



Planning Panels Victoria

Department of Transport and Planning

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2 April 2025

Dear Party

Priority Projects Standing Advisory Committee Referral 47

Victorian Civil and Administrative Tribunal Call-In – 1056-1140 Plenty Road, Bundoora

The Committee held a Directions Hearing for the above matter on 31 March 2025 at Planning Panels Victoria and online. 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, 7 April 2025	Expert witness details	8
12 noon	Monday, 7 April 2025	Amended Plans and Development Plan	9
12 noon	Monday, 28 April 2025	Expert witness reports	10
12 noon	Friday, 2 May 2025	Expert joint statement of agreed facts	17.g)
12 noon	Monday, 5 May 2025	Written submissions	18 & 19
12 noon	Tuesday, 6 May 2025	Without prejudice permit conditions	20
12 noon	Tuesday, 6 May 2025	Documents or material to be presented on Day 1 of the Hearing	21
10 am	Wednesday, 7 May 2025	Hearing commences	

Declarations

As Chair, I declared I was a solicitor and partner at Best Hooper from 2012 to 2019. Best Hooper, the solicitors for the Proponent, appear to have acted for the Proponent in relation to the subject land for an extended period of time. I declared that I had no knowledge of having worked on the matter, assisted or provided any advice in relation to it.

Member Shiel made the following declarations:

- UPCo is the planner for the Proponent. Member Shiel is currently working alongside UPCo on a project for a university.
- Member Shiel worked with Leon Hechtman at Grocon until about 2015 and has had some communication with him in the subsequent years. Mr Hechtman is now a development manager at DealCorp, the Proponent.

No party raised any issues with these declarations.

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 Transport and Planning, PO Box 500, East Melbourne, Victoria 8002



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Procedural matters

Agreed list of current documents

In the Committee's letter dated 7 March 2025, the Committee asked the Proponent and Council to provide an agreed list of documents comprising background documents, development plan and permit documentation which should form the basis of the Committee's, parties' and expert witnesses' consideration of the matter. The list provided by the Proponent was not agreed to by Council, who considered more documents should be included in relation to background material. It was agreed the Proponent would upload the material to the document share platform within 24 hours.

If you have questions, please contact Georgia Thomas of Planning Panels Victoria on (03) 9935 4197 or planning.panels@transport.vic.gov.au.

Yours sincerely

Sarah Raso
Committee Chair

Directions

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Filing documents

1. The Proponent must host and manage online document sharing. The document sharing platform must allow a party to upload documents directly.
2. Documents must be emailed to all parties on the distribution list.
3. Documents must be filed electronically by uploading them to the document sharing platform. When uploading documents, a party must email all other parties on the distribution list to inform them of the document(s) that have been uploaded.
4. Documents must be available to access and download from the document sharing platform until the date the report is submitted by the Committee. Each party is responsible to retain any documents before that date.
5. 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@transport.vic.gov.au after being filed.
6. All information presented to the Committee for the purposes of the Committee process is a public document solely for that purpose unless the Panel directs otherwise. It cannot be used for any other purpose.

Notes

Any request to access a document after that date will be subject to the Freedom of Information process.

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@transport.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

Notice of the Hearing

7. Notice of the Hearing Planning Panels Victoria will publish notice of the Hearing on its website, with information on how members of the public can observe it in person and online.

Expert witness details and reports

8. The Proponent and Council must advise the names and expertise of all expert witnesses they intend to call by **12 noon on Monday, 7 April 2025**.

Amended Material

9. The Proponent must file the following documents **by 12 noon on Monday, 7 April 2025**:
- a) a full set of amended architectural plans, including a statement of changes
 - b) an amended Development Plan, including a statement of changes.

Note

If you need additional information from another party and they have not agreed to provide it to you, you should make a request in writing to the Panel requesting it to direct the provision of the information. The information must be related to the proposal and be of assistance to the Committee. Requests should be short and clearly state why you need the information.

Expert witness details and reports

10. Parties must file expert witness reports by **12 noon on Monday, 28 April 2025**.
11. An expert witness report must:
- a) comply with the PPV Practice Note 1 - Expert Evidence ([Expert witnesses \(planningpanels.vic.gov.au\)](https://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.
12. An expert witness who has not participated in a meeting of experts can provide a response to other like evidence by 12 noon the business day before the Hearing commences.

Expert meetings

13. Expert witnesses dealing with traffic related matters must meet to prepare a statement of agreed opinions and facts.
14. The meeting(s) should be held after the expert reports are filed but before the Hearing commences.
15. The meeting(s) can only be attended by:
- a) the experts being called to give evidence
 - b) a non-participating note taker if necessary.
- Advocates or parties instructing the experts must not attend the meeting(s).
16. If any expert witness is instructed not to reach agreement in respect of points of difference, the expert must report those instructions in writing to the Committee and all parties.
17. The statement(s) of agreed opinions and facts:
- a) must list the relevant participants in attendance
 - b) must note if any participant is not present for any significant discussion point
 - c) must record the facts and opinions agreed and not agreed in respect of each issue and the reasons for any disagreement
 - d) should be fewer than five pages with numbered paragraphs
 - e) should not restate the evidence – evidence should be cross-referenced in the agreed statement if required
 - f) must be signed by all participants.
 - g) must be filed by **12 noon on Friday 2 May 2025**.

Proponent submission

18. The Proponent must file a written submission by **12 noon on Monday, 5 May 2025** that includes::

- a) an explanation of the proposal and its history
- b) a summary of the physical context of the subject land and surrounds
- c) a summary of the strategic context, including relevant planning policies and provisions
- d) its response to evidence.

Council submission

19. Council must file a written submission by **12 noon on Monday, 5 May 2025** that includes::
- a) its response to evidence
 - b) its final position on the proposal.

Without prejudice permit conditions

20. Council must file a without prejudice version of the permit conditions by **12 noon on Tuesday, 6 May 2025**.

At the Hearing

Presenting material

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

Evidence and cross examination

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

Part C (closing) submissions

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

Drafting changes

28. The Proponent must file its final preferred version of the permit conditions and any updates to the Development Plan with its Part C (closing) submission. The final preferred version must:
- a) show changes proposed in response to evidence or submissions presented at the Hearing
 - b) be marked up against the Proponent Day 1 version
 - c) be labelled 'Proponent Part C (closing) version –Permit/Development Plan'.
29. If Council wishes to provide drafting comments on the Proponent's Part C (closing) version of the permit conditions and development plan it must file them by 12 noon, **5 business days after the hearing closes**. Drafting comments must only relate to drafting issues, not broader issues.
30. The Proponent may provide written comments on Council's proposed drafting changes by 12 noon, **5 business days after such comments are due**.

Privacy and use of personal information

31. 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.
32. A party must not record any part of a Hearing by any means without permission from the Chair.
33. 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.
34. 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. EES Hearings are generally recorded (audio only), but you should check with Planning Panels Victoria before the Hearing starts.

For more information on how your personal information will be used, refer to the Privacy Collection Notice attached to the Committee's letter dated 7 March 2025.

Timetable

Priority Projects Standing Advisory Committee Referral 47
Victorian Civil and Administrative Tribunal Call-In – 1056-1140 Plenty Road, Bundoora

Timetable Version 1

Day 1: Wednesday 7 May 2025

Venue: Planning Panels Victoria, Hearing Room 2 (Ground Floor, 1 Spring Street, Melbourne) and online at [Join the Hearing now](#)

Time	Party	Sub No	Allocated
10:00am – 10:20am	Preliminary matters		20 mins
10:20am – 11:15am	Proponent represented by John Cicero of Best Hooper <ul style="list-style-type: none">- Planning from TBC- Traffic from TBC- Urban Design from TBC		1.5 days
11:15am – 11:30am	Break		15 mins
11:30am – 12:30pm	Proponent cont		
12:30pm – 1:30pm	Lunch break		1 hour
1:30pm – 3:15pm	Proponent cont		
3:15pm – 3:30pm	Break		15 mins
3:30pm – 4.30pm	Proponent cont		
4:30pm	Day close		

Day 2: Thursday 8 May 2025

Venue: Planning Panels Victoria, Hearing Room 2 (Ground Floor, 1 Spring Street, Melbourne) and online at [Join the Hearing now](#)

Time	Party	Sub No	Allocated
10:00am – 10:15am	Preliminary matters		15 mins
10:15am – 11:15pm	Proponent cont		
11:15am – 11:30am	Break		15 mins
11:30am – 12:30pm	Proponent cont		
12:30pm – 1:30pm	Lunch break		1 hour
1:30pm – 3:15pm	Council represented by Adeline Lane of Jackson Lane Legal calling the following expert evidence: <ul style="list-style-type: none">• Traffic from TBC• Urban Design from TBC		
3:15pm – 3:30pm	Break		15 mins
4:30pm	Day close		

Day 3: Friday 9 May 2025

Venue: Planning Panels Victoria, Hearing Room 2 (Ground Floor, 1 Spring Street, Melbourne) and online at [Join the Hearing now](#)

Time	Party	Sub No	Allocated
10:00am – 10:15am	Preliminary matters		15 mins
10:15am – 11:15pm	Council cont		1 day
11:15am – 11:30am	Break		15 mins
11:30am – 12:30pm	Council cont		
12:30pm – 1:30pm	Lunch break		1 hour
1.30pm – 3.15pm	Council cont		
3:15pm – 3.30pm	Break		15 mins
3.30pm – 4.30pm	Council cont		1 hour
4:30pm	Day close		

Day 4: Friday 16 May 2025

Venue: Planning Panels Victoria, Hearing Room 2 (Ground Floor, 1 Spring Street, Melbourne) and online at [Join the Hearing now](#)

Time	Party	Sub No	Allocated
10:00am – 10:15am	Preliminary matters		15 mins
10:15am – 11:15pm	Without prejudice drafting session on the permit conditions (if required)		1 hour
11:15am – 11:30am	Break		15 mins
11.30pm – 12.00pm	Proponent closing submission		1 hour
12.00pm	Hearing close		

Hearing Timetable Notes:

1. If you are unable to be present at your scheduled time, please contact Planning Panels Victoria on **Error! No text of specified style in document.** as soon as possible.
2. Please be present or online at least 15 minutes before your scheduled start time.
3. 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 day.
4. 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.
5. Getting to the Hearing venue – Planning Panels Victoria (corner Spring and Flinders Streets) is on the 75 and City Circle tram lines and a short walk from the Collins Street trams 109, 11, 12 and 48. It is also a short walk from Parliament Train Station.
6. If you have any questions about the timetable, please contact Planning Panels Victoria at planning.panels@transport.vic.gov.au