



Planning Panels Victoria

Department of Transport and Planning

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22 August 2023

Dear Party

Priority Projects Standing Advisory Committee Referral 33: Dardel Drive, Bannockburn

The Committee held a Directions Hearing for the above matter on 16 August 2023 by video conference. Please find attached:

- Committee Directions
- Distribution List
- Hearing Timetable.

The following dates apply:

Time	Date	Actions for filing and other matters	Direction
12 noon	Monday, 21 August 2023	Representation details	1
12 noon	Friday, 1 September 2023	Council Part A (background and context) submission	4
12 noon	Monday, 4 September 2023	Expert witness report	5
12 noon	Wednesday, 6 September 2023	Council Part B submission	7
12 noon	Wednesday, 6 September 2023	Council 'Day 1' version of the Permit	9
12 noon	Friday, 8 September 2023	Supplementary written submission	11
12 noon	Friday, 8 September 2023	Documents or material to be presented at the Hearing	13
9.30 am	Monday, 11 September 2023	Hearing commences	

Hearing details

Venue: Bannockburn Customer Hub, 2 Pope Street, Bannockburn

By video (Microsoft Teams): [Click here to join the meeting](#)

Please note the Hearing will start at 9.30am (and not 10am) to accommodate various availability constraints.

The Committee made no declarations.

If you have questions, please contact Anne-Marie Edgley, Senior Project Officer, Planning Panels Victoria on [REDACTED] or planning.panels@delwp.vic.gov.au.

Yours sincerely

Sarah Raso
Committee Chair

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 Director, Privacy And Information Access, Department of Transport and Planning.

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Representation details to be provided

1. Mr Trowell must file details of each submitter he is representing by **12 noon on Monday, 21 August 2023**.

Filing documents

2. Documents must be filed electronically to all parties on the distribution list. Use of the blind carbon copy (BCC) field is preferred when sending emails to the distribution list.
3. Documents must meet the following requirements:
 - a) Files must not exceed 20MB in size.
 - b) File names must be as short as possible and begin with the name of the party as it appears on the distribution list:
[Party name] - [Document Title].
 - c) If tabling more than 10 documents at once, all documents must be provided through a fileshare link (for example, DropBox or OneDrive) and be accompanied by an index list.
 - d) A Microsoft Word version or unlocked pdf version of the document must be emailed directly to planning.panels@delwp.vic.gov.au after being filed.

Notes

All information presented to the Committee for the purposes of the Committee process is a public document unless the Committee directs otherwise. For more information on how your submission will be used, refer to the [PPV Website](#).

If your document is larger than 20MB, break it down into parts that are less than 20MB each.

If you do not file documents by the specified time, the Committee may not accept the evidence or material. If you think you will not meet the specified deadline you must provide reasons in writing to planning.panels@delwp.vic.gov.au before the deadline.

The Committee will not publish or accept material that contains offensive or defamatory material, or personal information about other people (such as emails and phone numbers or photographs of people, particularly children).

Paper documents will only be permitted in exceptional circumstances.

If you have with difficulties providing documents electronically you should contact Planning Panels Victoria.

Before the Hearing

Council Part A (background and context) submission

4. Council must file a Part A (Background and context) submission by **12 noon on Friday, 1 September 2023** that includes:
 - a) a summary of the physical context of the subject land and surrounds
 - b) background to the Amendment and Permit Application, including chronology of events
 - c) a summary of the strategic context, including:
 - (i) relevant planning policies and controls
 - (ii) any other recently approved or upcoming amendments that might impact on the Amendment and/or Permit Application
 - d) a summary of any permit applications or recently granted permits that might impact on the Amendment and/or Permit Application
 - e) a summary of the issues raised in submissions, including an explanation of which (if any) of those issues have been resolved and how

Directions:

- f) a summary of the strategic justification for a residential land use and subdivision on the subject land and how this is supported by the relevant planning policies and controls, including the Bannockburn Growth Plan (given it identifies significant areas for residential growth elsewhere and nominates the subject land as recreation)
- g) a summary on why the subject land is surplus and no longer a preferred location for an AFL oval, where the new sports ground is proposed to be located, and the likely timeframes associated with its construction.

Note

Council's Part A (background and context) submission will be taken as read. Council should allow time for questions on Day 1 of the Hearing.

Expert witness reports

- 5. Expert witness reports must be filed by **12 noon on Monday, 4 September 2023**.
- 6. An expert witness report must:
 - a) comply with the PPV Practice Note 1 - Expert Evidence ([Expert witnesses \(planningpanels.vic.gov.au\)](https://www.planningpanels.vic.gov.au))
 - b) not refer to any individual submitter by name – if necessary, individual submitters should be referred to by submission number. Community groups, organisations, corporations and government agencies can be referred to by name.

Council Part B (main) submission and 'Day 1' Permit

- 7. Council must file a Part B (main submission) by **12 noon on Friday, 8 September 2023**.
- 8. Council must address the following issues in its Part B (main) submission:
 - a) its response to the following three themes identified by the Minister for Planning in her referral letter dated 21 July 2023:
 - (i) loss of public open space
 - (ii) amenity impacts from potential future medium density housing and social and affordable housing
 - (iii) lack of consultation on the decision to declare the land as surplus (including details of the consultation process and form of consultation undertaken and copies of all relevant Council Officer Reports)
 - b) its response to submissions and evidence
 - c) its final position on the Amendment.
- 9. Council must file a 'Day 1' version of the draft Permit by **12 noon on Friday, 8 September 2023**. The Day 1 version must:
 - a) show any suggested changes in response to submissions
 - b) be marked up against the exhibited version
 - c) be in accordance with the Department of Transport and Planning's Guide to Writing Planning Permits, dated May 2023
 - d) be labelled 'Council Day 1 version – Clause X'
 - e) be in an editable format such as MS Word.

Other party submissions

- 10. A party who objects to the proposal must say how the proposal impacts them, how the proposal is inconsistent with Council or government policy or strategy, or both.

Directions:

11. A party who intends to supplement their original written submission, , or rely on a written submission at the hearing, must file their written submission by **12 noon on Friday, 8 September 2023**.

Note

For information on how to prepare and present material at a Hearing, refer to the [PPV Website](#).

At the Hearing

12. Council must provide administrative support to manage the Hearing.

Note

This may include finding a suitable venue for an in person Hearing, or if the Hearing is online or hybrid, configuring a video conference meeting, publishing links to the Hearing online, issuing direct invitations to participants (including the Committee, parties and experts) and providing technical support.

Presenting material

13. Submissions, presentations and other material presented to the Committee:
- must be presented electronically
 - must be filed by 12 noon on the business day before the material is to be presented
 - should relate to the matters before the Committee
 - must include a summary of fewer than 5 pages if the material is more than 40 pages.

Evidence and cross examination

14. Unless agreed by the Chair, evidence-in-chief should be no longer than 30 minutes.
15. An expert witness may present a summary of their evidence at the Hearing, but it must:
- not include new evidence
 - be filed by 12 noon the business day before that witness is scheduled to appear.
16. If giving evidence online, an expert witness must:
- be alone in the room from which they give evidence and not make or receive any communication with another person while giving evidence except with permission from the Committee
 - inform the Committee immediately should another person enter the room from which they are giving evidence
 - not discuss their evidence with any other person during breaks in evidence when under cross examination
 - not have before them any document, other than their expert witness report and relevant supporting documents.
17. A party, advocate and the Committee may question an expert witness.
18. If cross examining an expert witness, a party must:
- be present for the whole of the expert witness giving their evidence
 - ask clear and relevant questions, directed to matters of fact or professional opinion, that genuinely assist the Committee in understanding the issues
 - allow the expert witness time to explain their answer.

Notes

The Chair will regulate cross examination. During the Hearing, the Chair may ask you how much time you will need for cross examining each witness, and will ask you to keep to your estimate. You should aim to complete your cross examination as concisely as possible.

Cross examination time may be limited.

Directions:

You may be asked to move on to another topic if the line of questioning is not useful to the Committee.

Things to avoid when cross examining include:

- making a submission or providing your opinion
- giving extensive comment or context as an introduction to your question
- asking questions that are unrelated to the evidence
- arguing with the witness
- commenting on the expert or the evidence
- asking questions that have already been asked by another party.

If you do not support the evidence or basis on which it was prepared, or consider the evidence should not be given weight, detail your reasons in your submission rather than raising these issues in cross examination.

If you are not experienced in cross examination, you are encouraged to write your questions down to ensure they are succinct, structured into themes and able to be asked without long explanations of the context.

For information on how to cross examine, refer to the [PPV Website](#).

Closing submissions

19. Council will be provided time to present a closing submission. The closing submissions:
- a) must not raise new matters
 - b) may respond to matters raised in other parties' submissions or evidence.

Privacy and use of personal information

20. A party must not record, keep, distribute or publish contact details of any other party obtained during the Committee process, or use those contact details for any other purpose.
21. A party must not record any part of a Hearing by any means without permission from the Chair.
22. A party who wishes proceedings to be recorded must make a request to the Chair at least five business days before the Hearing commences, outlining its reasons.
23. If Planning Panels Victoria records a Hearing, any person provided with a copy of the recording must not publish or distribute that recording or use it for any purpose other than for the Committee process.

Note

Committee hearings are only recorded in exceptional circumstances.

For more information on how your personal information will be used, refer to the Privacy Collection Notice attached to the Committee's letter dated 1 August 2023.

Distribution List

Priority Projects Standing Advisory Committee Referral 33: Dardel Drive, Bannockburn

Use this list to file expert witness reports and other information in accordance with the Committee's directions. It must not be used for any other purpose. If you are unsure about whether any particular material or content is appropriate for filing, please seek guidance from Planning Panels Victoria before filing the material.

Electronic documents

Party	email address
Planning Panels Victoria	[REDACTED]
Department of Transport and Planning (Planning)	[REDACTED] [REDACTED]
Golden Plains Shire Council	[REDACTED]
Joshua Trowell	[REDACTED]

Timetable Version 1

Document hub link

Documents are available online here: [\[REDACTED\]](#)

Day 1: Monday 11 September 2023

Venue: Bannockburn Customer Hub, 2 Pope Street, Bannockburn

By video (Microsoft Teams): [Click here to join the meeting](#)

Time	Party	Sub No	Allocated
9.30 – 9.45am	Preliminary matters		10 mins
9.45 – 10.45am	Golden Plains Shire Council represented by Chris Marshall of Planit Consulting		2.5 hours
10.45 – 11.00am	Break		15 mins
11.00 – 12.30pm	Golden Plains Shire Council cont		
12.30 – 1:30pm	Lunch break		1 hour
1.30 – 3.00pm	Joshua Trowell, Maureen Lapsley, Chris Balis and Stuart Hall represented by Joshua Trowell, calling the following expert evidence: - Sally Jeavons of @leisure Planners on recreation and open space planning	1, 8, 11, 15	2 hours
3.00 – 3.15pm	Break		15 mins
3.15 – 3.45pm	Joshua Trowell, Maureen Lapsley, Chris Balis and Stuart Hall cont	1, 8, 11, 15	
3.45 – 4.00pm	Golden Plains Shire Council closing submission		15 mins
4.00pm	Day close		

Hearing Timetable Notes:

1. Please be present or online at least 15 minutes before your scheduled start time.
2. The Committee may amend a Party's start time without notice. However you will be contacted in advance if you are to be rescheduled to a different time.
3. Time will be made for morning and afternoon breaks each day. Break times will be taken at appropriate points in the proceedings, and break times in the timetable are indicative only.
4. If you have any questions about the timetable, please contact Planning Panels Victoria on planning.panels@delwp.vic.gov.au.