

- Strathbogie Shire Council (Council)
- Applicant (Elloura Nagambie Pty Ltd)
- Longwood Plains Conservation Management Network Inc
- Euroa Environment Group Inc
- DELWP (native vegetation)

Issues

The Committee has identified the following issues based on its initial review of the VCAT file:

1. Whether the proposal is an appropriate planning outcome within the Comprehensive Development Zone and Schedule 1 - Lake Nagambie Resort Master Plan and the provision of affordable housing and diverse housing choices in a well serviced location which meets the needs of the community, consistent with clause 16.01-1S (Housing supply) and clause 16.01-2S (Housing affordability).
2. Whether the proposal is consistent with State and Local Planning Policy including the Hume Regional Growth Plan.
3. Whether the proposed removal of native vegetation (51 large trees) is consistent with clause 12.01-1S (Protection of Biodiversity) and clause 12.01-2S (Native Vegetation Management), and the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*
4. Consideration of economic impacts of the development consistent with clause 17 (Economic Development).
5. Without prejudice permit conditions (including DELWP conditions).

It would assist the Committee if parties advise it of other issues they have identified that are not listed above by **12pm Friday 26 February 2021**. A final list of agreed issues will be circulated by the Committee by **5pm 1 March 2021** if required.

In addition to the above matters it would assist the Committee if parties are prepared to respond specifically to the Committee questions set out below. These preliminary questions do not reflect a position of the Committee but are provided to assist in the preparation of the parties and to maximise the value of the focused roundtable session.

Issues	Party	Question
1	Council	<ul style="list-style-type: none"> • Is the proposed development consistent with the Lake Nagambie Resort Master Plan as described in schedule 1 to the Comprehensive Development Zone. • Provide a description of the previous approvals that have issued for the site (amendments and permits) and describe how this current application ‘fits’ into these approvals; • Explain what relationship this application (and its supporting documents) has, or is intended to have, with the Environmental Plan requirements of Clause 3 of Schedule 1 to the Comprehensive Development Zone.
2, 3, 4	Council Applicant	How does the proposal particularly address 16.01-1S (Housing supply), clause 16.01-2S (Housing affordability), 12.01-1S (Protection of Biodiversity) and clause 12.01-2S (Native Vegetation Management), and the <i>Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)</i> , clause 17 (Economic Development).
3, 5	DELWP	<ul style="list-style-type: none"> • What is DELWP’s response to the draft conditions? • How does the proposal meet the <i>Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)</i>
1, 3	Applicant	<ul style="list-style-type: none"> • How has the proposed development looked to avoid and minimise potential impacts to native vegetation in accordance with the <i>Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)</i>. • What is the status of the proposal in regards to the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>. • Has an amended proposal been considered that reduces site development to address the objector party concerns? These include: <ul style="list-style-type: none"> • Impacts on native vegetation • Impacts to the amenity of the area including the interface with Lake Nagambie • The adequacy of the proposed native vegetation offsets
3, 5	Longwood Plains Conservation Management Network Inc & Euroa Environment Group Inc	<ul style="list-style-type: none"> • Has an amended proposal been considered that reduces site development to address your concerns? • What is your response to the draft conditions?

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Priority Projects Standing Advisory Committee – Referral No. 11

50 Elloura Drive and Vickers Road, Nagambie

Directions

To assist in the roundtable submission session, the Committee makes the following directions:

Time	Date	Direction
12.00pm	Friday 26 th February 2021	Council to provide its drop box file with the applicant who shall consolidate any additional information into a single Share Point folder which is to be shared with all parties. The proponents draft conditions must be clearly identified
12.00pm	Friday 26 th February 2021	Parties to advise the Committee if there are any additional issues not covered by its list and if they intend to call evidence or have permit application report authors (related to agreed issues) in attendance to respond to questions
12.00pm	Wednesday 3 rd March 2021	Council to provide a tracked change version (if required) to the applicants draft conditions. Written evidence circulated (if any). <i>Note: The provision of Evidence in Chief has not been provided for within the Timetable, rather parties will be provided an opportunity to put questions to an expert. The applicant may have authors of permit application support reports present to answer questions of the Committee or other parties where related to the agreed issues</i>
12.00pm	Tuesday 9 th March 2021	Any party who will be relying on additional written statements must circulate these. The applicant should prepare a track changes version of any changes it seeks to Council's or objectors response to its initial draft conditions and be in a position to articulate the reasons for the changes at the roundtable

Please find attached:

- Distribution List
- Roundtable submissions Timetable.

As noted, the Committee will be using MS Teams to conduct this roundtable. Access details are as follows:

10.00am
Thursday, 11 March 2021

[Click here to join the meeting](#)

For further information regarding MS Teams, please use the [PPV Guide to MS Teams](#)

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 roundtable discussion so that they can share reports and submissions unless you tell us otherwise.

Privacy

The Privacy Collection Notice and other information is attached for your convenience.

<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>

If you have any queries, please contact Georgia Thomas, Project Officer at Planning Panels Victoria on (03) 8624 5717 or planning.panels@delwp.vic.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Elliott', with a long horizontal flourish extending to the right.

Mandy Elliott

Deputy Chair, Priority Projects Standing Advisory Committee

Privacy Collection Notice

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 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.

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.

After the Panel has reported

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

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 on (03) 8392 5114.

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Priority Projects Standing Advisory Committee – Referral No. 11

50 Elloura Drive and Vickers Road, Nagambie

Timetable Version 1

Day 1: Thursday 11 March 2021

Video conference session – [Click here to join the meeting](#)

Time	Party	Allocated
10.00am – 10.15am	Introductions and overview of Priority Projects Standing Advisory Committee and roundtable submission format	15 mins
10.15am – 10.45am	Issue 1 – Consistency with Lake Nagambie Master Plan	30 mins
10.45am – 11.15am	Issue 2 - Consistency with State and Local planning policy	30 mins
11.15am – 11.30am	Break	15 mins
11.30am – 12.30pm	Issue 3 - Whether the proposed removal of native vegetation (51 large trees) is consistent with clause 12.01-1S (Protection of Biodiversity) and clause 12.01-2S (Native Vegetation Management), and the <i>Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017</i>	60 mins
12.30pm – 1.15pm	Lunch	45 mins
1.15pm – 1.45pm	Issue 4 – Consideration of economic impacts	30 mins
1.45pm – 2.45pm	Issue 5 – Without prejudice permit conditions	1 hour
2.45pm – 3.00pm	Break	15 mins
3.00pm – 3.30pm	Close Further Committee Directions (as required)	30 mins

Roundtable Discussion Notes:

1. Please log on to the video conference sessions at least 15 minutes before the scheduled commencement time.
2. If you are unable to be present at your scheduled time, or if you have any questions about the timetable, please contact Georgia Thomas at planning.panels@delwp.vic.gov.au.