



## Department of Planning and Community Development

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Enquiries: 03 9637 9690  
Contact: Nicole Maloney

1 October 2007

As Addressed

Dear Sir/Madam

**RE: OCEAN ACCESS BOAT RAMP, BASTION POINT, MALLACOOTA  
ENVIRONMENT EFFECTS STATEMENT  
EAST GIPPSLAND PLANNING SCHEME, PERMIT APPLICATION 162/2007/P  
REQUEST FOR ADJOURNMENT**

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Further to the Inquiry directions of 26 September 2007 the Inquiry has received a request from the East Gippsland Shire Council to adjourn the Bastion Point hearing until dates to be determined in 2008 (copy of request attached).

The reasons given for the request are, in summary:

- More time to deal with issues raised in the DSE submission (quoted as the DPCD submission in the adjournment request)
- More time to consider the need for calling expert evidence and the subsequent engagement and briefing of such experts

**The Inquiry is holding a brief procedural hearing to consider the request in Melbourne on Thursday 11<sup>th</sup> October 2007 commencing at 9.00am at Planning Panels Victoria, Level 1, 8 Nicholson Street, Melbourne.**

Following the hearing further directions will be issued. The merits of the boat ramp will not be discussed at this hearing. Verbal submissions on the adjournment request will be taken at the hearing. If you can not attend the hearing but wish to comment on the adjournment request please send any comments to Planning Panels Victoria by close of business on Tuesday 9<sup>th</sup> October.

*Parties should make no assumptions at this stage as to whether the adjournment will or will not be granted.*

The Inquiry makes the following observations in relation to the adjournment request and will hear submissions on these issues at the hearing.

## **Late DSE submission**

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The EGSC has requested time to 'address the issues raised in that submission' (DSE). The Inquiry is interested in whether this means that further time is needed to:

1. Develop the arguments in support of Option 3 to refute in principle the issues raised in the DSE submission; or
2. Whether it is considering the development of additional options or undertaking additional work with DSE to resolve any points of disagreement.

If the former, then it would appear to the Inquiry that there has been a considerable amount of time during EES development with the Technical Reference Group, exhibition and the consideration of submissions (many, if not all, of the issues raised in the DSE submission are raised in other submissions) to address these issues.

If the latter, the Inquiry will be interested to hear what is proposed and if any such work may lead to requirements for further exhibition of material.

## **Additional Expert Evidence**

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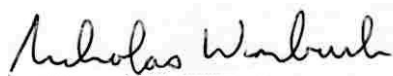
The time between the directions hearing (12 September) and commencement of the main hearing (15 November) is generous for an EES Inquiry. The Inquiry notes that the expert witness statements are due for circulation two weeks before the hearing commencement date, allowing for approximately a six week period to engage and brief 'new' experts.

To facilitate proceedings on this issue, the Inquiry considers that, as a suggestion for discussion on 11<sup>th</sup> October, expert report circulation could be put back until close of business on Monday 12<sup>th</sup> November. This gives parties a few days to briefly review the material for opening submissions but still allows a full two weeks for other experts to review the material prior to the expert theme days.

This would result in an eight week period to engage and brief experts from the directions hearing.

If you intend to present at the hearing on the 11<sup>th</sup> October please notify Nicole Maloney in our office on 03 9637 9690 by close of business on **Tuesday 9<sup>th</sup> October**. Please provide an electronic copy of your submission (or a summary if only a verbal submission) to the Inquiry following its presentation.

Yours faithfully



Nick Wimbush  
**INQUIRY CHAIR**