

The Hon. Richard Wynne MP  
Minister for Planning  
Level 16, 8 Nicholson Street  
East Melbourne VIC 3002  
Via email: [Richard.Wynne@parliament.vic.gov.au](mailto:Richard.Wynne@parliament.vic.gov.au)

4 March, 2020

Dear Minister,

**West Gate Tunnel Project** [REDACTED]

Further to our letter dated 25 February 2020, Council has still not been afforded proper consultation with regard to the proposal for [REDACTED] to accept, store, and potentially dispose of uncatagorised contaminated soil from the West Gate Tunnel Project. It is noted that we have not yet received notification that a decision has been made on whether or not you will use your powers under section 20(4) of the *Planning and Environment Act 1987* in relation to the disposal of soil from the West Gate Tunnel project at [REDACTED].

If such a decision is contemplated, we now request the draft incorporated document so that we may comment on it.

If no draft exists at this time, we seek written confirmation that it will be provided to Council in a timely manner in order to allow proper consideration of, and comment on it from Council.

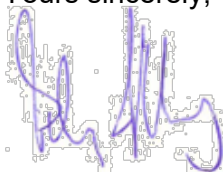
You are aware that Council disputes that proper or adequate consultation has been afforded it to this point, and that in these circumstances use of section 20(4) is inappropriate.

This request for the draft incorporated document is made without prejudice to Council's arguments that the necessary consultation under the section 20(4) process has not yet been undertaken and that use of section 20(4) is therefore inappropriate.

To reiterate, it is imperative that Council be provided with all technical reports and materials in draft so that Council might be afforded the opportunity to make comment on these documents before they are finalised and before any decision is made on the basis of them.

I appreciate your time on this matter and I look forward to hearing from you.

Yours sincerely,



**Phil Jeffrey**  
Acting Chief Executive Officer

