



# Planning Panels Victoria

Department of Transport and Planning

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

3 August 2023

Dear Submitter

## **Priority Projects Standing Advisory Committee Referral 34: Box Hill Central North Master Plan**

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We are writing to you because you made a submission to draft Amendment C245whse to the Whitehorse Planning Scheme (draft Amendment) affecting land at 17-21 Market Street, part of the land at 1 Main Street, 2 Prospect Street, 8 Prospect Street, 8A Prospect Street, part of Main Street, Prospect Street, Nelson Road, Fairbank Lane and the landscape reserve fronting Whitehorse Road, Box Hill (subject land).

The Minister for Planning (the Minister) has referred all submissions to the Priority Projects Standing Advisory Committee (the Committee). A copy of the referral letter dated 30 July 2023 is attached.

Kathy Mitchell AM (Chair), Sarah Raso (Deputy Chair), Andrew Hutson and Kate Partenio will consider this referral, which will be known as Referral 34.

In accordance with its Terms of Reference and referral letter, the purpose of the Committee is to provide advice to the Minister on whether to approve the draft Amendment.

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 draft Amendment and submissions the Committee considers a Directions Hearing and Hearing is required for Referral 34.

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 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*.

## **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 will be held:

**10am, Thursday, 24 August 2023**

**Hearing Room 1, Ground floor**

### **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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## 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](#)

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](mailto:planning.panels@delwp.vic.gov.au) by **12 noon Friday 18 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 18 September 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 30 July 2023
- the draft amendment and supporting documents
- submissions.

To view the documentation, [please click here](#).

## Further Information

More information about the Committee, including its Terms of Reference can be viewed at [planningpanels.vic.gov.au/panels-and-committees/projects/priority-projects-standing-advisory-committee](http://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](http://www.planningpanels.vic.gov.au/guides-and-resources)

If you have questions, please contact [REDACTED]  
[REDACTED] [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).

Yours sincerely



**Kathy Mitchell AM**  
Lead Chair

# Completing the online request to be heard form

Priority Projects Standing Advisory Committee Referral 34: Box Hill Central North Master Plan

## Direction 1: Attendance at Hearing

Please complete the [online request to be heard form](#) by **12 noon on Friday 18 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 No 2: Statement of grounds

All submitters are to file an updated statement of grounds outlining the key issues you intend to rely upon at the Hearing by **12 noon on Friday 18 August**.

The statement must be no more than two pages long and will be discussed at the Directions Hearing. Statement's must be emailed to [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au). Planning Panels Victoria will then distribute the Statement's to all parties who file a request to be heard before the Directions Hearing.

## 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 18 August**.

## Direction No 4: Advocates and witnesses

All parties filing evidence must advise the Committee by **12 noon on Friday 18 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 18 September 2023** and should run for seven to nine days.

At the Hearing the likely order of appearance will be:

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

## Direction No 6: Site inspection

- The Committee is proposing to undertake an accompanied inspection of the subject land and its surrounds from **10am on Wednesday, 20 September** (Day 3 of the proposed Hearing).

## Direction No 7: Submissions and expert evidence

Assuming the Hearing commences on 18 September 2023, the Committee directs:

- the Proponent file a background and context submission **12 noon on Monday 4 September**
- the Proponent file expert evidence by **12 noon on Wednesday, 6 September**
- all other parties file expert evidence by **12 noon on Friday, 8 September**
- opening submissions from the Proponent must be filed by **12 noon on Friday 8 September**
- the Proponent file a 'Day 1' version of the Amendment documentation by **12 noon on Friday 8 September**
- 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.

# Completing the online request to be heard form

Priority Projects Standing Advisory Committee Referral 34: Box Hill Central North Master Plan

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 18/09/2023 and 29/09/2023.

## 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.

# Planning Panels Victoria Privacy Notice

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)
- 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](mailto: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](mailto: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.