



Planning Panels Victoria

Department of Environment, Land, Water and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 8624 5712

27 September 2022

Dear Submitter

Boroondara Planning Scheme Amendment C284boro Part 2 36 Kooyongkoot Road Advisory Committee

We are writing to you because you made a submission to the above Amendment in relation to 36 Kooyongkoot Road, Hawthorn.

The Minister for Planning has appointed the 36 Kooyongkoot Road Advisory Committee (the Committee) to advise on whether 36 Kooyongkoot Road, Hawthorn (the Property) should be included in the Heritage Overlay. The role and scope of the Committee is guided by the **attached** Terms of Reference signed by the Minister for Planning on 14 September 2022. The Terms of Reference also provides background on the events leading to the appointment of the Committee.

All parties to this proceeding must read and understand the scope of the matters to be considered by the Committee.

Sarah Raso (Chair), and Elizabeth McIntosh were appointed by the Minister for Planning on 14 September 2022 as the Committee. The Committee will be assisted by Chris Brennan, Senior Project Officer from Planning Panels Victoria.

In accordance with Clause 13 of the Terms of Reference, the Committee must provide the following parties with an opportunity to make a submission and be heard at a Public Hearing:

- Boroondara City Council
- the landowner of the Property at 36 Kooyongkoot Road, Hawthorn
- The two submitters who made submissions about the Property to Amendment C284boro.

This letter:

- informs you about the Committee's hearing process
- tells you what you need to do if you want to participate in the Public Hearing
- explains how the Committee will use information provided throughout this process
- sets out some key dates for the exchange of information before the hearing.

The Amendment

The Amendment proposed to include the Property as an individually significant place in the Heritage Overlay.

Council is the Planning Authority for the Amendment.

This Committee has had no previous involvement with Amendment C284boro and it has not read the Panel Report or any other material associated with it.

The Hearing process

The Committee will:

- hear and consider submitters in an independent forum

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



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- be informal and not like a court
- give fair, unbiased advice to the Minister for Planning about the Amendment.

Submissions and other information presented throughout the process, including the Hearing, will be **treated as public documents**. Please carefully read the attached *Privacy Collection Notice*.

The Committee process includes a Directions Hearing and the Hearing.

Directions Hearing

The Directions Hearing will be held in person at:

10.00am, Thursday, 13 October 2022

Planning Panels Victoria, Hearing Room 2, 1 Spring Street, Melbourne 3000

You may alternatively attend the Directions Hearing **by video conference using MS Teams**

Video link: [Click here to join the meeting](#)

At the Directions Hearing, the Committee will:

- consider what information the Committee should be provided with in relation to the Amendment
- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times and venue and site inspections
- answer questions people have about the Committee process including the Hearing.

You should attend the Directions Hearing if you:

- wish to participate in the Hearing
- have questions about the Committee process or wish to raise procedural issues.

The Committee proposes to issue directions after considering all requests to be heard and any additional matters raised at the Directions Hearing or in writing before the Directions Hearing.

Hearing

The Hearing is proposed to start on **Monday, 28 November 2022** and is expected to run for approximately **two** days. The Hearing is open for anyone to attend.

The Committee will consider all referred written submissions when preparing its report, including those from submitters who do not attend the Hearing.

Key dates

The Key Information attached to this letter includes a list of key dates for the circulation of information in the leadup to the Hearing. If you wish to comment on the key dates but are unable to attend the Directions Hearing, you can provide comments in writing to planning.panels@delwp.vic.gov.au by Tuesday, 11 October 2022.

If you wish to be involved in the Hearing

Please complete the [online request to be heard form](#) **by 12 noon on Tuesday 11 October 2022** if:

- you wish to be involved in the Hearing
- you do not wish to speak but would like a copy of the timetable and directions.

Notes on completing the online request to be heard form are attached.

Further Information

The attached *Privacy Collection Notice* explains how your submission will be used by the Committee.

Further information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at:

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

If you need a paper copy of these documents or if you have any other questions, please contact Chris Brennan, Senior Project Officer, Planning Panels Victoria on [REDACTED] or planning.panels@delwp.vic.gov.au.

Yours sincerely



Sarah Raso
Committee Chair

Completing the Request to be Heard Form

Boroondara Planning Scheme Amendment C284boro Part 2
36 Kooyongkoot Road Advisory Committee

When completing the online *request to be heard form*, please note the following details.

When will the Hearing be held?

The expected hearing dates are between 28/11/2022 and 2/12/2022.

What if I have availability issues during the expected hearing dates?

You can tell us when you are not available.

The Committee will accommodate your availability where possible.

Time required to present your submission

You will be allocated 10 minutes for your submission if this field is left blank.

Expert witness details

An expert witness gives evidence in a field of expertise and must prepare a report.

If you propose to call expert witnesses, you must:

- provide details of all expert witnesses on the request to be heard form – this includes their name, organisation, and field of expertise
- circulate expert witness reports at a specified time before the Hearing.

Participants in the Hearing can generally cross-examine expert witnesses.

What happens after I complete the form?

If you complete this form, a letter with directions and a timetable for the Hearing will be emailed to you after the Directions Hearing. Your name and email address will also be added to the Distribution List for the circulation of information like reports and submissions for the Hearing unless you tell us otherwise.

What if I do not have an email address?

Please contact Planning Panels Victoria on (03) 8624 5712 as soon as possible if you need a form mailed to you. A paper copy of documents such as the timetable will be mailed to submitters who provide a postal address.

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

Access requirements

Please contact PPV with any access requirements. Some Hearings are at PPV, some are at other locations and some are held online. PPV Hearing Rooms are equipped with a hearing loop, and a laptop and projector if required. If the Hearing is held at another location, we may need to ensure access requirements can be met.

Key information

Boroondara Planning Scheme Amendment C284boro Part 2
36 Kooyongkoot Road Advisory Committee

Preliminary list of issues

The Committee has not been provided with a copy of the Amendment or any relevant background material. Parties should come to the Directions hearing prepared to discuss the key issues with the Committee and to advise on an agreed set of documents to be provided and/or prepared.

Summary of dates

The following dates are proposed:

Time	Date	Action
12 noon	Thursday, 20 October 2022	Council and/or Landowner must supply the agreed set of documents
12 noon	Monday, 14 November 2022	Council must circulate its Part A submission
12 noon	Friday, 18 November 2022	Parties must circulate Expert witness reports
12 noon	Thursday, 24 November 2022	Council must circulate its Part B submission
12 noon	Friday, 25 November 2022	Parties must circulate written submissions
12 noon	Friday, 25 November 2022	Any supplementary submission from a party not appearing at the Hearing must be circulated
10 am	Monday, 28 November 2022	Hearing commences

Planning Panels Victoria Privacy Notice

Your personal information will be collected during this Committee process for the purpose of documenting your views about the Amendment, advising the planning authority and the Minister for Planning about the Amendment, and communicating with you throughout the Committee process.

While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. The *Planning and Environment Act 1987* requires the Committee to conduct any Hearing it holds in public, and to keep a public record of the material provided to the Committee. Planning Panels Victoria (PPV) may:

- provide a copy of your material with all contact details to the Proponent, government agencies and other parties to the Hearing
- provide a copy of your material to any other person who requests it (your personal information will be removed first)
- provide a copy of your material to the Department of Environment, Land, Water and Planning (DELWP) if needed for preparing Ministerial briefings
- publicly display a copy of your material in the PPV Office or Hearing room
- direct that a copy of your material be publicly displayed in the relevant Local Council Office or DELWP Regional Office.

Hearings

The Committee may conduct a Hearing, either in person or using video conferencing. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the Committee may broadcast the Hearing live on the internet.

The Committee may make a recording of the Hearing, and may provide a copy of any recording to any person who request it. Where Hearings are recorded, generally audio only is recorded (not video).

The Committee can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the Committee confidentially, you will need to ask permission from the Committee Chair and provide reasons why the Committee should treat your submissions or material confidentially.

The Committee report

Under the *Planning and Environment Act 1987*, a Committee report is a public document. The Committee's report will include a list of the names of submitters and a list of the names of the parties to the Hearing. It may also include direct quotes from submitters. The report will be published on the internet.

After the Committee has reported

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

Requesting copies

If you would like a copy of any submissions or material collected by the Committee, or a copy of any recording the Committee makes of the Hearing, make a request to PPV by email at planning.panels@delwp.vic.gov.au before the Committee submits its report. If the Committee has reported, you should submit your request to the DELWP Freedom of Information and Privacy Unit at foi.unit@delwp.vic.gov.au.

If you have any concerns about how your submission will be used, please contact Planning Panels Victoria on (03) 8624 5719.