



# Planning Panels Victoria

Department of Environment, Land, Water and Planning

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19 October 2016

As addressed

Dear Submitter,

## **Lal Lal Wind Farm Planning Permit PL-SP/05/0461 - Application to amend permit**

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A Directions Hearing was held on Friday 29 July 2016 at Planning Panels Victoria in relation to the above matter. At the Directions Hearing the applicant (WestWind Energy) advised of its intention to lodge a variation to the application.

The Panel directed the Department of Environment, Land, Water and Planning (DELWP) to notify all parties of the variations to the application and submissions closed on 14 October 2016. The matter is now ready to proceed to a public hearing.

A copy of the Panel's Directions and Hearing Timetable are attached. The following key dates are relevant to this matter:

- Expert witness reports must be circulated by **close of business on Monday 31 October 2016**
- The Hearing will commence at **10.00am Tuesday 8 November 2016**

The Panel has prepared a hearing timetable based on the information you have provided in the Request to be Heard form you submitted. Please check the timetable carefully and advise Planning Panels as soon as possible if you are unable to present at the time shown.

The following information is enclosed for your information:

- Panel Directions
- Distribution List
- Hearing Timetable.

If you have any queries please contact Julia Thomson, Senior Project Officer, Planning Panels Victoria on (03) 8392 5123 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely,

**Trevor McCullough**  
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



# Panel Directions

Lal Lal Wind Farm Planning Permit PL-SP/05/0461 - Application to amend permit

## Variation to the application

1. WestWind Energy Pty Ltd submitted further amendments to the permit amendment application on 15 August 2016.
2. Submitters should familiarise themselves with the amended application.
3. The Proponent is directed to provide a summary of all amendments to the initial application in its presentation to the Hearing.

## The notification process

4. The Panel wrote to parties to the Hearing on 7 September 2016 in response to submissions in relation to the notification process. The Panel accepted the advice of DELWP, the Proponent and Council's legal advisors that the initial notification process complied with the requirements of the Planning and Environment Act 1987. The Panel left the re-notification of the amended application up to DELWP, but asked that it consider the issues raised in relation to the level of public interest in the project.

## Requests for further information

5. The Panel made directions in relation to the provision of further documents requested by the Lal Lal Environment Protection Association Inc. The Panel understands that the documents have now been provided.
6. The Panel wrote to the Secretary of DELWP on 27 September 2016 requesting advice from the Biodiversity team of DELWP in relation to the potential impacts of the project on fauna. This information was circulated on 19 October 2016.

## Written Submissions at the Hearing

7. All parties should bring to the Hearing at least eight (8) hard copies of additional written submissions and accompanying documents (i.e. photographs, plans). Copies of original submissions are not needed.
8. Written material presented at the Hearing should be two-hole punched and stapled (not bound).
9. Submissions (preferably in MS Word) must be emailed to the Panel after the Hearing at [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).
10. Submissions and material presented at the Hearing including PowerPoint presentations are public documents and may be made available to other parties.

## Exchange of Expert Witness Reports

11. Expert witness reports must comply with the Planning Panels Victoria Guide to Expert Evidence (<http://www.dtpli.vic.gov.au/planning/panels-and-committees/planning-panel-guides-and-faqs>).
12. Expert witness reports should not refer to any individual submitter by name. If necessary, submitters may be referred to by submission number.
13. Expert witness reports must be circulated by close of business on **Monday 31 October 2016** (**both Hard and Electronic** copies) in accordance with the attached Distribution List.
14. A copy of any expert witness report received must be made available on DELWP's website.

### Limitations on the scope of the Panel's role

15. The Panel has been appointed to provide advice on the amendments to the permit, not to re-examine all aspects of the original application. All submitters are reminded to restrict their submissions only to the impact of the changes proposed in the application. All references to the 'application' are to be taken as references to the application for amendments to the permit.

### Information to be supplied

16. DELWP must circulate to all parties on the distribution list its 'Part A Submission' by **close of business Monday 31 October 2016**. This should include:

- a. General background to the application
- b. Chronology of events
- c. A summary of the main issues raised in submissions and its response
- d. Any changes proposed to the permit conditions as a result of the issues raised in submissions

Note: At the Hearing DELWP's 'Part A Submission' will generally be taken as read, however DELWP should allow time on Day 1 to go through its' Part A submission and take questions of clarification.

17. At the Hearing, DELWP should address the following issues through its 'Part B Submission'
  - a. Further submissions in relation to the matters before the Panel
  - b. A response to evidence tabled
  - c. Have someone available from the Biodiversity team of DELWP to answer questions in relation to the advice provided by the Department on the potential impacts of the project on fauna.
18. At the Hearing, DELWP should arrange for
  - a. A map showing the location of submitters by submitter number. This map:
    - i. must not show submitter names
    - ii. does not need to show the location of pro-forma submitters
    - iii. must not be placed on the internet or replicated in any report.
19. At the Hearing, the Proponent should arrange for
  - a. Appropriate aerial photographs and plans of the area affected by the project at suitable scale
20. At the Hearing, the Proponent should address the following issues in its presentation:
  - a. Background to the application
  - b. A detailed description of the application, including the further amendments proposed
  - c. An explanation of the proposed changes to permit conditions
  - d. A summary of the main issues raised in submissions and its response
  - e. Any changes proposed to the permit conditions as a result of the issues raised in submissions
  - f. A response to evidence tabled
  - g. An account of work done to date in response to the original permit conditions and what, if any, construction has already occurred
  - h. A response to the suggestion in some submissions that the original permit has expired and so this should be a new permit

- i. A description of the community engagement process associated with the application and the notification process to affected property owners
- j. Provide an overview of the claimed economic, environmental and community benefits of the application