



8 November 2018

Dear Submitter,

**Kaufland Stores in Victoria Advisory Committee:
Group 1 sites (Chirnside Park, Dandenong and Epping)**

A Directions Hearing was held on 2 November 2018 at Planning Panels Victoria in relation to the following Kaufland Stores proposals:

- 266-268 Maroondah Highway, Chirnside Park VIC 3116,
- 1-3 Gladstone Road, Dandenong VIC 3175, and
- 592 – 694 High Street, Epping VIC 3076.

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

- Expert witness reports on economics must be circulated by **10.00am on Friday 16 November 2018**
- Expert witness reports (all subjects apart from economics) must be circulated by **10.00am on Monday 19 November 2018**
- Kaufland Stores Part A submission must be circulated by **10.00am on Monday 19 November 2018**
- The Hearing will commence at **10.00am on Friday 23 November 2018**

The following information is enclosed for your information:

- Committee Directions
- Distribution List
- Hearing Timetable.

At the Directions Hearing, the following declaration was made about Ms Barker, Committee Member. Ms Barker is a contracting consultant to the Colac Otway Shire and part of that role includes acting as the Project Manager and stakeholder/community engagement facilitator for the Colac Otway Tourism Parking and Traffic Strategy, which is being undertaken by GTA Consultants. GTA Consultants have led the traffic impact studies for Kaufland Australia. All parties in attendance were specifically invited to raise any issues about these declarations and no party or individual raised any issues in response.

Prior to the Directions Hearing, the Committee received a letter from Ms Morris of Harwood Andrews, on behalf of Mornington Peninsula Shire Council, seeking a direction from the Committee that Kaufland provide an economic impact assessment on the proposed Mornington site as part of the exhibition material (Document 1, 9 October 2018). The Committee raised this at the Directions Hearing and sought a response from Kaufland. Mr Gobbo advised that his client would seek to do this, but that it could not guarantee the economic impact assessment would be completed in time for exhibition. While Ms Morris was advised by the office of Planning Panels Victoria that this matter would be raised at this Directions Hearing, she was not present to speak to this issue. The Committee encourages Kaufland to exhibit an updated economic impact assessment report with the Mornington proposal.

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

If you have any queries, please contact Ms Andrea Harwood, Senior Project Manager of Planning Panels Victoria on (03) 8392 5123 or planning.panels@delwp.vic.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kathy Mitchell', is positioned above the printed name.

Kathy Mitchell

Chair, Kaufland Stores in Victoria Advisory Committee

Kaufland Stores in Victoria Advisory Committee Directions

Kaufland Stores in Victoria Advisory Committee:
Group 1 sites (Chirnside Park, Dandenong and Epping)

Before the Hearing

Kaufland Part A Submission

1. Kaufland must circulate to all parties on the distribution list its 'Part A Submission' by **10.00am on Monday 19 November 2018**. This should include:
 - a. background to the proposals
 - b. chronology of events that led to the proposals
 - c. strategic context and assessment
 - d. changes to the draft Amendment documentation proposed as a result of the issues raised in submissions.

Note: At the Hearing, Kaufland's 'Part A Submission' will be taken as read by all parties. Kaufland should allow time on Day 1 for questions of clarification from the Committee.

Notification Summary

2. DELWP must circulate to all parties on the distribution list a summary of notification undertaken for the three proposals by **10.00am on Monday 19 November 2018**.

Exchange of Expert Witness Reports

3. Expert witnesses reports must comply with the Planning Panels Victoria Guide to Expert Evidence (<https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>).
4. Expert witness reports should not refer to any individual submitter by name. If necessary, submitters may be referred to by submission number.
5. Expert witness reports on economics must be circulated by **10.00am on Friday 16 November 2018** in accordance with the attached Distribution List.
6. Expert witness report on all other fields apart from economics must be circulated by **10.00am on Monday 19 November 2018** in accordance with the attached Distribution List.
7. Any material circulated via the Distribution List must include all parties by blind copy and note in the email body confirmation that the email has been provided by blind copy to all parties to the Hearing.
8. The Committee is to be provided with an 'unlocked' copy of any document circulated.

At the Hearing

Written Submissions and Tabled Documents at the Hearing

9. All parties should bring to the Hearing at least ten (10) hard copies of additional written submissions and accompanying documents (i.e. photographs, plans). Copies of original submissions are not needed.
10. Written material presented at the Hearing should be two-hole punched and stapled (not bound).
11. Submissions and material (preferably in MS Word) tabled during the course of the Hearing must be emailed to the Committee within 24 hours of being tabled at planning.panels@delwp.vic.gov.au. Documents must be clearly labelled with the Document number and appropriate title.

12. Submissions and material presented at the Hearing including PowerPoint presentations are public documents and will be uploaded to the Engage Victoria Project website, in accordance with Clause 25 of the Committee's Terms of Reference.

Kaufland Part B Submission

13. At the Hearing, Kaufland must provide through its 'Part B Submission':
 - a. a response to issues raised in submissions and evidence, including the outcome of any further discussion it has had with submitters
 - b. a response to the matters raised in the Committee's Terms of Reference at Clauses 10(a) to (d) and 22(a) to (e)
 - c. any other changes to the draft amendment documents from review of evidence and further submissions.

Kaufland response to preliminary matters

14. Kaufland must respond to the following matters through either of its Part A or B submission or in evidence from experts:
 - a. a response to all matters raised in the Council submissions and other submissions as required
 - b. an explanation about the reason for the choice and use of the Incorporated Document as the preferred planning tool to deliver the Kaufland proposals and clarification as to who will be the Responsible Authority for discharging requirements in the Incorporated Document (noting also the Shire of Yarra Ranges sought a sunset Clause)
 - c. issues regarding the use of the Incorporated Document and VC148
 - d. VicRoads' request for a Traffic Impact Assessment Report (TIAR) for each site
 - e. size of the proposed signage pole at 22 metres
 - f. an Economic Impact Assessment for each site on a trading catchment basis
 - g. an urban context report, including further explanation of the urban design context for each site and how it responds to relevant objectives in the planning schemes, including both state and local policy. This should include provision of ESD, built form, public realm assessments and provide advice on how to address the potential 'big box' effect
 - h. interrelationships of each site with footpaths, pedestrian access points, car parking, public transport, landscaping and overall movement analysis
 - i. justification for the proposed parking rates
 - j. landscape concept plans.

Site Specific Submissions

Chirnside Park:

15. Yarra Ranges Shire Council is to provide:
 - a. a copy of Council's endorsed submission following resolution by Council
 - b. a summary of the DCP levy on a greater development footprint area
 - c. the status and a copy of the Chirnside Masterplan, and a position regarding access to the Residential Growth Zone 3 land to the rear of the Kaufland site
 - d. a response to the matters raised in the Committee's Terms of Reference at Clauses 10(a) to (d) and 22(a) to (e).
16. GTP Group is to advise of its specific interest to the proposal and how it is affected by it.

Dandenong:

17. Kaufland is to provide:

- a. a response to 'out of centre considerations' raised by Council within the Economic Impact Assessment
- b. a response to the removal of existing trees on site.

18. GTP Group is to advise of its specific interest to the proposal and how it is affected by it.

Epping

19. Whittlesea City Council is to provide:

- a. a copy of the Epping Central Structure Plan (if it is different to that provided in the submission from Council)
- b. a copy of Council's endorsed submission following resolution by Council
- c. a response to the matters raised in the Committee's Terms of Reference at Clauses 10(a) to (d) and 22(a) to (e).

Aerials and maps

20. At the Hearing, Kaufland should arrange for appropriate aerials, including zone plans of relevant places at a large scale.

Timetable

Kaufland Stores in Victoria Advisory Committee:
Group 1 sites (Chirnside Park, Dandenong and Epping)

Day 1: Friday 23 November 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.00pm	Kaufland Australia represented by Jeremy Gobbo QC of Counsel, with Juliet Forsyth and Emily Porter of Counsel, instructed by Mark Naughton of Planning Property Partners, calling evidence from: <ul style="list-style-type: none">• Tony Dimasi of Dimasi & Co on economics• Sean Stephens of Essential Economics on economics		1 of 6 days
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.30pm	Kaufland Australia , continued		

Day 2: Tuesday 27 November 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 10.30am	VicRoads Metropolitan North East Region , represented by Dimitrios Chrysis	E05	15 mins
10.30am – 1.00pm	Kaufland Australia , continued and calling evidence from: <ul style="list-style-type: none">• Simon Davies of GTA Consultants on traffic• Charmaine Dunstan of Traffix Group on traffic		2 of 6 days
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.30pm	Kaufland Australia , continued		

Day 3: Wednesday 28 November 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.00pm	Kaufland Australia , continued and calling evidence from: <ul style="list-style-type: none">• Craig Czarny of Hansen Partnership on urban design		3 of 6 days
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.30pm	Kaufland Australia , continued		

Day 4: Thursday 29 November 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.00pm	Kaufland Australia , continued and calling evidence from: <ul style="list-style-type: none"> • Andrew Biacsi of Contour Planning on planning • Andrew Clarke of Matrix Planning on planning 		4 of 6 days
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.30pm	Kaufland Australia , continued		

Day 5: Friday 30 November 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 2.00pm	Kaufland Australia , continued and calling evidence from: <ul style="list-style-type: none"> • Mark McWha of Formium on landscape • Daren Tardio of Enfield Acoustics on acoustics 		5 of 6 days

Day 6: Monday 3 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am	Master Grocers Association and Independent operators , represented by Jason Kane of Counsel	G02, G03, CP06, D06, E07	4 hours
1.00pm – 2.00pm	Lunch Break		
2.00pm – 3.00pm	Master Grocers Association et al, continued		
3.00pm – 4.30pm	Kaufland Australia , continued (if required)		

Day 7: Tuesday 4 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 12.15pm	Pagan Barrett-Woodbridge	D01	2 hours
12.15pm – 1.15pm	Lunch Break		
1.15pm – 3.15pm	Guy Di Domenico	D04	2 hours

Day 8: Wednesday 5 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.00pm	Kaufland Australia , continued – if required		6 of 6 days
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.30pm	Kaufland Australia , continued		

Day 9: Thursday 6 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.00pm	City of Whittlesea , represented by Terry Montebello of Maddocks, with Liam Wilkinson, Strategic Infrastructure Planner, and calling evidence from: <ul style="list-style-type: none"> • Amanda Roberts of SJB on urban design 	E03	4 hours
1.00pm – 2.00pm	Lunch Break		
2.00pm – 4.00pm	City of Whittlesea , continued		
4.00pm – 4.15pm	Tea break		15 mins
4.15pm – 5.15pm	Aventus Epping Pty Ltd , represented by Akemi Traill of Tract Consultants	E04	60 mins

Wednesday 12 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am	<i>Reserve Day – if required</i>		

Day 10: Thursday 13 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 10.35am	Shire of Yarra Ranges , represented by Claudette Fahy	CP04	20 mins
10.35am – 11.35am	GPT Group , represented by Ben Needham for sites in Chirnside Park and Dandenong	CP03 & D02	60 mins
<i>11.35am – 11.50am</i>	Tea break		15 mins
11.50am – 1.00pm	QIC and Bevendale Pty Ltd , represented by Peter O’Farrell of Counsel and instructed by Gemma Robinson of Rigby Cooke Lawyers	E08	3 – 4 hours
1.00pm – 2.00pm	Lunch Break		
2.00pm – 5.00pm	QIC and Bevendale , continued		

Day 11: Monday 17 December 2018

Venue: Planning Panels Victoria, Hearing Room 1 (Ground Floor, 1 Spring Street, Melbourne)

Time	Party	Sub No	Allocated
10.00am – 10.15am	Preliminary matters		15 mins
10.15am – 1.15pm	Drafting day and Closing submissions from Councils and Proponent , (structure of day to be confirmed at a later time)		3 hours

Hearing Timetable Notes:

1. This timetable may be amended without notice.
2. Please arrive at least 15 minutes before your scheduled time of commencement. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria as soon as practicable.
3. Any queries regarding this timetable should be made to Ms Andrea Harwood, Senior Project Manager of Planning Panels Victoria on 8392 5123
4. Getting to Planning Panels Victoria:
Planning Panels is on the 75 and City Circle tram lines and a short walk from the Collins Street trams 109, 112 and 48. It is also a short walk from Parliament Train Station.