



Planning Panels Victoria

Department of Transport and Planning

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

9 August 2023

Dear Submitter

Priority Projects Standing Advisory Committee Referral 35: Victoria Gardens Expansion

We are writing to you because you made a submission to:

- draft Amendment C307yara to the Yarra Planning Scheme (Amendment) affecting land at 610, 620 and 668-682 Victoria Street, 53-79 Burnley Street, 1-9 Doonside Street, 10, 15, 20, 25-35 and 40 River Boulevard, 10 and 29 Elaine Court, 3-5, 6 and 15 Christine Crescent, Richmond
- draft Planning Permit PA2201662 (Permit) affecting land at 53, 61-67, 77-79 Burnley Street, 1-9 Doonside Street and 620 Victoria Street, Richmond.

The Minister for Planning (the Minister) has referred all submissions to the Priority Projects Standing Advisory Committee (the Committee).

Kathy Mitchell AM (Chair), Sarah Raso (Deputy Chair), Andrew Hutson and Kate Partenio will consider this referral, which will be known as Referral 35.

In accordance with its Terms of Reference and referral letter, the purpose of the Committee is to provide the Minister with advice and recommendations on the Amendment and on the appropriateness of, or any recommendations regarding conditions contained in the Permit.

This letter:

- tells you about the Hearing process
- tells you what you need to do if you want to participate in the Public Hearing
- explains how we will use information the Committee collects
- sets out draft directions for the Public Hearing.

The Hearing process

Clause 16 of the Committee's Terms of Reference provides the Committee is not expected to carry out a public Hearing but may do so if it is deemed necessary. After reviewing the Amendment, Permit and submissions the Committee considers a Directions Hearing and Hearing is required for Referral 35.

The Committee process will:

- consider submissions and evidence in an independent forum
- be informal and not like a court
- give fair, unbiased advice to the Minister about the Amendment and Permit.

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*.

Directions Hearing

At the Directions Hearing, the Committee will:

- 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.

The Directions Hearing details are:
10am, Tuesday, 29 August 2023
Hearing Room 1, Ground Floor
1 Spring Street, Melbourne

You can also participate in or observe the Directions Hearing by online video through MS Teams:

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

Meeting ID: 458 386 231 622

Passcode: jRYH3D

Or dial in: Call 03 7019 2540 and enter Phone Conference ID 358 662 354#

The Committee has drafted preliminary directions including key dates for consideration and discussion at the Directions Hearing. It will finalise these and any additional matters raised in writing after the Directions Hearing.

If you wish to comment on the preliminary directions, key dates or any other matters you can provide comments in writing to planning.panels@delwp.vic.gov.au by **12 noon on Friday 25 August** (see Direction 3).

Hearing

The purpose of the main Hearing is for people to speak to their written submission and to hear from the Proponent and Council. The Hearing will start on **Monday 23 October 2023** and may run for approximately seven to nine 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.

Documentation

Key documentation received to date includes the:

- Committee's Terms of Reference date 14 June 2020
- Letter of Referral dated 2 August 2023
- the draft and supporting documents
- submissions.

To view the documentation, [REDACTED]

Further Information

More information about the Committee can be viewed at planningpanels.vic.gov.au/panels-and-committees/projects/priority-projects-standing-advisory-committee.

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:

www.planningpanels.vic.gov.au/guides-and-resources

If you have questions, please contact Gabrielle Trowse, Project Officer, Planning Panels Victoria on [REDACTED] planning.panels@delwp.vic.gov.au.

Yours sincerely



Kathy Mitchell AM
Chair

Preliminary directions

Direction 1: Attendance at Hearing

Please complete the [online request to be heard form](#) by **12 noon on Friday 25 August** 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.

Direction 2: Statement of issues

All submitters who seek to be heard at the Hearing are to file a statement outlining the key issues you intend to rely upon at the Hearing by **12 noon on Friday 25 August**.

The statement must be no more than two pages long and will be discussed at the Directions Hearing. Statements must be emailed to planning.panels@delwp.vic.gov.au. Planning Panels Victoria will then make the statements available in the “tabled documents” folder [REDACTED].

Direction 3: Procedural matters

Please advise the Committee in writing if you have any procedural or timing matters that you wish to raise at the Directions Hearing by **12 noon on Friday 25 August**.

Direction 4: Advocates and witnesses

All Parties filing evidence must advise the Committee by **12 noon on Friday 25 August**:

- the name of your advocate(s)
- the name and expertise of all witnesses.

Direction 5: Dates for Hearing

The Hearing will commence on **Monday 23 October 2023** and should run for seven to nine days.

At the Hearing the likely order of appearance will be:

- Vicinity Centres Pty Ltd (Proponent)
- Yarra City Council
- Government departments and agencies
- Community groups
- Individual submitters.

Direction 6: Site inspection

- The Committee is proposing to undertake an accompanied inspection of the land affected by the Amendment and Permit, and its surrounds from **10am on Wednesday 25 October** (Day 3 of the proposed Hearing).

Direction 7: Submissions and expert evidence

Assuming the Hearing commences on 23 October 2023, the Committee directs:

- the Proponent file a background and context submission **12 noon on Monday 9 October**
- the Proponent file expert evidence by **12 noon on Wednesday 11 October**
- all other Parties file expert evidence by **12 noon on Friday 13 October**
- opening submissions from the Proponent must be filed by **12 noon on Friday, 20 October**
- the Proponent file a ‘Day 1’ version of the relevant Amendment documentation and Permit by **12 noon on Friday 20 October**
- expert witnesses may be asked to meet and prepare a statement of agreed opinions and facts

- the Committee will discuss with the Proponent and Council whether a meeting to discuss issues in dispute might be valuable.

Planning Panels Victoria Privacy Notice

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 23/10/2023 and 3/11/2023.

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
- file 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, 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. Your personal information will be collected during the 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 process.

While the Committee process is underway

Natural justice for all participants and transparency are important parts of the Committee process. Under the *Planning and Environment Act 1987*, the Committee is required to conduct any Hearings 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)

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- provide a copy of your material to the Department of Transport and Planning (DTP) 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 DTP Regional Office.

Hearings

The Committee may conduct a Hearing, either in person or by video conference. 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

The Committee's report is a public document which 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 Committee 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 DTP 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.